



# EX ANTE

## OUR MISTAKE

In our Autumn 2021 issue we published a fine article by Warner W. Gardner (*A Speculation as to Whether Judicial Burdens Are Self-Imposed*) in which there are four tables. The first of them has a line for opinions of the Court written by a Justice “VanDevanter” during the Court’s 1934 Term (he wrote three). As faithful reader Professor John Q. Barrett gently and modestly (“no need to credit me – that was really just FYI”) pointed out to us, the Justice spelled his name with a space between the “Van” and the “Devanter.” We checked Gardner’s original paper. He spelled the name correctly. So, this was an editorial own goal. Thank you, Professor Barrett. Apologies, Mr. Gardner.

## THE EASTER EGG DOES NOT FALL FAR FROM THE TREE

Justice William H. Rehnquist wrote the first U.S. Supreme Court opinion in which apples are compared to oranges. It was the opinion of the Court in *United States v. Apfelbaum*.<sup>1</sup> Coincidence? Considering Rehnquist’s famously “wicked sense of humor,”<sup>2</sup> unlikely. Besides, he wasn’t the first member of the Court to deposit an easter egg in plain sight.<sup>3</sup>

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<sup>1</sup> 445 U.S. 115, 128 (1980).

<sup>2</sup> Theodore B. Olson, *A Remarkable Man*, 10 *Tex Rev. L. & Politics* 261, 264 (2006).

<sup>3</sup> *Do Judges Hide Easter Eggs?*, 6 *Re-readings* 1, 2-3 (2021).