

DISSENT

Vol. 5 No. 5

University of Oregon Law School

February 3, 1978

The opinions expressed herein are those of their authors, only, and do not necessarily represent the attitudes of the Student Bar Association, the Dissent staff in general or the Law School administration or faculty.

Head Humpers Heralded

For the hundreds who tripped into the Eugene Hotel basement for one of the best parties ever, the DISSENT would like to publicly acknowledge in no uncertain terms the efforts of the following souls—without whom we would have gone Humpless: Head Honcho, dapper Dave Dinerman, underlings Tom Carter, Micky Ryan, Mike Stone, Lynn Shepard, John Butterfield and Roxanne Burgett. Many thanks also to the un-named ticket-sellers, munchie-buyers, etc.

Next issue, Mr. D will have for us an itemized, notarized and audited statement of expenses and receipts. Even if it turns out to be redder than the eyes in the upstairs suite, no matter—the Hump was worth it!

Special appreciation is due Greg Harris, a comic unparalleled in this law school's history. It will be a sorrier Hump one revolution hence without his professorial impersonations. Perhaps we'll be able to carrot him with a plump (no offense, Greg) honorarium. Or maybe he'll be held back a year. In any case, we love you, brother Harris!

WINTER HARVEST

Dear Person,
There is no time for you
to be brave or cruel,
and grade school romance is inapplicable.
I have no tool to repair your past,
and do not wish to build on your indications.
Suffice antic to make you laugh
and leave vengeance to schoolyard vexations.
We are older now.
Now there is time for fun
and witty conversation.
No delay!
Tomorrow is fast and fills up the day.

—J. T. Meier

Immigration, Progressive Law Seminars Scheduled

On February 10, the National Lawyers Guild and the CLE division of the law school will co-sponsor a full day seminar on Immigration Law. It is designed to give both the practitioner and the student some basics in an area of the law with which few are familiar but one that is becoming increasingly important in Oregon. Students may attend at the reduced rate of \$10. Participants are practicing attorneys and legal workers from Seattle, Portland, and Salem.

"New Issues in Progressive Legal Work" is the title of the two-day conference to be held at the law school that same weekend, February 11 and 12. The aim of the co-sponsors NLG, LSCRR, WLF and SBA, to bring together not only law students, by lawyers and legal workers from throughout the state who are interested in progressive legal work.

Opening the event will be a key-note address from Ann Fagan Ginger, a well-known civil liberties lawyer from Berkeley. Workshops that weekend will include Police Misconduct, domestic violence, non-traditional legal practice, Cooperatives, New Issues in Criminal Practice, Indian Law and Sexual Harassment. There is a separate \$10 charge for law students who wish to attend this two-day conference; Ms. Gingers key-note address is open to the public without charge. Please pre-register if you plan to attend. Forms will be available soon.

Dissent Staff

Editor Frank Gibson
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Charles Porter Speaks

Eugene attorney Charles Porter recently spoke to the National Lawyers Guild concerning his October, '77 visit to Havana, Cuba for the Conference of American Association of Jurists. The AAJ, founded in 1975 is composed of Western Hemisphere lawyers committed to the ideals of human rights.

The Conference focused upon the "inalienable rights of the people to self-determination and economic independence." Among the topics of discussion were: U.S. control of the Panama Canal; the American naval base in Guantanamo, Cuba; international sharing of ocean-floor resources; and political repression in the Western Hemisphere. The Conference's final resolutions supported Puerto Rican independence and the Cuban presence and involvement in Africa. As a former member of the House of Representatives and one-time worker in Kennedy's "Food for Peace" program, Porter says he gained valuable insight into the true processes of American government. He has travelled extensively and studied the manner in which other social and political systems approach societal problems-

Comparing perceptions from a 1963 Cuba trip with his recent visit, Porter was impressed by the improvement of living conditions achieved under Castro. Great advances in education and health care were noted as was the opening of the country's beaches, previously reserved for the wealthy and privileged. Porter somewhat sadistically showed photographs that portrayed the people's new-found appreciation for clean sands and warm waters.

Addressing problems of American society, especially economic instability and potential financial crises, Porter called for the nationalization of energy resources, transportation, banking, and portions of the communications industry. Private management policies which encourage consumption and ignore the ecological effects of production result in inefficient use of resources, he said, adding that the profit motive which operates in a capitalist economy often fails to allow for long-range planning. Porter cites this as a major failing of capitalism, one that could be improved upon by nationalizing certain key industries.

Travels to Cuba and China have convinced Porter that some nationalization is necessary and can be successful. A major problem that prevents public acceptance of this viewpoint is the almost total absence of research and program proposals concerning nationalization. Porter encourages all who are interested to explore the practical aspects of implementing nationalization programs. First year students still in search of a Perspectives topic and anyone else interested should contact Charles Porter in Eugene.

-Rick Parrish

OLR Staff Selected

The following students have been selected for the 1978-1979 Oregon Law Review staff:

Moshe Berger
Don Carter
Mike Chellis
Kathy Dodds
Frank Gibson
Katy Henke
Matt McCormick
Christie McQuire
John Maguigan
Marybeth Ormsby
Mike Schein
John Shelley
Robert Shields
Jacquelyn Smeltzer
Steve Tervooren
Ann Thompson
Sue Titus
Barbara Wehnau
Duncan (Mike) Wells
Paula Wilk

The monumental task of reading and scoring 31 comments comprising at least 1,500 pages in two weeks was accomplished by each of the following bleary-eyed staffers: Ed Belsheim, Dale Goble, Pat Fetterly, Amy Houchen and Bruce May.

Short v. Tall

The law school is engaged in a revolution: Little people are on the move. With each passing day, the tensions (not the participants) grow.

The Little People's Law Forum (LPLF), bound together by antagonism toward Randy Newman's song, "Short People," has reached its "peak" of tolerance.

The war is being conducted on a low level. Tall people are hurting their backs when they stoop to read the signs posted by LPLF members. Shins are being kicked, accusing fingers are being thrust aimlessly into the air, and platform shoes are creeping into our midst.

Civil war is inevitable.

However, many law students of "reasonable" height are confused by the battle. Lacking the means to determine their status exactly, the "in-betweeners" don't know whether to turn up or down for peer support. In this class-conscious society, it is important to be true to one's social group. As in most areas of law, the line between "What is tall?" and "What is short?" is blurred. Yet there are guidelines

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Carter & Carterism

Well sports fans, it's time again to engage in that annual rite of spring-time in Eugene, namely prognosticating the eventual matchups in the Super Bowl of SBA politics—the SBA presidential election.

At this time, everyone's pick is that ol' non-candidate himself, Tom Carter. Although he has yet to file officially and has vigorously denied his potential candidacy for a year and a half, some people feel he has been campaigning ever since he stepped into this building. An example: he has been observed making promises of office space (in file cabinets) to the Little People's Law Forum in exchange for support. This has ominous potentialities when one considers the left wing extremist faction of the LPLF, Arnie Polk, and his penchant for harrasment (biting people on the shin) and espionage (overhearing conversations while hiding in a locker).

Tom's chances looked pretty good until his recent loss of credibility. Quite frankly, some people feel that they can't believe a word he says. His oft-repeated assertion that he is "only going for the hook" is belied by his outrageous GPA and his epic length outlines. He has cultivated his reputation as a defender of women's rights by serving as a featured speaker for WLF sponsored functions, while at the same time calling "time out" from hearts games to observe shapely undergrads as they meander by. Inconsistencies such as these and his rabid cutthroat closet redhotism may have done irreparable harm in creating disillusionment and alienation of support in his camp.

In response to this, a hybrid of wondrous content has begun to coalesce. For perhaps the first time in the history of SBA politics, a co-presidents team may run. At first glance, it may appear to be an unlikely combination. On one hand, you have Ann Aiken: staunch Democrat, woeful hearts player, WLF member, red-hot, Oregon resident, and political protege of William O. Douglas, with whom she has had the familiarity to refer to as "Bill." Her running mate, Mike "Billy Clyde" Stone, can be easily summarized as everything Aiken is not. On the face of it, this coalition appears about as likely to succeed as political opposition in Uganda, but on close examination the plan is fiendishly clever. Aiken can draw support from all the diverse do-gooder groups, while the normal population will believe Stone's rigid exercise of moderation will be enough to keep the energetic Ms. Aiken under control.

Carter has responded to this threat from the left and the right by privately commenting to friends, "I am really a woman. This unused appendage I carry around is only for ballast."

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The Dissent a Waste?

In the SBA's budgetary request to the ASUO, the allocation for next year's DISSENT is \$250—down \$450 from this year's budget.

According to President Braulio Escobar, three reasons underlie this 64% cutback: 1) other programs (esp. Moot Court) and expenses (esp. telephones) need more money, 2) the DISSENT hasn't been spending at a rate that will exhaust this year's allotment, and 3) many people think the DISSENT is a waste of money anyway.

As for reason #1, I sympathize with Braulio. A limited budget cannot be juggled to meet everyone's expectancy. I concede that the DISSENT hasn't been publishing at the rate contemplated when this year's budget was submitted last year. There have been five issues, each of which have been about 11 pages at a cost of about \$40 per issue (not including my \$15 per issue salary). I suspect there'll be five more issues this year, leaving about \$200 unspent.

If the DISSENT is forced to operate all next year on \$250, there will be no more than ten issues and each will be limited to about four pages. This excludes editorial compensation.

Yes, next year's editor can go before the SBA and ask for additional money when the coffers dry up and yes, s/he can ask next year's president to sign an SBA Trust Fund check for the per issue compensation (not included as such in the \$250). But will the SBA view the request objectively if it has been subject to DISSENT criticism in prior issues? Will the president sign the editor's check if a Samoan Fishing in America type article has been published? Both propositions are questionable.

I don't believe that the only missions of the DISSENT are to criticize and ridicule; hopefully, next year's editor will concur. But some of both are needed if the paper is to be informative and entertaining.

Perhaps the majority of students do think the DISSENT a waste. If so, a starvation diet is appropriate. But if the contrary is true, then the paper should be adequately provisioned so that it can go about its business without having to practice up on its beggar's wail.

What is the verdict? Please help by casting your vote on the brief form on the last page. Thanks.

Frank Gibson

Persistent rumors that Dean Clark may run in order to allow the Administration and the SBA to function in better harmony are unfounded. In fact, Harold says he is going to Oslo this term instead.

Finally, the apparent lack of any viable potential candidate under 5'5" seems to indicate that another runt in office is not in the foreseeable future.

Additional candidates will be pro-filed as they surface from the mire.

Another Stone-Butterfield workproduct in the fine Samoan fishing tradition

Suggestions for Sanity

Winter vacation . . . only a few short weeks ago. You haven't forgotten, have you? Sleeping till noon, watching TV, reading fiction, seeing movies, going shopping, getting drunk . . . Remember?

Law students exist as real people only a few short weeks per year. As the new year dawns (and stretches on), it is important to our general sanity to try and incorporate that special "real person" feeling into our daily bump and grind. Therefore, The Dissent is pleased to present some belated resolutions for the student who wishes to make law school just a little bit more livable:

1. Associate with the Greek groupies who inhabit our lounge. They're just dying to hear what law school is really like, and you're dying to know what it's like to be a Greek Groupie. After all, you could use a new friend. Try this line for positive results, "Hey, baby, I'm going to be a lawyer someday!"

2. Try to work some "real person" phrases into your vocabulary. Instead of labelling the latest social evil as unconscionable, try "bummer". Substitute "that's the way it is, baby" for the well-worn res ipsa loquitur. You'll catch on.

3. Eat off a plate instead of out of the saucepan.

4. Cover your casebooks with the Sunday comics.

5. Play "Turkey bingo" with your friends. Organize against redhots and other revolutionary groups.

6. Hang posters in your library carrel.

7. Assign one row each week to bring treats to class.

8. Last, not least, start planning now for spring break. Booking for hooks will never replace fun in the sun.

--Kathy O'Brien

Some Bogus Awards

As we make our way through this sometime challenging endeavor called life, some persons always manage to distinguish themselves in some way or another. The purpose of this article is to give these people the recognition and exposure that they justly deserve.

Quote of the Year ('77) -TOM CARTER; who, while copying Kathy Dodd's Con law outline said "No you can't see it. I think everyone should do their own work."

Quote of the Year ('78) -MARY ANN BEARDEN; who when asked by Prof. Mooney why the court did not feel the cars in question were covered by the collateral description clause, exclaimed "Its all little bitty shit."

"My time is worth something award" - ANN AIKEN; who put a pantsuit on lay-away in October. In December, after shopping for over 3 hours without being able to find anything she liked, she went back and bought the suit she had put on lay-away more than two months previous.

Best convert to the Tom Carter Syndrome - MIKE STONE & JOHN BUTTERFIELD, tie; seen studying in the library the first week of this semester.

Most dedicated to wasting time as a matter of principle - JEFF JOHNSON; who spent over two hours drawing diagrams in triplicate and writing letters to the city manager demanding disciplinary action be taken the meter maid who hung a ticket on his VW for blocking in another car. When Jeff had returned to his vehicle and found the \$10 ticket, the car he was supposed to be blocking in was gone.

Gross Negligence Award -MIKE CARO; who bet Mike Stone and John Butterfield "all the beer you can drink" that he would not get an A in tax, and lost. He settled out of court for a keg.

World's Shortest Terrorist Award - ARNIE POLK; who kidnapped the SBA Xmas tree and won't return it until his demands for "little people" are met. It is ironic that Arnie kidnapped one of the few things shorter than he is.

Gross Fraud Award- MIKE STONE; who at 8:30 in the morning fielded questions in Parts & Corps for almost 15 minutes before finally being forced to admit he had not read the case.

Law School Womanizer Award -GLENN BERGENFIELD; for those of you interested, you can pick up your number in the Law Review office. For those of you not interested--don't worry, he will get to you anyway.

Admittedly, this is only a limited list but if any of you know of any memorable antics of your classmates which deserve immortalization, contributions are welcome.

-Mike Stone

Flying Squirrels Undefeated

Red Hot and Rolling!

After two weeks of competition, the law women's basketball team is undefeated! The sharp-shooting Legal Eagles played their first game January 17, to a standing-room-only crowd (the bleachers weren't set up) at Gerlinger.

Playing their usual intimidating game, the women forced their opponents, the GDI's, into an embarrassing defeat—only four players showed up, and the Legal Eagles won by forfeit.

In the second week of action, the women drew a bye, bringing their record to an impressive 2-0.

Led by outstanding returnees Lynn Shepard, Pat Burke, Micky Ryan, Barb Recker, Marilyn Odell and the dynamic duo, Jane and Ann Aiken, the Eagles were joined by some promising newcomers: C. J. "Buns" Riffe, Helen Rives, and Kathy O'Brien, the highest one on the team.

Expecting to see action in future games are Jackie Smeltzer, Mary Sandell, Kathy Karpan, Marcia Schultz and Carole Shotwell.

The coaching staff (William Wheeler, Steve Hendricks and Bruce Moore) see a promising season ahead. Said Moore, "I'd sure like to see them play some time."

Tryouts for cheerpersons will be held February 2, at 12:30 in the lounge.

With the advent of innertube water polo season at hand, once again it appears that the law school's own "Flying Squirrels" will take control of the Northwest Conference. The Squirrels, willing to take the challenge of any and all bastardized sports that come along, have regrouped on the polo pool after capturing their second annual university water basketball championship title last November with a resounding victory over the favored Condon Elementary School team.

When asked about the single factor contributing most to the Squirrels continuing success, returning coach and religious leader of the Squirrels, Father J. Patrick O'Malley, commented "More gin, Muskie." Father O'Malley keeps the team on a strict training table at Taylors.

The Squirrels scored a 10-9 victory in the season opener through the combined efforts of O'Malley, Dave "Stormtrooper" Nissman, and High-Point man "Dr. J" Klapstein. Also instrumental was the Squirrels' jungle defense with D.C. Jacobs and the notorious man-to-man Manns. Goalie "Wildman" (aka "Blindman") Lanton blocked numerous shots on goal, both real and imaginary. Trooper Nissman was heard to comment regarding the aggressive defensive tactics: "Hey Squirrels! Go for the nuts!"

Rookies Rocco Burgett, Cook Cook, and "Southwest Slim" Veralrud carried the 2nd game when seasoned veterans Mann, Mann and Lanton mysteriously failed to report in. Rumor has it that they were last seen in the theatre department involved in tryouts for a musical version of "Deep Throat". The veterans were sorely missed, however, and the Squirrels were only to eke out a 25-1 victory over their opponents.

Spectators and groupies are urged to attend any and all Tuesday evenings at Gerrlinger Pool.

-J. Klap

Mad Diplomats Vie for Power

If there are any of you who are wondering why there are some semi-delerious people wandering around this building, clutching small maps and mumbling about how some European country is going to shaft them, let me explain that they really are not "tripping" on some new-found illicit drug. The answer is really much simpler. To those of you who have ever heard of Diplomacy, it will come as no surprise that once a game has been organized, true afficionados devote their mind and soul to devising devious plans to conquer the world. Quite simply for the uninitiated, Diplomacy is a game of double-talking intrigue, set in Europe 1901, where all players start out equal, and the only

way to win is to make alliances with other countries and talk them into helping you. It understandably involves a great deal of trust (and mistrust) in your fellow man. Into this situation falls the motliest conglomeration of untrustworthy, vicious, coniving, unethical, backstabbing individuals you have ever seen.

At the top of the list is John "please trust me" Butterfield, who as England is probably the least vulnerable. This status is likely to be difficult to maintain, however, since in spite of all his promises and pleadings, no one really does trust him.

Mike "I'm everyone's friend" Stone, who is saddled with Austria-

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Hungary, is frantically scrambling to cover four and a half fronts simultaneously, and has been seen approaching virtually every player with the same line: "Have I got a deal for you!"

Second only to Stone in terms of precarious positions, Dave "All Smiles" Gordon will attempt to guide Germany through a sea of entangling alliances, meeting every breach of faith accusation with a twinkle in his eye, a surprised look on his sweet baby face, and a hurt tone in his voice as he says "What? Not me."

Pete "Slippery" Shepherd rounds out the field of experienced players. He still claims to never have broken an agreement, but that may be because it is so difficult to pin him down to anything definite. As Italy, he is best known for his twenty minute negotiating sessions which you will always come out of with a definite maybe. His decisiveness may not have much effect against "All Smiles," however, who still remembers the last game where Pete gently slid a knife in his back at a crucial time.

Into this band of cutthroats is thrown a flock of Cornish game hens. Having no actual playing time to their credit, they nevertheless feel they have the requisite fanatical interest in the game to at least make a good showing.

Ron "Rookie" Seifert as Turkey (how appropriate) is at best pessimistic. He has been heard to say such encouraging things as "I figure I'll probably be out in five or six turns, but that's OK because I'll get the experience and will do better next time." Ron's premonition may very well be true, for Stone has more than once made vague comments about "Christmas in Constantinople" and "carving the turkey."

Randy "I do have a chance" Harrison is trying for a new one. After having very limited success at hearts and pitch, he feels that "This is my game." Given that the means he has at his disposal to accomplish his objective are Czarist Russia and its attendant political chaos, he may very well have his work cut out for him.

The Dark Horse in this game has to be John "George Dawson" Dana. As the only first year student in the game, he is truly the "mystery man" since no one knows what to expect from him. Even so, his patented ability to talk out of both sides of his mouth may turn out to be extremely valuable for France. Also, even though he can regularly be seen closing down Duffy's with Stone and Butterfield, the possibilities of undue influence should be kept in check by his natural skepticism of everything they say.

Unfortunately, the same cannot be said for "Rookie" Seifert. With ol' "Slippery" Shepherd as his roommate, the dangers of concerted, in-tandem action may very well be what drove Austria to view Turkey with animosity. It should be interesting.

If you care to follow the game, results of each turn will be posted in the lounge every Tuesday and Thursday on the bottom of the LAW section of the bulliten board.

Mike Stone

Dear Cardozo.).

Dear Justice Cardozo:

I have two questions that have been disturbing me, and keeping me from getting a good night's sleep. The first question concerns transfer of property. If someone wants to transfer an interest by feoffment of livery and onions must the memorandum be in writing?

The second question concerns the issue "can a blue man sing the whites?" In your last column you cited the Randy Newman case and holding that he could not. However you failed to cite a more recent opinion, Muddy Waters v. Joe Cocker, where the court held that a blue man, in some instances, may sing the whites. Also, I have always thought it was possible for a white man to sing the blacks, but a case now pending before the Supreme Court, In re The Sex Pistols, my guess is that the court will hold that white men can't sing at all. What's your opinion of this legal tangle?

Perplexed

Dear Perplexed:

A Eugene, Oregon, case dispells the clouds that have hung over livery and onions ever since Henry VIII beheaded his chef in 1529. In Excelsior v. La Primavera, this court examined the issue "When is melon in seisin?" As part of the dicta we held, "Melon or livery and onions which arrive au flambe may be granted, remised or sent back to the kitchen. The check for the meal, even if over \$500, qualifies as a "memorandum". Your interest by feoffment can be transferred underneath the table to your girlfriend, provided that nobody in the restaurant is watching.

We now turn to your second concern. Yes, we concede that in Muddy Waters v. Joe Cocker a blue man, if he snorts or shoots "angel dust", may sing the whites. As for the other issues you raise, the recent Greatful Dead concert proves that, given the right audience, anyone can sing anything.

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Scholar Collared

available that even the most obnoxiously average-heighted person can use to determine his or her proper perspective on the situation:

1. Tall people clean the tops of their refrigerators; short people clean the handles.
2. Short people ring doorbells; tall people use the knocker.
3. Short people hold hands; short people put their arms around each other.
4. Tall people never find shoes in their size; neither do short people.
5. Tall people raise thir hands; short people raise thier arms.
6. Short people sleep curled up; tall people sleep diagonally.
7. Tall people wear "shorts"; short people wear boxers, cut-offs, or hot pants.
8. Tall women wear short nightgowns; short women wear long ones.
9. Tall people have to bend over in the shower.
10. Short people get elbowed in the face when dancing.
11. Tall people lean back in their chairs; short people can't touch the ground in them.
12. Tall people stub their toes; short people get patted on the head.

K. O'B.

A Professor of Marine Mammalogy was studying the aging process in his porpoise subjects when he found that by feeding them sea gull for dinner the dolphins would never grow old. The Scientist continued feeding the dolphins this somewhat bizarre diet for years and years until one day he realized that he had depleted the sea gull population in his area. To keep his precious animals alive, the professor drove down the coast to pick up another batch of the birds.

During the journey an old, toothless and tired lion excaped from the local zoo and proceeded to the professor's laboratory where it promptly fell asleep on the front steps.

The professor later returned with his catch and found the aged beast blocking his path. Faced with need of feeding the long lived dolphins, and realizing that the big cat was too unconscious to present any danger, the professor simply jumped over the animal with the captured birds.

To his surprise he was immediately arested by federal officers. The charge: Violation of The Mann Act. . . transporting gulls across a staid lion for immortal porpoises.

- author's name illegible

From the DuCharme Scrapbook

FRANKLY, I'M
OPPOSED TO

WHAT?

A MAN'S
PLACE IS

WELL, I'M
NO MEN'S

MEN ARE INHERENTLY
VIOLENT AND NO

WELL,

A Comparison:

This Year's Budget and Next Year's Requests

<u>ITEM</u>	<u>THIS YEAR</u>	<u>NEXT YEAR</u>
<u>Salaries and Wages:</u>		
Salaries	\$ 1,000.00	\$ 1,250.00
Work Study	468.00	504.00
Temporary Employees	90.00	100.00
Payroll Assessments	38.15	71.55
SUB TOTAL	1,596.15	1,925.55
<u>Administrative Expenses:</u>		
Telephone	487.00	862.00
Postage	52.00	52.00
Office Supplies	94.00	92.41
Printing and Duplication	140.00	140.00
Publicity	350.00	300.00
Typewriter Repairs	25.00	25.00
SUB TOTAL	1,148.00	1,471.41
<u>Programs:</u>		
People's Law School	312.00	200.00
Land, Air Water Society	612.00	612.00
DISSENT	700.00	250.00
Women's Law Forum	738.00	631.79
Speaker's Program	1,500.00	1,500.00
Minority Law Students Assn.	675.00	575.00
Moot Court	826.00	1,000.00
Placement	500.00	500.00
Law Students Civil Rights Research Council	507.00	453.00
National Lawyers Guild	270.00	265.25
American Civil Liberties Union	117.00	117.00
SUB TOTAL	6,757.00	6,104.04
GRAND TOTAL	\$ 9,501.15	\$ 9,105.00