

00:00:00	Sound Effect	Transition	<i>[Three gavel bangs.]</i>
00:00:01	Jesse Thorn	Host	Welcome to the <i>Judge John Hodgman</i> podcast. I'm Bailiff Jesse Thorn. This week: "Tried Green Tomatoes." Michael files suit against his friend and neighbor Sam. Michael is growing tomatoes on their shared rooftop, and wants Sam to go onto the roof to admire his plants. Sam thinks he should <u>never</u> have to set foot on the roof. Who's right? Who's wrong? Only one can decide.
00:00:24	Sound Effect	Sound Effect	<i>[As Jesse speaks below: Door opens, chairs scrape on the floor, footsteps.]</i>
00:00:25	Jesse	Host	Please rise as Judge John Hodgman enters the courtroom and presents an obscure cultural reference.
00:00:31	Sound Effect	Sound Effect	<i>[Door shuts.]</i>
00:00:32	John Hodgman	Host	Another good cake to eat plain with coffee, or frosted with a covering of cream cheese and powdered sugar, and a little rum if possible, is <i>[deep gravelly voice]</i> CAKE NAME REDACTED. <i>[Regular voice]</i> This is a pleasant cake, which keeps well, and puzzles people who ask what kind it is. <i>[Jesse laughs.]</i> Bailiff Jesse Thorn— <i>[laughing]</i> you may swear them in.
00:00:52	Jesse	Host	Michael and Sam, please rise and raise your right hands. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God or whatever?
00:00:59	Crosstalk	Crosstalk	Michael: I do. Sam: Yes, indeed.
00:01:00	Jesse	Host	Do you swear to abide by Judge John Hodgman's ruling, despite the fact that he may or may not have been at one point in his life one of those people who wants to tell you about how a tomato is a fruit and not a vegetable?
00:01:11	Crosstalk	Crosstalk	Michael: Yes. Sam: Indeed. Yes.
00:01:12	Jesse	Host	Judge Hodgman, you may proceed.
00:01:14	John	Host	Thank you very much, Bailiff Jesse. Michael and Sam, you may be seated.
00:01:15	Sound Effect	Sound Effect	<i>[Chairs scrape.]</i>
00:01:16	John	Host	For an immediate summary judgment in one of yours' favors, the popular cultural quiz is a little different. I'm going to tell <u>you</u> , Michael and Sam, where that quote came from. It is a direct quote. It is from the book <i>The Art of Eating</i> , which is a collection of food writings of MFK Fisher, one of my very favorite authors. And I would say she defined the entwining of food and memoir, which is so popular today. But she got there first in the 1940s with her book <i>How to Cook a Wolf</i> , from which this recipe comes from. This description of a cake. My question to you is, I did not tell you the <u>name</u> of the cake. Can you guess what cake she is describing? It is "a pleasant cake which

keeps well, and puzzles people who ask what kind it is." What is the name of the cake? Michael? You seek justice before this court. Why don't you go first?

00:02:06 Michael Guest Tomato upside-down cake.

00:02:08 John Host Obviously this is a case surrounding tomatoes. I'm gonna write that down in the guess book. Tomato upside-down cake. Now Sam, what is your guess?

00:02:16 Sam Guest Mm... Tomato right-side-up cake.

00:02:20 John Host *[Laughs.]* Both actually very good guesses. But both—and all of them—wrong. 'Cause the answer is—Bailiff Jesse Thorn, you wanna guess what kind of cake this is?

00:02:33 Jesse Host Tomato cake?

00:02:34 John Host It's tomato soup cake. *[Laughs.]*

00:02:36 Crosstalk Crosstalk **Jesse:** *[Laughing]* Oh, wow.

Michael: Mm.

Sam: Mm.

00:02:39 John Host *[Laughs.]* Yeahhh! Tomato soup cake. Three tablespoons butter or shortening, one cup sugar, one teaspoon soda, one can tomato soup, two cups flour, one teaspoon cinnamon, one teaspoon nutmeg, ginger cloves mixed, one and a half cups of raisins, nuts, chopped figs, as MFK Fisher writes: "What you will."

You know, while I was on the road for *Medallion Status*, my book, and then when we were on tour, I was begging people on social media to please make spaghetti salad as described in the Hartford Whalers' *Wives* 1991 cookbook. And no one made it for me except for the first guy who brought it to me in San Francisco. No one brought me spaghetti salad on the whole tour. Because it's gross!

Well, now I'm challenging you, *Judge John Hodgman* listeners. Go and buy *The Art of Eating*, or the individual book *How to Cook a Wolf* by MFK Fisher. Get this recipe. If you make it for your holiday board this year, take a picture of it and send it in and we'll put it on the Instagram. Tomato soup cake. I wanna know if it's good!

00:03:36 Jesse Host This is starting to sound to me like a personal challenge to our friend Linda Holmes from *Pop Culture Happy Hour*. Baking enthusiast known to bring baked goods into National Public Radio headquarters in Washington, DC. I think she should be making it and serving it to Scott Simon or whatever!

00:03:53 John Host Linda Holmes, if you are within the sound of our voices, please—you and all listeners, try your hand at tomato soup cake! Let me know if it's any good. 'Cause I'm not gonna make it.

00:04:02 Jesse Host I need to know what Ari Shapiro thinks of it!

00:04:05 John Host *[Laughs.]* Alright. Let's get on with the case, then. Michael, you bring the case before the court. What is the nature of the dispute?

00:04:12 Michael Guest On the roof of our shared brownstone, me and my wife and Sam's wife have started a tomato garden in the summer that has been a lot of fun, and difficult, and rewarding. And Sam refuses to go on the

roof even to view the tomatoes as they're growing.

00:04:32 John Host You and Sam and your respective wives all live together in one brownstone.

00:04:37 Michael Guest Two separate apartments within one brownstone.

00:04:40 John Host Oh, okay. So then this is some kind of a utopian free love scheme, where you all live together?

00:04:45 Michael Guest Yeah, we're—we're a quadruple.

[Beat.]

00:04:47 Sam Guest That's how it was supposed to work.

00:04:48 John Host *[Laughs.]* That's the voice of Sam. Sam, where is the brownstone? Where do you two couples share this brownstone?

00:04:54 Sam Guest We live in Park Slope, Brooklyn.

00:04:56 John Host Oh, you're my neighbors! Have you ever passed me on the street?

00:04:59 Sam Guest I once saw you on the street. I tried to discreetly take a picture, but I did not get the camera out in time.

00:05:06 John Host Alright, I've heard everything that I need to—

[Jesse laughs.]

—*[stifling laughter]* in order to make my ruling.

[Sam laughs.]

I'm getting the largest gavel possible. *[Laughs.]*

[Five thuds.]

I find in Michael's favor. Unless Michael, did you—have you also attempted to creepshot me?

00:05:17 Michael Guest I would never.

00:05:18 John Host I don't believe you.

00:05:19 Sam Guest He's creepshotted plenty of other people.

00:05:21 John Host Yeah, I—Michael feels like a creepshotter to me too, Sam. Now he just knows that I'm gonna rule against him if he admits to it.

00:05:28 Jesse Host Bad news for Brooke Gladstone.

[John laughs.]

You're getting creepshotted by Michael every time you walk around Park Slope!

00:05:35 John Host Aw, I'm always excited when I see Brooke Gladstone from *On the Media* on the street. But I know her; I've been introduced to her. It's a normal thing for me to say. She's my neighbor.

Now I'm curious. What was I doing when you were attempting to take pictures? Was I in my bedroom sleeping?

[Multiple people laugh.]

00:05:49 Sam Guest *[Laughing]* No.

If I'm right that it was you, then you were walking through Grand Army Plaza.

00:05:56 John Host Walking fast? Like as part of my immortality project by getting some exercise? 'Cause that's the only time I get over there.

00:06:01 Sam Guest Yes, it had the look of an immortality exercise.

00:06:04 John Host Good. Well, it's working for me, and I hope it's working for you as well.

Back to your brownstone in Park Slope, Brooklyn. The firstest of world problems. Tomatoes on the roof? Michael is not only growing them, but he's also growing them along with his partner, who is named... it says "Beach" here? Is that correct?

00:06:23 Michael Guest Beach, yes. *[Laughs quietly.]*

00:06:26 Sam Guest A wonderful woman, shout-out to Beach.

00:06:27 John Host And that's Sam shouting out—

00:06:28 Sam Guest Yes.

00:06:29 John Host —to his, uh, sister-wife Beach, but his actual wife is named...

00:06:33 Sam Guest Danielle, also a wonderful woman.

00:06:35 John Host *[Laughing]* I hope that was part of your vows.

00:06:38 Sam Guest *[Laughing quietly]* Yeah.

00:06:39 John Host Alright. Danielle, Beach, and Michael are having all kinds of fun up on the roof, growing tomatoes. In containers I presume, right, Michael?

00:06:46 Michael Guest Yes.

00:06:47 John Host And during the summer, I presume, not now during the cold winter months.

00:06:50 Michael Guest In the spring and summer.

00:06:51 John Host Now you're just growing gourds, right? Squashes and gourds?

00:06:54 Michael Guest We're not growing everything, but it was just last week that the first frost hit and all the plants finally died.

00:07:00 John Host Oh! Well, then, this whole issue is moot. Unless we're looking forward to next summer.

00:07:05 Sam Guest Yeah, we are litigating about next summer.

00:07:07 John Host I'm glad that we're getting this done in time for you to prepare. So what's the setup? You have two apartments in the brownstone, is that right?

00:07:14 Michael Guest Yes. My wife and I are on the bottom two floors, and Sam and Dani are on the top two floors.

00:07:19 John Host Cool. And then there's this roof. You sent in some evidence, some photos of the roof. Let's take it to the rooftops and take a look. All these photos will be available on the [Judge John Hodgman page at MaximumFun.org](#), as well as on our Instagram page, which is [@judgejohnhodgman](#) on Instagram. You sent in some pictures of different things you've made with tomatoes that I presume you've

grown, but I wanna look at the rooftop itself here, 'cause this is the real point of contention.

By the way, the pizzas and the salads that you made with the tomatoes look very delicious. They're the ones on Instagram that are gonna get all the likes, 'cause they're food. Rooftop Instagram is not quite as vibrant.

00:07:52	Jesse	Host	Despite the efforts of the editors of <i>The Daily Bugle</i> .
00:07:55	John	Host	Well, really <i>The Daily Bugle</i> has <u>one</u> editor, J. Jonah Jameson.
00:07:59	Jesse	Host	<i>[Laughing]</i> Yeah.
00:08:00	John	Host	<i>[Stifling laughter]</i> He's really—he's always getting pictures of rooftops. Looking for that Spider-Man!
00:08:05	Jesse	Host	<i>[Stifling laughter]</i> Well, he's got that star photographer, Peter Parker.
00:08:08	John	Host	Yeah. That's always crawling around on roofs for some reason. Okay, so. Here is your rooftop. Not only can I see four containers in which you are growing tomatoes, but I can also see in the distance a slightly <u>different</u> kind of urban garden, which is the roof of the Barclays Center, which is where the Brooklyn Nets play basketball. One of the fun things about the Barclays Center is its roof is covered in grass. <i>[Stifling laughter]</i> To make it look somewhat less offensive to the neighborhood.
			Sooo I can basically triangulate exactly where <u>you</u> live, so now I will be outside of <u>your</u> apartment, taking photos of <u>you</u> when you come out.
00:08:48	Sam	Guest	That was our hope all along.
00:08:50	John	Host	We have a before and after. We have just at the beginning of planting season, and then we have the luscious growth of these beautiful tomato plants. Quite a few staked plants in these containers. How many tomato plants are you planting here, Michael?
00:09:04	Michael	Guest	There are eight tomato plants.
00:09:05	John	Host	So two per container.
00:09:07	Michael	Guest	Correct.
00:09:08	John	Host	And when did you start doing this? Was last summer the first summer you've done it, or have you done it many times before?
00:09:12	Michael	Guest	Last summer was the first summer. We had previously tried to grow cherry tomatoes in our back yard, but doesn't get much sunlight and it wasn't that successful, and there are rats that like to munch on the tomatoes. So we thought that the roof might work better, and I would say in the early spring we started trying to figure out how it might work, and then everything was up and assembled by maybe mid-May.
00:09:37	John	Host	And was your experiment successful? Did you get good tomatoes?
00:09:41	Michael	Guest	I've never grown anything in my life, at least not successfully, and it was, ah—really surpassed my expectations. Not all—I mean, the tomatoes varied. Some of them were very, very good. Some of them were fine. But overall, yeah, I'd say it was a great success.
00:09:55	John	Host	Tomatoes are always like that. Tomatoes are... <i>[censor bleep]</i> that way. Some of them are good, some are not that good. They're picky.

Anyway, here you have some photos of your tomatoes. It looks like you got some heirloom varieties here, some greenish heirloom varieties. You got some cherry tomatoes and some—just some straight-up red tomatoes.

They look pretty good to me! Also that you have these other ones that you have taken a photo of, that are kind of green and red? What are those guys?

00:10:19	Michael	Guest	I <u>think</u> that you're looking at Cherokee Purples.
00:10:21	John	Host	Cherokee Purples! What are those?
00:10:23	Michael	Guest	If you're talking about the tomatoes that have like the dark greenish top and the red bottoms, they're just an heirloom variety. They're very sweet, and those I think were some of the more successful ones that came out fantastic.
00:10:35	John	Host	What were the other names of your tomatoes?
00:10:38	Michael	Guest	Oh, I'm so glad that you asked. Black Krim, we had some German Johnsons, some Sungolds, some Red Zebras, some super sweet 100s, some husky red cherries, and some candies old yellow.
00:10:50	Sam	Guest	They were all delicious.
00:10:51	John	Host	All this seems like a terrific outcome. And <u>you</u> even just acknowledged that they were delicious tomatoes.
00:10:56	Sam	Guest	Mm-hm.
00:10:57	John	Host	And they look pretty good.
00:10:58	Sam	Guest	Mm-hm.
00:10:59	John	Host	Of course you can't judge a tomato by <u>looking</u> at it. Its ripeness is much better determined by the amount of fragrant tomatoey smell it gives off, and if it's heavy for its size, and obviously a little bit soft to the touch. That's how I pick 'em.
			But even then—! As I mentioned before, tomatoes are <i>[censor bleep]</i> . Even then, they might not taste good.
00:11:18	Sam	Guest	Stipulated, they were delicious. I had them myself, though I had no entitlement to the tomatoes, and I said that up front because I didn't wanna take part in the project. They graciously made some, you know, tomatoes available to me, and they were delicious.
00:11:31	John	Host	So what is the nature of the dispute, Sam? Have you ever been up on this roof?
00:11:35	Sam	Guest	First off, I wanna say—it's like, we can debate <u>some</u> of what Mike has to say here and some of what's been discussed, but as a <u>general</u> comment... I wanna say that characteristic of Mike's endless grievance complex, he has completely mis-described the actual dispute here. Which is to say you started this podcast by saying that we have a <u>shared</u> rooftop on which <u>Mike</u> grew tomatoes, and I never went on the roof.
			Allow me to rephrase that. We don't have a shared rooftop! It's my wife and my rooftop!
00:12:08	John	Host	E-excuse me just for a second, Sam. Jesse Thorn? I'm just gonna let this guy talk for a while, and I'm gonna take a ten-minute break. You

wanna go for a walk?

00:12:14 Jesse Host

Yes.

00:12:15 John Host

I'm gonna go walk over to Grand Army Plaza—

[Someone laughs.]

—and back, and get my steps in. And then maybe I'll listen back to the tape of what Sam said. Okay, go ahead, Sam.

00:12:22 Sam Guest

Okay. We don't have a shared rooftop. It's our rooftop. The only way to get to this rooftop is through my wife and my apartment. It's not that Mike was growing tomatoes, it's that it was a shared group project, it just only feels like it's Mike's project to everyone else 'cause that's what happens when you have a quote-unquote "shared project" with Mike.

And lastly, it's not that I never went up on the roof. I went up on the roof multiple times this summer, unbidden, to bring Mike water on hot days and be social and try to provide some positivity about these damn tomatoes so that Mike would finally be happy. Mike's immortality project is trying to enlist you in his ongoing stream of mediocre personal fanfiction, and then if he can't do so, launching on these endless grievances about it and ultimately taking you to podcast court!

So... *[stifles laughter]* given that I've set the record straight a little bit on what we're ultimately talking about, some additional new facts that I imagine were not included in the submission when he submitted our case to this honorable court. Number one, in May of this year, my wife and I had just had a baby. I mean, you know, giving appropriate credit where it's due, she had had the baby. We have a two-and-a-half-month old. We've never been more tired in our life.

And in a summer where New York City set like 15 heat records, Mike's plan is "let's create a project that is totally unnecessary—" 'cause in Brooklyn you can't walk ten feet without tripping over a farmer's market—"let's create a project where we go on the exposed roof in a hundred degree heat, that is dangerous—" that was my real objection here; I was worried about danger—"and do what will be a perfectly miserable activity," which is as you've said, trying to grow—what'd you call them, *[censor bleep]* or whatever? Tomatoes are fickle, unforgiving plants, which I know because my mother is a horticulturalist and she grew tomatoes my whole life. So I know how disappointing they can be, even if you do everything right. And I've had to contribute to many failed tomato projects in the past. Right?

00:14:28 Sam Guest

So it's "go up on 100-degree heat when you've never been more tired, because you've been awake at three in the morning taking care of a screaming baby, to go on a dangerous roof that is unsecured." You'll see that in the pictures the tomatoes are like two feet away from the edge. "Where you face certain death if you slip—" and by the way, in each of the last two years I've had like, major surgery? And I'm not supposed to over-exert myself, including lifting heavy things. Especially lifting heavy things. So this project would be about lifting heavy things up to the roof!

And then the additional thing I would add is just that as Mike admitted when he and I were discussing this before the podcast, just based on the natural reasonable dynamics of who lives where, it would—you know, there would be natural inherent pressure for me to do more than my fair share of this project if I were to be a part of it, because we would be up right—you know, one floor below the roof. Mike would be four floors below. My wife, who was still recovering from having a baby, would of course, you know, prefer that I go up on the roof and deal with this, and I completely see why she would want that in that case.

And so signing on to a system where I would be directly below the tomatoes and he would be four flights of stairs away? I knew, and Mike has admitted, it wouldn't have been enough just to sign on to the tomato project. It would be a—give him a cookie, he would ask for a glass of milk, and then demand the glass of milk, and then take you on podcast court about the glass of milk! Given that Mike and I already live directly next to each other and have any number of, you know, shared projects or whatever going on at a given time, I didn't need this particular project to define my summer.

00:16:16 Jesse Host

Judge Hodgman, how was your walk?

00:16:18 John Host

[Invigorated exhale] Oh! I just got back. I walked over to Grand Army Plaza...

[Jesse laughs.]

Posed for some photos with some listeners, and, you know, the farmer's market is there, so I got some great tomatoes, and I came back. Did Sam win yet, or what?

00:16:29 Jesse Host

I wasn't really paying attention either. I was appointed guardian of the Garden of Peaches of Immortality. I ate all three of the peaches. The first two gave me powers, the third one gave me immortality, then I got drunk on heavenly wine and I broke into Sun Tzu's alchemy laboratory and stole the Pills of Immortality, and of course, glug glug, down the hatch they go. Anyway, good news is, I can't die and I have powers!

00:16:54 John Host

Well done! I think your side mission was much more successful than mine.

00:16:58 Jesse Host

Let's take a quick recess. We'll be back in just a moment on the *Judge John Hodgman* podcast.

00:17:02 Sound Effect Transition

[Three gavel bangs.]

00:17:04 John Promo

Hey, everybody. It's your judge, John Hodgman. While we're taking a break, I wanna take this chance to just say thank you to all of the Maximum Fun members who have supported this podcast in the past, in the present, and in the future. We also enjoy some support from other sources, including Firefox.

Firefox... You know how I throw the book at creeps and villains on the *Judge John Hodgman* podcast? Well, Firefox, the browser, throws the book at creepy trackers that follow people online. Trackers are what some companies use to find out what sites you visited, and what you clicked on. Without your consent. Gross.

Firefox says that's an invasion of your privacy, and you know why they say it? They're right! That's why Firefox blocks ten billion trackers for users every day, automatically. When you're using Firefox, your privacy is protected. So go to Firefox.com/privacy to learn more about how Firefox is keeping trackers in check.

Alright. Let's get back to the case.

00:18:06 Sound Effect Transition

[Three gavel bangs.]

00:18:08 Crosstalk Crosstalk

Sam: Can I add one more thing? One question I have, actually?

John: No! You may not; no!

[Someone laughs.]

00:18:12 John Host

Here you rest your case, Sam!

[Sam laughs.]

00:18:14 Jesse Host

[High-pitched with incredulity] Sam, you wanna say more things?!

00:18:16 John Host

Sam, I think that I offered you ample time to make your case. Frankly, astonished by the ampleness of the time that you took! Zero shame or self-consciousness; you just went for it! It was an incredible monologue, in the history of a podcast with a lot of white dudes monologuing. So, well done.

Here's what I will say. I did not go to the farmer's market. I did listen to everything you had to say. And you made some very valid and compelling points! And brings in a lot of different possible cruxes for us to unpack here. On the one hand, *[stifles laughter]* you point out that this is indeed a unfinished roof. It is not a enclosed roof deck, that there is danger involved. There are geographical sort of, I guess architectural considerations as to how the roof is accessed and whether that is intrusive to you in the life of your new young family.

There is childhood trauma that you have woven into the story, as well as physical trauma of your mysterious surgeries. And finally and most interesting to me, accusations of bad faith against your roommate and ostensible friend Michael, that he is somehow trying to work me into his fanfiction. Sam, can you elaborate on that, please?

00:19:27 Sam Guest

Oh, well, the simplest way would just be to say this dispute that he submitted to the podcast is the fifth time he's applied to have the podcast hear one of his disputes. So now you, and the audience at home, gets the joy of being drafted into his fanfiction. We are all here for Mike to have a forum for his grievance.

00:19:45 John Host

Do you accuse the grievance of being... ginned up and fake?

00:19:49 Sam Guest

Not fake, because he genuinely feels these things. You know, Mike is a feeler. You know, we all want to give him the happiness that he so, you know, like, desperately craves. But it's just... you can't satisfy him. There's always a next thing, which, you know, it is a privilege to have Mike in your life. He is filling your life with wonderful activities that he contributes to and takes a real leadership role in. But you just can't... you know, like, sign on to the endless stream. You have to draw some lines, somewhere. We already live directly next to each

other. You know? I gotta draw the line somewhere.

00:20:27 Jesse Host John, there are two types of people. Feelers... *[stifling laughter]* and guys with something to say.

00:20:32 John Host *[Laughs.]* Okay. You literally live on top of Mike. Is that correct, Sam? Do I understand that?

00:20:39 Sam Guest Mm-hm.

00:20:40 John Host Before you start talking about what a great guy Mike is, I need to interrogate this a little bit. Because if there's one thing that annoys me more than creepshotters—like Sam—it's dudes who just wanna be on a podcast. Is that you, Mike? You've been accused of applying cases to this podcast multiple times. Is that true?

00:20:59 Michael Guest I think four times.

00:21:00 John Host This being the fourth?

00:21:01 Michael Guest Yes.

00:21:02 John Host Now, I read all of the petitions to this court myself. You email me at hodgman@maximumfun.org if you wanna submit a case, or go to MaximumFun.org/jjho. I read 'em all. But that doesn't mean that I'm always, like, remembering the names as they come through. So I did not know that you had petitioned the court multiple times. Which is a real red flag for me, I must say, Mike. One of the cardinal pieces of settled law is "don't look for disputes just to get on a podcast." What were your other disputes that you sent in? Were they all with Sam?

00:21:35 Michael Guest No, only one was with Sam.

00:21:37 John Host Tell me some of the other ones. See if I remember them.

00:21:40 Michael Guest There was one about where my friend group from law school should go on our annual man-weekend trip.

00:21:47 John Host Eugh. I can tell why I didn't hear that one. You know what? I'll settle them all for you right now.

00:21:51 Michael Guest *[Laughs.]* Okay. I wanted to go to, I believe, the Catskills.

00:21:56 John Host You wanted to go to the Catskills.

00:21:57 Michael Guest Yes.

00:21:58 John Host Where did they wanna go?

00:22:00 Michael Guest Believe Denver?

00:22:01 John Host Yeah. They were correct. *[Laughs.]* Actually, you know what? I take it back, Mike. You were right on that one. Colorado is better than the Catskills. I had one miserable night in Denver, so I guess I'm biased, but I'm ruling it in your favor anyway, Mike. Catskills. Next?

00:22:14 Jesse Host But a special shout-out to Sweet Action Ice Cream in Denver, one of the official ice cream stores of Maximum Fun.

00:22:19 John Host Oh. Well, I didn't know that. Then they were right and you're wrong, Mike, sorry. Thank you for that extra information.

00:22:24 Jesse Host *[Pointedly]* Ha ha!

00:22:25 John Host *[Chuckles.]* Alright, Mike, next one?

00:22:27 Michael Guest Uh—*[sighs]*. This is so—this is embarrassing at this point.

00:22:31 John Host Yeah. That's how I've designed it.

00:22:32 Michael Guest To be clear, I submitted two of them at the same time about five years ago, and two of them at the same time...

00:22:37 John Host Wow!

00:22:38 Michael Guest ...this summer.

00:22:40 John Host Thank you for listening and hanging in there over the years. This is essentially your roundabout way of getting a creepshot of me.

[Someone laughs.]

00:22:47 Michael Guest I suppose you could put it that way. The way I would—*[laughs]* phrase it is that I'm a fan of the podcast, would love to be on the podcast, and any of us in our personal lives I think have had four valid disputes over the course of five years that they might want, you know, a higher Internet power to adjudicate if it was a possibility. So yeah, I don't—I'm not ashamed of it.

00:23:07 John Host What are the other two that—haven't mentioned yet? You submitted them five years ago at the same time?

00:23:11 Michael Guest The other from five years ago was I had placed a... slap bet with a friend of mine, and I ended up with the right to slap him four times. And I was asking you to determine that one failed slap attempt did not count against my four allotted slaps.

[Someone laughs.]

00:23:29 John Host Yeah, no. Don't hit people. That's my answer. *[Laughs.]* No slap bets. How old are you?

00:23:35 Michael Guest Now, or then?

00:23:36 Jesse Host *[Cracks up for several seconds, and then speaking through laughter]* If that's a big enough difference to matter, you're probably not old enough to be on this podcast right now.

[John laughs.]

00:23:48 Michael Guest I'm 34 now.

00:23:49 John Host You were 29 years old. Slap bets? I don't know what slap bets are, but if it involves you slapping someone else as part of a youthful prank among friends, I would say you're definitely too old to be doing that now. Stop trying to regain your youth. Your immortality project is not working if you're doing that. Okay, next. What's the final one?

00:24:06 Michael Guest My wife is a very good whistler, and has a number of different kinds of whistles. One whistle that she does mindlessly is kind of through her teeth. It's this very tinny, ghostly-sounding whistle. I asked that she limit that particular kind of whistling to a—I forget exactly what I asked for.

00:24:26 John Host *[Stifling laughter]* Wait a minute, didn't we hear that one?

00:24:28 Michael Guest *[Stifling laughter]* No.

00:24:29 John Host Alright. You would remember. I actually remember that petition! And—does your wife still do this whistle?

00:24:36 Michael Guest Yes.

00:24:37 John Host I'm going to withhold judgment. Is she available now? She's not with you.

00:24:42 Michael Guest No, she's at work, I'm afraid.

00:24:43 John Host I will withhold judgment until you can send in a sample of the whistle, and we will adjudicate it on a docket later on. You get—wow. Look at that. You got two bites at the tomato. You're here now—

00:24:53 Michael Guest I know!

00:24:54 John Host —and you're on the docket. This must be the most thrilling day of your life, Mike.

00:24:57 Michael Guest It's not the least thrilling day of my life.

[Someone laughs.]

00:25:00 John Host Thank you. Thanks very much. So Sam—*[laughs]*. Mike is full of mischief. Isn't he?

[Beat.]

00:25:06 Sam Guest He is. It is one of the many wonderful parts of Mike.

00:25:09 John Host How long have you known each other?

00:25:11 Sam Guest About a decade.

00:25:13 John Host Were you involved in any slap bets? *[Laughs.]*

00:25:16 Sam Guest No! I tend to stay away from the slap bets or the like, sneaking up on someone to rip a piece of hair off their arm, or like, you know, those sorts of things.

00:25:26 John Host Waaait a minute, is that something Mike does?

00:25:28 Sam Guest Yes!

[Someone laughs.]

00:25:29 Michael Guest Well, it's not—it's—it's not that simple.

00:25:32 Sam Guest I'm sure it's not that simple. It never is.

00:25:35 John Host What's the game where you tear a piece of hair off of someone's arm?

00:25:39 Michael Guest *[Sighs.]* I will answer that. *[Stifling laughter]* Before I do, could I say one thing?

00:25:45 John Host *[Reluctantly]* I'll allow it.

00:25:46 Michael Guest *[Laughing]* I'm just a little bit disturbed that Sam's been able to very quickly turn this into an interrogation—

[Sam laughs.]

—of everything that's wrong with me, regardless if it has any nexus to this dispute.

00:25:56 John Host Mike.

00:25:57 Michael Guest Um—

00:25:58 John Host Mike.

[Mike laughs/sighs.]

You brought it upon yourself! This is your dream! This is what you

wanted, Mike. You wanted to be judged. I can't blame it if Sam is bringing up compelling evidence to suggest that your mischief may be actually mean-spirited. Let's hear it!

00:26:15 Michael Guest

The game is a game that my brother and I play, both of us to the other, called Evens or Odds. Where you pull hairs out of someone's—usually arm. And, uh—

[Mike and/or Sam laughs.]

—the other person has to guess if you pulled out an even number—*[laughs]* or an odd number. And if they are right, they get to punch you. And if they are wrong, then you get to punch them.

00:26:41 John Host

[Whispers the first word] Wow. I've never been happier to be an only child in my life. I have to say, at first I was like "This is actually an incredible game." *[Laughs.]* Guessing even or odd hairs being pulled off the arm. 'Cause it's random! But then you lost me at the punching. No punching or slapping! You're 34 years old, Mike!

Hang on a second. Sam?

00:27:05 Sam Guest

Mm-hm.

00:27:06 John Host

Has Mike ever punched, slapped, or pulled hair out of your arm?

00:27:09 Sam Guest

No, because I communicated early on that I wasn't gonna be a part of that game.

00:27:15 John Host

He tried to rope you in though, didn't he?

00:27:18 Sam Guest

He did! And I think you hit on a real point when you said like, it's just random how many hairs come off the arm. The point of these things—you know, like nominally the point is to grow tomatoes or to guess the right number of hairs. But it's really—it's just about him inflicting misery upon you, and being indifferent to that misery or finding your misery entertaining! Like, you used the word "mean-spirited." He's not mean-spirited; he's the least mean-spirited person alive—

00:27:43 John Host

He just finds your misery entertaining.

[Someone laughs.]

00:27:45 Sam Guest

Yes! He just finds your misery entertaining! *[Laughs.]* And we're not talking about true misery, right?

00:27:50 John Host

Right.

00:27:51 Sam Guest

But you know, it's misery enough that you end up wanting to draw the line on whether you wanna sign up to the endless game of having hair ripped off your arm by surprise so you get to take a guess as to whether you get punched!

00:28:03 John Host

Just on that arm hair punching game... Mike, when was the last time you played this?

00:28:08 Michael Guest

Uh, I'm sure it was this year, but I don't recall specifically.

00:28:12 John Host

With whom did you play it?

00:28:13 Michael Guest

I only play with my brother.

00:28:15 John Host

Where's your brother in this world?

00:28:17 Jesse Host Is your brother named Jeb?

00:28:19 Michael Guest *[Laughs.]* No, he's named Ben, and he lives in Brooklyn.

00:28:22 John Host So you have your brother in your life.

00:28:26 Michael Guest Yes.

00:28:27 John Host You still close?

00:28:28 Michael Guest Very.

00:28:29 John Host I'm trying to ascertain if this has anything to do with trying to recruit your friend Sam into the brother position for you.

00:28:38 Michael Guest No, I don't think that it does. I kind of think that Sam has—in an effort to make a compelling argument—really misstated my motivation for wanting him to go on the roof to look at the tomatoes.

00:28:50 John Host Let's get to the—what you want out of this. I mean, obviously you've already gotten what you want. You hijacked my podcast for your own personal thrill. You basically pulled hairs outta my arm, and made me punch myself. *[Laughs.]* You won, in that regard.

But now if I were to rule in your favor, Mike—and I might! What would you have me rule?

00:29:11 Michael Guest I would have you rule that once a week for one minute, Sam has to go on the roof and, keeping a wide berth of the edge, let me show him the tomatoes. That is all that I want. I want no other participation from Sam in the tomato project. I just want him to... actively admire and acknowledge the work that everyone else that lives in our shared brownstone has done to create the tomatoes that he eats.

00:29:41 John Host Sam, how does Mike get up on the roof? Does he have to use your baby's crib as a footstool to get up through a trap door, or what's the access point?

00:29:49 Sam Guest Oh, I wish it was as simple as using our baby's crib to get up there. So he needs to come through the front door of our apartment, go through the first level, get to the second level, then move this big sort of like, standing shelf thing we have that holds a lot of our towels and laundry and stuff? Uh, move that into the middle of the hallway—we'll come back to that.

00:30:13 John Host I guarantee you we will not come back to that.

00:30:15 Sam Guest You then can't get into the baby's room! So if you have a crying baby with a poop-filled diaper, and Mike's up on the roof, you can't actually get through the hallway to go change your baby!

00:30:25 John Host You know what? I stand corrected. I'm glad we came back to that, 'cause it's even worse than I thought. In terms of its intrusiveness. Mike, is there any other place you can move that cabinet or whatever it is, such that you're not essentially locking the baby in a room?

00:30:37 Michael Guest Certainly, it does not lock the baby in the room. There's plenty of room to put the—it's a wire shelf—against the wall where someone can slip by and easily get into the baby's room. I think that's a mischaracterization.

00:30:49 John Host And yet when I look here on the petition, Sam, you are not asking that no tomatoes be grown next summer. Even though this is wildly intrusive and the project obviously drives you to distraction.

00:31:03 Sam Guest No, I want him to be happy! And we supported the project! We spent hundreds of dollars in support of this project. I—like I said, I went on the roof and brought him water. There isn't really a real—like, it—I don't even know what he can say I didn't actually do, other than, like, be a part of team enthusiasm for this? But no, if I have a thing I requ—I hope they have a wonderful, you know, time with the tomatoes next year.

I mean, at a general level, I hope Mike learns to accept no for an answer, but more specifically, at any time between now and next tomato season, when we are playing a board game and someone picks Mike to take a card from him, Mike cannot debate or object or pout or put any pre-conditions. He just has to wordlessly lift his cards and allow you to take a card if you are otherwise allowed according to the rules of the game.

00:31:57 John Host I sense you are referring to some other longstanding dispute and story that we don't have full time for. But as punitive damages, you would like me to order that?

00:32:05 Sam Guest Yes.

00:32:06 John Host I see. Alright.

00:32:07 Michael Guest Your Honor? So Sam has, you know, gotten quite an opportunity to... sort of—*[laughs]* describe my character. I think that there's a crucial second part of the story, which is Sam's true objection, or the true motivation, for not wanting to go onto the roof. And that, I think, needs to be stated. So—

00:32:26 John Host No. We started 40 minutes ago. *[Laughs.]* Now we are ending.

00:32:31 Michael Guest How much of that time has been Sam? *[Stifles laughter.]*

00:32:34 John Host You know what? I've heard everything I need to in order to make my verdict.

00:32:36 Crosstalk Crosstalk **John:** I'm going to—I'm—I'm going up on my roof.

Michael: No, no, please, Your Honor, please, please! Please, please!

John: I'm going up on my—I'm going up on my roof to tend to my garden.

00:32:41 John Host I'll be back in a moment with my decision.

00:32:42 Sound Effect Sound Effect *[As Jesse speaks below: Door opens, chairs scrape, footsteps.]*

00:32:43 Jesse Host Please rise as Judge John Hodgman exits the courtroom.

00:32:46 Sound Effect Sound Effect *[Door shuts.]*

00:32:47 Jesse Host Sam, how are you feeling about your chances?

00:32:49 Sam Guest You know, I don't want to assume any outcome here. I really just hope Mike is happy.

00:32:55 Jesse Host I think it's the first time anyone has ever tried to win one of our cases through filibuster.

[Sam laughs, Jesse continues through his own laughter.]

Do you have any other parliamentary procedure tricks up your

sleeve?

00:33:06 Sam Guest You know, I submit to the court's judgment, and I hope that that relief I asked for about Mike not going into histrionics when someone tries to take a card from him gets ordered, because that would not only be a ray of sunshine in my life, it would really help any number of our other friends who have to deal with this!

00:33:24 Jesse Host Mike, how are you feeling?

00:33:26 Michael Guest Honestly, Bailiff, I'm feeling a little bit frustrated. *[Laughs quietly.]* Not great about my chances, 'cause I don't think I got a chance to really state any kind of an argument at all. *[Laughs.]* Um, I guess we'll see, and I have to throw myself on the mercy of the court, but if the judge would be willing to hear a very short argument from me, I would be grateful. If not, so be it.

00:33:45 Jesse Host Were you elected president, and were your party to retain control of the senate, would you eliminate the filibuster?

00:33:53 Michael Guest I certainly would.

00:33:54 Jesse Host We'll be back in just a second with Judge John Hodgman's ruling.

00:33:58 Sound Effect Transition *[Three gavel bangs.]*

00:33:59 Promo Clip **Music:** Dramatic, movie trailer–esque music.

[The hosts use very "announcer" voices in this promo.]

Mark Gagliardi: We interrupt the podcast you're listening to to tell you about another podcast! That's right: [We Got This with Mark and Hal](#).

Hal Lublin: That's correct, Mark! This is Hal. We do the hard work for you! Settling all of the meaningless arguments you have with your friends.

Mark: So tune in every week on the Maximum Fun network for *We Got This with Mark and Hal*, and all your questions will be asked... and answered.

Hal: You're welcome!

[Music reaches an apex and quiets down.]

Mark: Alright. That's enough of that.

Chorus: *[Singing] We Got This!*

00:34:28 Sound Effect Transition *[Three gavel bangs.]*

00:34:30 Jesse Promo Judge Hodgman, we're taking a break from the case. Let's go into chambers to talk about what we've got upcoming. First of all if you're in Brooklyn, Boston, or San Francisco, we are coming to you!

00:34:42 John Promo That's right! *Judge John Hodgman: Live Justice* is returning to three of our favorite places! In Brooklyn, New York on January 13th we'll be at the Murmrr Theatre. In Boston, Massachusetts on January 14th, the very next night, the Wilbur Theatre, one of my favorite places to play. And then on Wednesday January 16th, we'll be at San Francisco Sketchfest! The tickets are available now at

MaximumFun.org [events page](#), also JohnHodgman.com/tour. I hope you'll check it out; it's better when you're there.

If you are planning to attend and you have a dispute with someone, won't you let me know? Just write me at hodgman@maximumfun.org or submit a form at MaximumFun.org/jjho and let us know that you want your case considered for any of these three live cases.

You know, Jesse Thorn and I just got off the road. We did a bunch of shows in Toronto, Canada; and Durham, North Carolina; and Atlanta; and Portland, Maine. We had such a good time. If you've ever seen the show before, you know what a good time it is A, and B, you know that each show is absolutely, completely individually unique and surprising. So please come check us out!

00:35:46 Jesse Promo

And if you've got a case, make sure to submit them! At MaximumFun.org/jjho, or email hodgman@maximumfun.org. In Brooklyn, Boston, or San Francisco.

We also have all kinds of new, awesome stuff in the MaxFun store. That's at MaxFunStore.com. There is the **Obscure Cultural Reference T-shirt**, which is... spectacularly cool. There is the **Super Smart Afraid of Conflict Narcissist Club tote bag**, the **Not a Sandwich T-shirt**, the **Shut Your Piehole T-shirt**, the **Weird Dad T-shirt**—maybe our best seller on tour. It sorta looks like the logo of a 1970s PBS television program.

And of course classics like our **Podcast Justice shirt**, the **bumper stickers** that say "Only Judge John Hodgman can judge me" and "Jesse Thorn is my co-dispenser of podcast justice." The **Bat Brothers T-shirt**, the **Canadian House of Pizza & Garbage T-shirt**. All of that online at MaxFunStore.com.

00:36:42 John Promo

And if I could just say, speaking of Canada—I mentioned Toronto earlier. That's where we debuted the Obscure Cultural Reference T-shirt, which itself is a homage to the **No Name** brand of grocery products in Canada that have a very distinctive yellow background and very deadpan lowercase black lettering where it just says the product's name like *[flatly]* "mayonnaise" or *[flatly]* "beer."

[Regular tone] And I love it so much. And we worked with No Name to actually license their design to create this "obscure cultural reference/référence culturelle obscure," 'cause of course Canada is a bilingual country. And it's only available through the end of the year, so I encourage you to not sleep on this opportunity to share in my own weird obsession. Thanks again to No Name up there in Canada for letting us even do this.

00:37:30 Jesse Promo

I also, of course, run the Put This On Shop at PutThisOnShop.com, the companion to my menswear blog at PutThisOn.com. And we have all kinds of incredible **holiday gifts** available. I mean, I'm like—I'm looking at the store right now, and there's everything from highly affordable tiny tin butterfly **pins**, which are just the most beautiful thing in the world, to spectacularly gorgeous 14-karat gold **cufflinks** in the shape of knots, which is like the classiest cufflink you can get. And there's—we have a **ring** made of silver World War II flyers' wings. Someone made them into a ring.

And there is all kinds of incredible stuff at PutThisOnShop.com. So go take a look. Everything from slightly goofy to the most elegant thing in the world. And if you use the code "vintage justice", you get free shipping on almost everything in the United States. So PutThisOnShop.com.

And if you are in Los Angeles, we are actually doing a live, in-person Put This On Shop sale. Actually a big whole holiday... flea market type situation at 2613 Pasadena Avenue, which is the future home of MaxFun, the current home of the shell of a former hardware store. We're gonna have Put This On, me and Spencer are gonna be there. Spencer's the Put This On Shop guy, and we'll have all kinds of stuff from Put This On, our new stuff and our vintage stuff.

Also vintage pals including records, and women's vintage, and men's vintage, and maybe some new stuff as well. Just lots of our favorite people we've invited to come be part of it. So if you're in LA, 2613 Pasadena Avenue in Lincoln Heights, Northeast LA. Right near Highland Park and Chinatown. It's gonna be a really good time. I'll be there. Join us! You can find all the information at PutThisOn.com.

Shall we get back to the case?

00:39:24	John	Promo	Let us do that!
00:39:26	Sound Effect	Transition	<i>[Three gavel bangs.]</i>
00:39:27	Sound Effect	Sound Effect	<i>[As Jesse speaks below: Door opens, chairs scrape, footsteps.]</i>
00:39:28	Jesse	Host	Please rise as Judge John Hodgman re-enters the courtroom and presents his ruling.
00:39:33	Sound Effect	Sound Effect	<i>[Door shuts.]</i>
00:39:34	John	Host	Boy, you guys have fun in your house that you share. I mean, I think that even though I've given you both a little bit of a rough time... I guess a part of me's a little jealous that I'm not sharing a house with my best friends and having beers and playing board games, and having projects and stuff. Seems like it's fun! And I think you guys genuinely care about each other and like each other, and honestly, Sam's argument that he just wants Mike to be happy— <i>[stifles laughter]</i> and yet Mike seems incapable of <u>being</u> completely happy... That's an interesting friend dynamic that is hard to resolve.

At first I thought that this was clearly a situation where Mike grew up slapping and punching and pulling and hurting his brother, with love... "Well, I guess that his brother's probably not in his life anymore, and he's just—he's looking for that same kind of roughhouse-y relationship he used to have with his genuine brother." But that's not the case! You still have your brother. You still pull his hairs out. You still have fun with him.

So I think that instead, that this is a situation that is just intrinsic to Mike. Mike... Mike likes projects. Mike likes mixing it up. Mike likes causing a stir. I see Sam's point; it's not that Mike... is incapable of happiness. He grew some tomatoes with his friends and his wife Beach, and his friend Danielle, and the outcome was great, and those are some very happy-making tomatoes! But Mike wants to recruit Sam into this project more deeply. Wouldn't you say that's

true, Mike?

00:41:05 Michael Guest

No.

00:41:06 John Host

Oh, boy. Alright. Say what you're gonna say, Mike. Jesse, I'm gonna go for a walk.

00:41:12 Michael Guest

How I feel when Sam refuses to go and look at the tomatoes, which he has done all but one time, is kind of like a—*[sighs]*. Like when you're a kid and you've done a magic trick and you want your parents to acknowledge it, and you can't get their attention. But in this case, it's like the parents enjoy your franticness, and enjoy your discomfort, and revel in it. I think hopefully you've gotten from Sam's tone of voice and general demeanor that he enjoys a good ribbing. And I think that's kind of what this is. And I can tell you that—

00:41:43 John Host

I don't think that's true! I don't think that's true. You have said two things that are demonstrably false. One, clearly Sam does not enjoy the ribbing. Sam is asking you to stop insisting that he look at these tomatoes. Sam is saying "I want him to be happy, I just don't want to be involved." And that's perfectly reasonable.

Two... you're not a kid. Right? You're not a kid. You're 34 years old. What's happening in your relationship—your immortality project game is incredible! You're sharing a house with a friend couple as though you are just moved to New York or are still in college. You're drinking beers and you're playing games and you're having fun, and it's wonderful. The reason I envy you is that you're 34 and can still pull this off, and I'm 48 and I can't. My immortality project—I hate to tell you this—is gonna fail, and so is yours.

Sam has moved on in his life. He's got a child now. The thing that happens when your best friends have children is that they go into separate lives, no matter how close your proximity is. This could not be—I'm sure there are el—there are layers within layers within layers. I mean, Sam's got childhood mother tomato trauma that he's dealing with here, and surgeries, and I'm sure there are all kinds of different layers that are going on, and mind games that you're playing with each other, and with me.

Well, this ultimately comes down to settled law in the court of Judge John Hodgman: people like what they like. You like those tomatoes, and you like doing them. And you like driving Sam a little bit crazy about them, 'cause it's fun for you, 'cause it's like pulling out hairs from his arm. And Sam doesn't—Sam—ooh, I'm so mad. *[Stifling laughter]* Sam doesn't like the tomatoes!

00:43:20 John Host

He doesn't like what you like. You are only going to get more and more appropriately, maturely individuated as you get older. And that's fine. You should be lucky that Sam does not mind that—he and your wife and his wife all go trundling up to the roof to plant tomatoes. It might be that it's the only time he gets to feel left alone. *[Stifles laughter.]* But in any case, no! He goes up there whenever he wants. He's an independent human being who has agency. You cannot force him to go and be a part of a project that he has no interest in being a part of. You have to let him eat some of the tomatoes 'cause you're a friend. Friends let friends be alone when they need to be alone.

All that said—all of that is true, and obviously—obviously I find very strongly in my heart in Sam's favor. But in honor of you, Mike, I'm gonna actually let the final outcome and the final verdict be decided... by arm hair pulling out. I'm gonna pull out some arm hairs. And each of you is gonna guess whether it's evens or odd, and whoever gets it right wins. You're gonna guess first, Sam.

00:44:27 Sam Guest

Okay.

00:44:28 John Host

Right? 'Cause obviously I'm biased in your favor.

This is the worst. One time when I was a kid, my cousin Jason pulled out a hank of my hair and lit it on fire with a lighter in front of me and laughed at me. It was the worst. I don't think that's fun. Don't slap people; don't pull out hairs.

Ow! Sam, what's your guess?

00:44:44 Sam Guest

Odds.

00:44:45 John Host

That means you're even, Mike.

00:44:46 Michael Guest

Mm-hm.

00:44:47 John Host

You can win if you can guess the actual number.

00:44:50 Michael Guest

Four.

00:44:52 John Host

Tch. Wrong and wrong. Odds win. It was one hair. Wasn't going for it! But it's just my hairs are very fine, and they hang in there. *[Laughing]* So I find in Sam's favor.

Sorry, Mike. I tried to give you a chance with your own brutal form of justice, but now—*[stifles laughter]* you get a punch, Sam gets the win. This is the sound of a gavel.

00:45:09 Sound Effect Sound Effect

[Tomatoes being sliced.]

00:45:13 John Host

Judge John Hodgman rules; that is all.

00:45:15 Sam Guest

Do I get the card thing? The prayer for relief about the board game?

00:45:18 John Host

No.

00:45:19 Sam Guest

[Emphatically] Ugh...

00:45:20 John Host

[Laughs, but then speaks solemnly.] No one gets everything they want in this life. And then we die. There is no immortality project. *[Laughs, lightens up.]* But I'm glad you're both here; have fun on the roof, and in your house.

00:45:31 Sound Effect Sound Effect

[As Jesse speaks below: Door opens, chairs scrape, footsteps.]

00:45:32 Jesse Host

Please rise as Judge John Hodgman exits the courtroom.

00:45:35 Sound Effect Sound Effect

[Door shuts.]

00:45:36 Jesse Host

Sam, how are you feeling?

00:45:38 Sam Guest

I am feeling like... this court has demonstrated its wisdom yet again.

00:45:44 Jesse Host

Michael, how do you feel?

00:45:45 Michael Guest

I don't feel good, Bailiff. I—I appreciate the court's wisdom. I think that with the information that was presented, the court made the right decision. I do not believe that the court heard—I don't believe that all the evidence was presented.

00:45:56 Sam Guest The latest grievance, right? It's just the latest grievance...

00:46:00 Jesse Host Sam, don't you dare try and filibuster again! Michael, Sam, thank you for joining us on the *Judge John Hodgman* podcast.

00:46:07 Sound Effect Transition *[Three gavel bangs.]*

00:46:08 Promo Clip *[Radio interference followed by laidback music with a snare drum beat. A phone rings as the DJ speaks.]*

Radio DJ: Welcome back to *Fireside Chat* on KMAX. With me in-studio to take your calls is the dopest duo on the West Coast, Oliver Wang and Morgan Rhodes.

[Click.]

Go ahead, caller.

Caller: Hey. Uh, I'm looking for a music podcast that's insightful and thoughtful, but like, also helps me discover artists and albums that I've never heard of.

Morgan Rhodes: Yeah, man. Sounds like you need to listen to *Heat Rocks*. Every week, myself—and I'm Morgan Rhodes—and my co-host here, Oliver Wang, talk to influential guests about a canonical album that has changed their lives.

Oliver Wang: Guests like Moby, Open Mike Eagle, talk about albums by Prince, Joni Mitchell, and so much more.

Caller: Yooo! What's that show called again?

Morgan: *Heat Rocks*. Deep dives into hot records.

Oliver: Every Thursday on Maximum Fun.

[Music suddenly gives way to static and a dial tone.]

00:46:55 Sound Effect Transition *[Three gavel bangs.]*

00:46:56 John Promo Hey, *Judge John Hodgman* listeners! There's one other event that I need to tell you about. And if you're in, or near, or can get to Western Massachusetts and you're a listener to *Judge John Hodgman*, you don't wanna miss it. On December 21st, I will be returning to my old neighborhood, Turners Falls, Massachusetts—the Shea Theater specifically—to join my friend and your friend, summertime fun-time guest bailiff Monte Belmonte, for what? Not sure! Holiday Spectacle is what we're calling it.

I'm definitely gonna tell some comedy stories. He and I are definitely gonna have some fun conversations. I'll definitely be taking questions and answers, and solving some Swift Justice cases from the crowd. We're gonna have a good time! There'll be plenty of surprises. You're gonna love seeing me and Monte, and we're gonna hang out afterward, and all of the profits go to support the Shea Theater itself, a wonderful community theater institution in beautiful Turners Falls.

It's all happening on December 21st, just before the holiday time. If

you wanna find out more details, you can always go to find out where I'll be at JohnHodgman.com/tour, or simply navigate your browser to Bit.ly—that's B-I-T-Dot-L-Y—/HODGMONTE. H-O-D-G-M-O-N-T-E. Bit.ly/HODGMONTE. All one word, all capital letters. That's how I do it. Okay. Sorry for the intrusion. See you at the Shea.

00:48:18 Sound Effect Transition

[Three gavel bangs.]

00:48:21 Jesse Promo

Hey, *Judge John Hodgman* listeners. It is Bailiff Jesse. I am gonna say something now; it's a little sad. So...

Last weekend I got a call from one of my oldest friends in the world. And it was very bad news. It was news that a friend of ours—my friend Evan, who had been one of my best buds since we were... two years old and through our entire childhoods, a guy who went to preschool and elementary school and high school with me—had died. He overdosed, was found in his home, and I didn't, and no one I've talked to, knew he was even using, and it was—it's a horrifically sad situation.

Evan was a really special guy. Brilliantly gifted artist. Renowned graffiti artist; he wrote Spesh. He was also just... an absolute sweetheart, joy of a kid and a man. Uh... *[sighs]*.

I don't know. For some reason I've been thinking a lot *[chuckles softly]* about playing GoBots with him when we were in preschool together. But, you know... He also was the guy with all the Weird Al Yankovic tapes, and... Yeah. Just—just the kind of guy that everyone loved and was happy to see. And he was that through his entire life.

So anyway, we wanted to do something to honor him that was productive. So I talked to a friend who's a comic here in Los Angeles, who worked in the recovery field and is in fact himself in recovery. But he worked in recovery for many, many years. And I asked him who in the San Francisco Bay Area where Evan lived, and where he and I grew up, is absolutely without peer wonderful, working with people with addictions.

00:50:15 Jesse Promo

And he recommended an organization called The Homeless Youth Alliance. They work with homeless youth—not just ones who are addicted, but—they meet everybody where they're at and help them get the pieces together that allow them to have a full and healthy and long and productive life. They've been really kind; they're gonna put together a fund to honor Evan. And you can find the URL at MaximumFun.org/Evan. Bonus, you get to see a picture of me looking like a doofus as a 15-year-old, *[chuckles softly]* goofing around with my goofy buddy Evan.

Maximum Fun is gonna make a donation of \$5,000 to the fund. I just wanted it to be enough money that it really felt like it was something. And I hope that you'll join me. Even if it's \$5, or \$6. \$20. Whatever you might have, it goes directly to serve homeless youth, and it also is a testament to this man who brought a lot of light into people's lives.

I think he left the world better than he found it. I think he did a lot with his life. But I think this is a great way to honor him as a person, and a friend, and a... you know. All of that stuff. So any amount, I would

really appreciate. Go to MaximumFun.org/Evan and you'll find the link there. And all you do is just click on that link, make your donation, and mention that it's in honor of Evan in the comment.

Thanks so much.

00:51:50 Sound Effect Transition

[Three gavel bangs.]

00:51:52 Jesse Host

Another *Judge John Hodgman* case in the books. Before we dispense Swift Justice, our thanks to Daniel Herrera, who named this week's episode: "Tried Green Tomatoes." If you wanna name a future episode, be sure to like [Judge John Hodgman on Facebook](#). You can follow us on Twitter at [@JesseThorn](#) and [@hodgman](#), and in fact I would encourage you to do so! It's not just an option for you, it's a recommended option!

Hashtag your *Judge John Hodgman* Tweets [#JJHo](#). I always love to see what people have to say about the show. And check out the Maximum Fun subreddit at MaximumFun.Reddit.com to chat about this episode. We're on Instagram at [@judgejohnhodgman](#), where you can find evidence from all of our cases as well as other fun stuff.

This week's episode was recorded by Rob O'Leary at the Cutting Room Studios. Our episode produced by Hannah Smith, edited by Jesus Ambrosio.

Now: Swift Justice! Where we answer small disputes with quick judgment. Carrie says:

"I would like injunction against my husband. He insists on calling medications by their generic names instead of brand names, even when they're much longer or more difficult to say. For example, 'diphenhydramine' instead of 'Benadryl,' or 'acetaminophen' instead of 'Tylenol.' What say you, Judge Hodgman?"

00:53:13 John Host

I don't know how Carrie lives with this person. *[Laughs.]* That's an incredibly annoying thing to do. *[Laughs.]* And yet, I like the fact that he knows the generic names of all the medications!

00:53:27 Jesse Host

Do you think he also refers to all flora and fauna by their Latin names?

00:53:31 John Host

Yes.

[Both laugh quietly.]

I order him to keep this to a minimum, and when he says "diphenhydramine," he has to say it like a robot. That's my order.

[Jesse cracks up.]

"I have to go to CVS to get more... *[robotic monotone]* DI-PHEN-HY-DRA-MINE." *[Laughs.]* "A-CET-A-MIN-O-PHEN!"

00:53:51 Jesse Host

[Laughs.]

[Robotic monotone] That's it for this week's episode! Submit your cases at MaximumFun.org/jjho. Or email hodgman@maximumfun.org. No case too small. We'll see you next

time on... the *Judge John Hodgman* podcast.

00:54:07	John	Host	<i>[Robotic monotone]</i> That is all!
00:54:08	Sound Effect	Transition	<i>[Three gavel bangs.]</i>
00:54:09	Music	Transition	A cheerful guitar chord.
00:54:11	Speaker 1	Guest	MaximumFun.org .
00:54:13	Speaker 2	Guest	Comedy and culture.
00:54:14	Speaker 3	Guest	Artist owned—
00:54:15	Speaker 4	Guest	—audience supported.
00:54:16	John	Host	<i>[Robotic but increasingly frantic]</i> A-cet-a-min-o-phen! A-CET-A-MIN-O-PHEN!