

[00:00:00] **Sound Effect:** Three gavel bangs.

[00:00:03] **Jesse Thorn:** Welcome to the *Judge John Hodgman* podcast. I'm Bailiff Jesse Thorn. This week, "Per-Roll Hearing". Jesse brings the case against her dad, Jim. They get together once a week to play *Settlers of Catan*. When the dice rolls start to favor Jesse, Jim accuses her of not rolling sufficiently. He then makes her use what he calls "the cup of shame" to ensure that the dice are properly rolled. She says there's nothing suspect about how she rolls dice. The cup of shame is unnecessary. Who's right? Who's wrong? Only one can decide.

(Chairs squeak, followed by heavy footsteps and a door closing.)

Please rise as Judge John Hodgman enters the courtroom and presents an obscure cultural reference.

[00:00:48] **John Hodgman:** "Let me understand you. Every Friday night, you and your boys are shooting crap, right? And every Friday night, your pal, Snot Boogie, he'd wait until there was cash on the ground, and then he'd grab the money and run away?! I gotta ask you if every time Snot Boogie would grab the money and run away, why'd you even let him in the game?"

[00:01:06] **Jesse Thorn:** "Got to, this is America."

[00:01:08] **John Hodgman:** Bailiff Jesse Thorn, swear them in.

[00:01:11] **Jesse Thorn:** Jesse and Jim, please rise.

(Chairs squeak.)

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?

(They swear.)

Do you swear to abide by Judge John Hodgman's ruling, despite the fact that he shaves dice for *Yahtzee*?

[00:01:27] **Jesse:** *(Chuckles.)* I've never played *Yahtzee*, so I agree.

[00:01:30] **Jim:** Yes.

[00:01:31] **Jesse Thorn:** Judge Hodgman, you may proceed.

[00:01:33] **John Hodgman:** Keep standing, you two. Bailiff Jesse Thorn, hello.

[00:01:36] **Jesse Thorn:** Hello.

[00:01:37] **John Hodgman:** First of all, you killed it in your line read. Thank you very much.

[00:01:40] **Jesse Thorn:** Thank you. I'm a naturalistic actor, SAG eligible, solidarity forever.

[00:01:44] **John Hodgman:** That's right. We are on strike still. Second of all, I will say: Wesley Stace, the wonderful musician/singer-songwriter. taught me—and he and his wife actually, Abby, and whole human being in her own right—taught me how to play *Yahtzee*, recently. And that's a heck of a game, *Yahtzee*. That's all I have to say about that. But in the meantime, Jesse and Jim, you may be seated for an immediate summary judgment in one of yours favors.

(Chairs squeak.)

Can either of you name the piece of culture that I referenced as I entered the courtroom? I saw Dad Jim nodding, and he's nodding now still. He thinks he's got it. I bet he does. This is a real dad quote.

[00:02:20] **Jim:** Can I offer? I think it's two—one of two things.

[00:02:22] **John Hodgman:** No, no, no, no. No, no, no. I'm asking Jesse first.

[00:02:24] **Jesse Thorn:** No, you can't offer one of two! You lose automatically.

[00:02:27] **John Hodgman:** No, no, no! I like that you have two, and I want you to hold onto those guesses, 'cause I'm gonna ask Jesse first. 'Cause I think you're locked in. I think you're dialed in. Jesse, are you dialed in? Do you know what the piece of culture I was referencing where Jesse and I performed for you?

[00:02:39] **Jesse:** I think I have a guess. A general guess.

[00:02:41] **John Hodgman:** Yeah, general guess.

[00:02:43] **Jesse:** I'm gonna guess some sort of like *Grease* style like gang movie from like the '50s or '60s.

[00:02:51] **John Hodgman:** *Grease* style gang movie from the '50s or '60s. I love it. Great guess. Terrific guess. Now, Jim, it's your time to shine. What's your—I'm gonna give you two guesses, because this is America. *(Chuckles.)*

[00:03:06] **Jim:** Thank you.

[00:03:07] **John Hodgman:** Even though you're cheating.

[00:03:08] **Jim:** One is *The Shawshank Redemption*.

[00:03:10] **John Hodgman:** What is—? (*Chuckles.*) You're answering in the form of a question. That's a different show but thank you. What is *The Shawshank*—

[00:03:15] **Jesse Thorn:** No, I think he said “one is” *The Shawshank Redemption*.

[00:03:18] **John Hodgman:** Oh (*laughing.*), I thought he—I thought he was doing it *Jeopardy* style. Uh, okay. One is *Shawshank Redemption*. Alright, and second guess?

[00:03:28] **Jim:** Oh man, the name escapes me, but it's that Broadway *Romeo and Juliet* modern day thing with the gang warfare, but real famous Broadway show. What is it? A musical or whatever?

[00:03:41] **Jesse:** *West Side Story*?

[00:03:42] **John Hodgman:** *West Side Story*?

(*Jim confirms.*)

Alright, show me *West Side Story*!

(*John and Jesse Thorn make the wrong buzzer noise together.*)

[00:03:49] **Jim:** Damn.

[00:03:50] **John Hodgman:** Show me *Shawshank*! (*Makes wrong buzzer noise.*) Alright, it all comes down to you, Jesse. 1950s *Grease* style gang movie, name of which you do not know. A genre. Show me 1950s *Grease* style! (*Wrong buzzer noise.*) Oh! All guesses are wrong!

Jim, I really thought you got this one, 'cause you're right in the pocket for having maybe—

[00:04:17] **Jim:** Oh!

[00:04:18] **John Hodgman:** Oh, now you want to guess again?

[00:04:19] **Jim:** No, I'm curious to hear the answer though.

[00:04:23] **John Hodgman:** Season one, episode one, first scene of *The Wire*. You know the television show *The Wire*?

[00:04:31] **Jim:** Yeah. Wow.

[00:04:32] **John Hodgman:** Yeah. The television show, *The Wire*, created by David Simon and Ed Burns. Now, look. Epic opening scene. Defined the entire show in one bit of dialogue between the actor Dominic West and Kamal Bostic-Smith played the friend of Snot Boogie, credited as “Friend of Snot Boogie”. An incredible TV show. And I'll tell you something, that's all I'm gonna say. 'Cause I'm a member of SAG/AFTRA. I'm also a member of WGA. I am not supposed to be promoting television shows that are produced by struck companies, even though this show is undeniably a masterpiece, and it has long been out of production. I'm just saying that it exists. And I'm also saying that Dominic West, Kamal Bostic-Smith, the story by David Simon and Ed Burns, the teleplay by David Simon and directed by Clark Johnson. These are all human beings. Human beings made this masterpiece of narrative drama. Human beings did it.

I don't think—I don't—look, I've been messing around all the AIs. I know what's out there, Jesse Thorn. I've been messing around with them. The walkabouts, the ChatDDTs or whatever. I've been messing with all of them.

[00:05:50] **Jesse Thorn:** (*Laughs.*) ChatDDTs, the subject of *ChatSilentSpring*.

(*They chuckle.*)

[00:05:58] **John Hodgman:** I dare anyone to say to me with a straight face that an AI could either write or perform—would come at this—'cause, you know, writing, Jesse and Jim, writing's about making choices. How to start a story is a very, very subtle choice. And I don't think I—I'm gonna say it. I'm not a Luddite. I think these tools are here to stay, sadly, but they're never gonna—never gonna start a story this way. “You've got to. This is America.” What an incredible piece of dialogue. And that's what we're fighting for in this strike. When you're hearing this, I bet you this strike is still going on, and—well, you know, go to WGA, go to [SAGAFTRASTrike.org](https://www.sagaftra.org/strike). Find out how you can support the strike. You don't have to be a member in order to picket. And there are places—a lot of places where pickets are happening.

And [EntertainmentCommunity.org](https://www.entertainmentcommunity.org) is a place where, if you have the means, you can support not just the strikers but the other employees: the crew, the drivers, the caterers, the hair and makeup people, all the people who are out of work because of this work stoppage. They're standing with us in solidarity, and they could use your help. Because we're all out of work and for good reason. This—it's not just to get a fair pay for incredible work, but also—oooh, just to remind people humans make stuff. Hey, that's all I have to say about that. I'm getting down off my soapbox, getting up on my bench. Jesse and Jim, here we are. You are humans, correct?

[00:07:30] **Jesse:** As far as I know.

[00:07:31] **John Hodgman:** Right.

[00:07:32] **Jim:** Yes.

[00:07:33] **John Hodgman:** Okay. Gave me a little pause there, Jim. Seemed to be computing that for a minute.

[00:07:39] **Jim:** Deep question.

[00:07:40] **John Hodgman:** Mm-hm. Jesse Thorn, we had them do the Captcha before they got into the studio there in Kansas City?

(*They chuckle.*)

[00:07:46] **Jesse Thorn:** We gave them one of those tests from *Blade Runner*.

[00:07:49] **John Hodgman:** Voight-Kampff test is what it's called. Voight-Kampff test. That's the kind of nerd I am, *Blade Runner* nerd all day long. But we're not talking about *Blade Runner*. We're talking—and we're not talking about *The Wire*. We're talking about a different style of nerdery. *Settlers of Catan*. Who seeks justice in this court? Who brings this case to me?

[00:08:08] **Jesse:** I do, your honor.

[00:08:10] **John Hodgman:** Jesse, what is the nature of your complaint against your father, Jim?

[00:08:13] **Jesse:** So, several years ago during the start of the covid pandemic, I had to come home from college, because the world had completely shut down.

[00:08:22] **John Hodgman:** Yes, I remember.

[00:08:23] **Jesse:** Yes, and on the night before lockdown started in Kansas City, I went to Target and I bought *Settlers of Catan* to try to occupy ourselves, even though my parents were both working, and I was in school still online. So, we started playing *Catan* pretty much every night during the lockdown until I graduated. And then, I moved to Delaware. And I stayed on the East Coast for about three years. And we continued playing *Catan* throughout that time, either online—like over Zoom—or when I came home.

And now that I'm back in Kansas City for graduate school, I go over to their house to play about once a week.

[00:08:58] **John Hodgman:** So, that sounds like a lovely solace in a terrifying time. But it was not all peaceful *Cataning*, because? What did your father do that was so wrong that we're in court now today?

[00:09:11] **Jesse:** Yeah, that's correct. So, I think that I tend to win the *Catan* game slightly more than Da does. We both win. We're both—we both win a lot, but I think I'm slightly ahead. And whenever I start getting dice rolls that like—like, they're a little bit too good, he starts saying that I'm not rolling properly or the right amount. And then, we have to use the cup of shame. Which it used to be a plastic cup that had like a red label taped to it. But then, I think when I moved out to the East Coast, my mom threw it away or something. So, now we have the second cup of shame, which is an old coffee cup with coffee stains in it. And it has a

post-it note with a drawing of a scary clown on it. And it's labeled "cup o' shame". And then, bad clown.

[00:10:03] **John Hodgman:** Yes. Let the record show that Jim is holding this cup of shame up to his camera there, at the studios of KCUR in Kansas City. And let the record show that I would like to turn off his camera. If I see that thing again, I'm going to be too scared to continue. We do have photos, of course, which you can see at the show page at MaximumFun.org, as well as our Instagram account, [@JudgeJohnHodgman](https://www.instagram.com/JudgeJohnHodgman) on Instagram. And we'll look at that evidence in a moment shortly. But first, I have to say the reason I did the cultural reference that I did is 'cause it describes a dice game that—someone gets murdered over a dice game in *The Wire* season one, episode one.

Now, I've worked very hard in my life to avoid information about the rules of *Settlers of Catan*. I've never played it, and I've worked very hard to avoid information about it. And you have to understand, I've gone on multiple Jonathan Coulton cruises. So, this—I worked hard, but now I have to open the door. I don't wanna know too much about it. I just need to know how do dice play into it? Jesse?

[00:11:05] **Jesse:** So, the dice are sort of supplemental. Basically, you have to choose where you put your settlements to get different resources. And each hexagon has a number on it. And if the number of your hexagon is rolled, then you get the resource.

[00:11:26] **John Hodgman:** Got it. And what kind of resources are we talking about?

[00:11:29] **Jesse:** Wheat, bricks, wood, or—and sheep or wool.

[00:11:34] **John Hodgman:** No podcasts. No podcasts?

[00:11:36] **Jesse:** Unfortunately, not. I am not sure that that's their main export.

[00:11:40] **John Hodgman:** And Jim is maintaining that you are rolling the dice incorrectly. Jim, what is your problem with Jesse's dice rolling?

[00:11:49] **Jim:** She will have uncanny luck beyond the laws of probability, like rolling five 7s in a row, which is a really good roll. Or if she's designated to need like 11s and 12s, which are really low probability rolls, she'll roll a ton of those. So, it defies the laws of nature.

[00:12:13] **John Hodgman:** Do you think it's because she has, you know, microscopic ultra control over her synthetic muscles as a replicant? That she's able to roll the dice in this way?

[00:12:24] **Jim:** That's a good idea. I hadn't thought about that, but I know a lot of what human beings do is kind of subconscious. I don't think she's making morally bad choices, but I think subconsciously when she has the dice in her hand, somehow she's throwing them to get this, to get these rolls. Kinda like somebody who's hot in craps, you know.

[00:12:46] **John Hodgman:** So, you're saying when someone hits a hot streak in craps, they're actually controlling the dice unconsciously.

[00:12:54] **Jim:** To a degree. Sometimes I've—I rarely play craps, but I've seen people in Vegas do it. And sometimes they hold the dice a certain way. So, I can't prove it. But there's—any reasonable person would suggest that if you roll seven—I'm sorry, five 7s in a row, there's something going on beside—

[00:13:16] **John Hodgman:** Yeah, it seems a little unlikely.

[00:13:18] **Jim:** Highly unlikely.

[00:13:19] **John Hodgman:** But I mean, if she's able to do this, why aren't you—why are you guys on a podcast? Why aren't you in Las Vegas or Atlantic City cleaning up right now?

[00:13:28] **Jim:** Yeah. Kind of a Rain Man thing. Yeah. Good point.

[00:13:31] **John Hodgman:** Yeah. I noticed that you held up a pair of dice just then.

[00:13:34] **Jim:** Yes.

[00:13:35] **John Hodgman:** I want you to roll a 9. Go ahead and do it. Subconsciously do what I tell you.

(Dice shake and roll.)

It went under the table, didn't it?

[00:13:47] **Jim:** Yeah. Close! 10, which is close. Yeah.

[00:13:51] **John Hodgman:** Yeah, that's pretty good! I mean, given that we're on a teleconferencing software. If I were in the room, I bet you I could've gotten you to do it. Jesse, did you bring any dice to this podcast fight?

[00:14:03] **Jesse:** I did not. The *Catan* box lives at my parents' house with all of the associated accoutrements. So, the dice were in the *Catan* box. I would like to lodge an objection very quickly.

[00:14:15] **John Hodgman:** Mm-hm.

[00:14:16] **Jesse:** 11 is not an exceptionally unlikely number to roll. 12 is an exceptionally unlikely number to roll.

[00:14:22] **John Hodgman:** How many dice are you rolling?

[00:14:23] **Jesse:** Two.

[00:14:24] **John Hodgman:** And they are six-sided dice.

[00:14:26] **Jesse:** Yes.

[00:14:27] **John Hodgman:** Traditional six-sided dice.

[00:14:29] **Jesse Thorn:** So, there are relatively many ways to get to 11. 6 and 5, 5 and 6, 8 and 3, 7 and 4, 11 and 0.

[00:14:39] **Jesse:** Exactly. So, it's not a particularly unlikely number to roll.

[00:14:44] **John Hodgman:** Uh, yeah, apparently the most likely—I never knew this. I always just thought it was a one in—well, I guess not, 'cause it's two dice, right? 'Cause each one is a one-in-six chance of getting a particular number. So, alright! It's been a long time since I was in statistics class, but apparently 7 is the most likely thing to roll with two six-sided dice. You're gonna get that about 16.67% of the time. 11, 5.56% of the time. So, alright. And—but I mean, but 7 is very likely to get. How many times did she get 7 in a row, Jim?

[00:15:17] **Jim:** If memory serves, I think one time she got five in a row.

[00:15:22] **John Hodgman:** Five 7s in a row.

[00:15:22] **Jim:** Yeah. Extraordinary.

[00:15:24] **Jesse Thorn:** Five times in a row, according to my hasty phone calculator calculation, is a 0.002% chance.

[00:15:36] **John Hodgman:** Of that happening.

[00:15:37] **Jesse Thorn:** correct.

[00:15:38] **John Hodgman:** And yet, it did. I mean, do you dispute that it happened, Jesse?

[00:15:42] **Jesse:** I think we don't have a very firm record. I think that Da tends to exaggerate slightly. Like, maybe I'll get, I don't know, three 7s in a row and he'll start going, "Oh, that was five 7s in a row! You rolled so many 7s!"

And it's like, hmm, I don't think I rolled that many. I don't think we have a clear record.

[00:16:03] **Jesse Thorn:** Jesse, are you accusing your father of being a liar or being incapable of counting to five?

(They chuckle.)

[00:16:09] **Jesse:** I'm accusing him of slight hyperbole. You know, very slight. He's a storyteller. He likes to—he likes to tell stories and exaggerate things a little bit.

[00:16:19] **John Hodgman:** Nooo. Dads have never exaggerated a story in the history of daddom, I'm sorry to say.

[00:16:25] **Jim:** I've always looked for the best in Jesse, so I may have rounded up slightly. But there are times where her rolls are unnatural.

[00:16:36] **Jesse Thorn:** I like that everyone present is using “lie” so carefully. Like, they're the *Washington Post* or *New York Times* writing about the former president. “We do not know what is in his heart!”

(*They laugh.*)

[00:16:48] **Jesse:** I think also—I think maybe when I start getting good rolls, Da gets a little bit upset that I am once again the master of *Catan*. And so, you know, his pride makes him exaggerate slightly.

[00:17:02] **John Hodgman:** So, would you say that you are a better player overall at *Settlers of Catan* than your father is and he's trying to blame it on rotten luck with the dice on his part?

[00:17:12] **Jesse:** So, I feel a little bit bad saying this, but I would say yes. But! I only say that because he can beat me in pretty much any other game.

[00:17:20] **John Hodgman:** Right. Like what kind of game, Jim, do you dominate in? *Mastermind*? *Parcheesi*?

[00:17:26] **Jim:** Gosh. We, you know—I—no, you know, I'm not a, a big gameboard person by nature. I rarely play things of this sort.

[00:17:37] **John Hodgman:** Mind games?

[00:17:3800] **Jim:** Yeah, definitely a lot of those. *Pictionary*, that old—remember that old game? Sometimes we would play—

[00:17:45] **John Hodgman:** Yeah. Much—too much standing up in that game for me.

[00:17:47] **Jim:** (*Laughs.*) Yes. We would play *Horri-fied*, which is more of a cooperative game. And Jesse is an excellent gamer for sure. She's got a great mind for this, and she played *D&D* for many, many years. So, she's really good with detail. I think—

[00:18:04] **John Hodgman:** And I daresay dice rolling, right?

[00:18:06] **Jim:** Sadly. Yes.

[00:18:08] **John Hodgman:** It should be called *D&D&D, Dungeons and Dragons and Dice*. 'Cause dice are really a big part of that game, right, Jesse?

[00:18:13] **Jesse:** Yes, they are. I have—I actually have a whole box of dice. That's where the dice for the *Catan* game actually came from was my box.

[00:18:19] **John Hodgman:** Oh, these are your—these are your personal dice that you're using for that game?

[00:18:23] **Jim:** Oh-ho!

[00:18:24] **Jesse:** They are, but they were chosen randomly! They were chosen randomly!

[00:18:24] **John Hodgman:** Interesting.

[00:18:26] **Jesse Thorn:** Sure.

[00:18:26] **John Hodgman:** Mm-hm. Interesting.

[00:18:27] **Jesse Thorn:** You know who brings their own dice? It's not people who don't cheat.

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

[00:18:36] **Sound Effect:** Three gavel bangs.

[00:18:40] **Sound Effect:** Three gavel bangs.

[00:18:42] **John Hodgman:** So, you're only using your proprietary, special *D&D* dice that you got at Kansas City's premier strategy gaming shop, Ye Olde Cheat Shoppe or whatever. Do you acknowledge you've had some lucky streaks though? I mean, maybe not five 7s in a row, but would you acknowledge you've had some luck with the dice?

[00:19:01] **Jesse:** I would acknowledge that. There are some times when it seems like I do get really, really good rolls. But on the contrary, there are also times when Da gets really, really good rolls. And it kind of just depends on the game. And—but I think I had played *Catan* a few times before we started playing during the pandemic, and I don't think that Da had. And for a while during the pandemic, I was keeping a score sheet, and I was quantifiably ahead by something like 10 games, I think.

[00:19:32] **John Hodgman:** Why do you think your father is bad at *Settlers of Catan* compared to you? What does he do wrong in the game that you do right?

[00:19:41] **Jesse:** Well, first of all, I don't think he's bad. He's very smart. He's a very good player.

[00:19:44] **John Hodgman:** I understand. Look, I know. Look, but you have an edge. You're acknowledging that you have an edge. You kept a—you kept a log to wave in his face to prove that you were better than him.

[00:19:53] **Jesse:** I think that—

[00:19:54] **Jesse Thorn:** Yeah, we're not questioning his personhood. We're not saying he's some sort of bad clown. We know he's a good clown.

(They chuckle.)

[00:20:00] **Jesse:** There are two primary things that I would say. First of all, I think that he's too reliant on development cards.

[00:20:07] **John Hodgman:** Yeeeah, that makes sense.

[00:20:10] **Jesse:** So, the way that the game works is that you collect different resources, and then you can spend the resources to do different things. And the goal is to build settlements or cities. But instead of doing that, when he gets the cards to get a development card—so, to get a development card, you have to have a wheat, a sheep, and an ore. And instead of saving his resources to build a city later or a settlement later, he will spend those on a development card.

[00:20:38] **John Hodgman:** *(Sighs.)* Jesse Thorn, you know what? I think I'm probably gonna know how to play *Settlers of Catan* when this is all done.

[00:20:43] **Jesse Thorn:** Yeah, I'm worried.

[00:20:45] **John Hodgman:** I think it's gonna happen. What's the second thing that he does wrong that you do right or whatever?

[00:20:49] **Jesse:** So, the second one is kind of our own mod slightly, because it's a card that isn't in the original game set.

[00:20:55] **John Hodgman:** Mm-hm. Where'd that come from? Your special—your special, personal pack of *Magic: The Gathering* cards or something? Some secret card that you introduced? “Da loses” card?

[00:21:06] **Jesse:** For my graduation, my parents got me an expansion of *Settlers of Catan*. I can't remember right now which one it was, 'cause we don't—you know, it's a good expansion, but I think we really prefer the traditional one. But—

[00:21:19] **John Hodgman:** I don't wanna see fights on the Reddit about whether this is a good expansion or not, so let's not even mention it.

[00:21:23] **Jesse:** Okay.

[00:21:24] **John Hodgman:** You got an expansion back, and you added a wild card. Which is what?

[00:21:28] **Jesse:** It's the Harbor Master card. So, this card, when you get three different harbors—

[00:21:35] **Jesse Thorn:** It's season two of *Settlers of Catan*.

[00:21:39] **John Hodgman:** (*Cackles.*) That's a deep cut *Wire* joke.

[00:21:40] **Jesse Thorn:** Very controversial.

[00:21:41] **John Hodgman:** That's a deep cut *Wire* joke that I truly appreciate. That's incredible. That was incredible. That was a true level up.

[00:21:47] **Jesse:** So, with the Harbor Master card, when you get three harbors—when you build a house on three different harbors, then you get an additional two points, unless someone else ends up building houses on more harbors than you do. And I don't think that Da has succeeded in getting the Harbor Master card in—

[00:22:04] **John Hodgman:** (*Muttering.*) Harbor Master two points. I got it. I'm getting it all down. Mm-hm. Got it. So, he doesn't know how to play the Harbor Master card correctly. He doesn't—he builds—he develops things wrong. Got it, got it, got it.

Jim, do you accept that these are weaknesses in your game that you might be trying to cover up with this accusation that Jesse is a unfair roller?

[00:22:27] **Jim:** Possibly. She's an excellent player for sure, strategy-wise, and she makes some good points about my weaknesses. Over time, as we began to play and I understood the rules, I began to catch up with her. But then, right about that time, her incredible, uncanny lucky streak kicked in, hence the cup of shame.

[00:22:50] **John Hodgman:** Alright, now the cup of shame. So, what we're talking about here is—is the cup of shame part of *Settlers of Catan*? Is that part of the game? No. That's a mod of your own, Jim?

[00:23:00] **Jim:** Yes.

[00:23:01] **John Hodgman:** Let's take a look at it. I'm gonna go to the evidence. And again, these images are available at the show page and on our Instagram account.

Okay. The cup of shame. This is the new cup of shame. The original cup of shame was retired. The new cup of shame is an old paper coffee cup with a frankly terrifying drawing of a clown on it. And clowns are terrifying when they're drawn well. This one looks like—this one looks like a drawing that was found on the floor of an abandoned cabin. You know? It's terrifying.

[00:23:30] **Jim:** It's some of my best work. I did that, by the way.

[00:23:35] **John Hodgman:** Jim, I have a photo of it in front of me here. You don't have to keep holding that up to the camera, because it's—I don't need to see two of these things. Thank you. And what does the—what is the scrawl? I can't even call it writing. The scrawl? The scrawled letters? What do they spell on this cup of shame?

[00:23:53] **Jim:** To the—from the looker's perspective to the left, it says “cup o' shame”. To the right of it, it says, “bad clown!” exclamation point, and then some scribbles.

[00:24:06] **Jesse Thorn:** And underneath there it says, “Mr. *Catan*, you could have saved her. I gave you all the clues.”

(They laugh.)

[00:24:17] **John Hodgman:** Speaking of clowns, there is a stuffed clown, like a toy stuffed clown behind it, which seems to be the model for this illustration. And this clown—this clown, sir, has fangs. Does it not?

[00:24:31] **Jim:** Yes.

[00:24:31] **John Hodgman:** What is this terrifying clown that you have in your home?

[00:24:35] **Jim:** Very quick backstory. Uh, a great book, *A Prayer for Owen Meany* by John Irving. In this story, this family got in the habit of hiding a stuffed armadillo, I think, in various places of the house. So, when people would open the door, it'd scare 'em. Yes? So, I adapted that idea to this clown. So, I would hide it around the house, and when Jesse would open her bedroom door, it would fall on her. She'd go to the refrigerator; the clown would be in there. Basically, kind of like a super ego. You never knew when Blinky the clown would appear. So, it kept you on your toes. So—

[00:25:13] **John Hodgman:** This is Blinky the clown?

(Jim and Jesse confirm.)

[00:25:17] **John Hodgman:** Eh, okay. Continue what you were about to say. I didn't mean to interrupt you.

[00:25:19] **Jim:** No, no, no. That's about it. So, we—for many years, when Jesse was very young—we would hide it around the house, and it would surprise you every so often. And it'd kind of develop your moral compass. 'Cause you never knew when Blinky—

[00:25:34] **John Hodgman:** Sure. I'm sure that there—I'm sure that was a justification you used for pranking your own child. Develops her moral compass!

[00:25:38] **Jesse Thorn:** Yeah, Jesse needed to develop a growth mindset.

(Jim laughs.)

She needed a good, lucky feeling, as Jack Andy once said. *(Laughs.)*

[00:25:48] **John Hodgman:** Question for you, sir. The fangs on this clown, were they there when you bought it from the thrift store, or did you add them yourself? Is that your mod?

[00:25:56] **Jim:** Jesse can speak to that one.

[00:25:58] **John Hodgman:** Jesse?

[00:25:59] **Jesse:** Yes. That's actually my addition. A few years ago, for Father's Day, I sent blinky to a stuffed animal hospital and paid I think 50 bucks to have, um, I think—okay, so the fangs were added. He has scary eyebrows now. He—there was a part where he was like a little bit threadbare, and they recovered that. They made him a little cloth knife that is sewn to his hand. And—

[00:26:27] **John Hodgman:** *(Laughing.)* I see that now!

[00:26:28] **Jesse:** Yes. And I'm not sure if it's captured in the picture, but he had a hole in his cheek. And they stitched it up in red, so it's like a scary scar.

[00:26:37] **John Hodgman:** A stuffed animal hospital?

[00:26:39] **Jesse:** Yes. I followed them—

[00:26:40] **John Hodgman:** And they did all—?

[00:26:41] **Jesse:** —on Tumblr. And they were—and so, that's where I got the idea.

[00:26:44] **John Hodgman:** And they did all this for 50 bucks?

[00:26:47] **Jesse:** I think it was about 50 bucks.

[00:26:48] **John Hodgman:** Or was that just your copay?

(They laugh.)

[00:26:51] **Jesse:** Unfortunately, I don't have stuffed animal insurance, but I think it was split between Ma and I.

[00:26:57] **John Hodgman:** So, you're obviously—I mean, maybe this is how you worked through your trauma of being scared by your dad as a child, or else you actually kind of found this joke funny?

[00:27:06] **Jesse:** Oh yes, very much so. I think it probably started when I was maybe in middle school or high school, so I wasn't super, super young. And it was a back-and-forth thing, you know. I would—I think the rules generally were that I would find Blinky, and then I would hide Blinky somewhere. And then, Da would find Blinky, and then he would hide Blinky somewhere. It was—and it went back and forth until eventually my mom would—Blinky, would jump out at my mom when she wasn't expecting it, and she'd yell very loudly and ban Blinky for a while.

[00:27:34] **John Hodgman:** Yeah. Then, she'd set it on fire and leave for two weeks.
(Laughs.)

[00:27:37] **Jesse:** Exactly, exactly. I remember one time, 'cause we

[00:27:41] **John Hodgman:** You two.

[00:27:42] **Jesse:** For a while we had a rubber Halloween rat that we hit as well, for a while. It was Blinky and the rat. And I think that Ma took the rat away after she tried to pour herself some cereal and the rat came out of the cereal box.

[00:27:57] **John Hodgman:** Jesse, I think if we commit—if I think when, you know—I can work on writing projects, but I can't sell them currently. But you know, if you open our notebook of incredible IP, just make a note of *Blinky and the Rat*, Jesse Thorn.

[00:28:10] **Jesse Thorn:** Okay. I'm writing that down here and mailing it to myself.

[00:28:14] **John Hodgman:** Right. Mail it to litigant Jesse too, 'cause she's gonna get in on this. She came up with it.

(Jesse thanks him.)

[00:28:19] **Jesse Thorn:** I've also noted *Clown II: Blinky's Revenge*.

[00:28:23] **John Hodgman:** Uh, I'll allow it. For sure, we gotta start thinking of the franchise now. So, tell me about a time when you got your dad really good with Blinky.

[00:28:33] **Jesse:** There's been a lot of times and still, you know, whenever I—like when I dog sat for my parents a while ago, I hid Blinky around the house for Da to find when he came home. The most memorable one—this was actually my dad getting me, but he put—there's like—in their house, there's this grate on the floor that, you know, it's a vent grate.

[00:28:52] **John Hodgman:** Mm-hm. Mm-hm. Sure. Heating grate.

[00:28:56] **Jesse:** Yeah, yeah. But you can actually take off the grate. It's a wooden grate; you can pull it up, and there's a small shelf there. And one time, I hadn't found Blinky for like days and days. And I was like where'd he go? And I kept asking Da, and he would, you know, do his little like, "Ooh, you'll find out!" That sort of thing.

And eventually, I realized that Blinky was under the heating grate. He was in the heating vent.

[00:29:18] **John Hodgman:** Yeah. Well, they all float down there, you know? Yeah.

[00:29:21] **Jesse:** Exactly. So, that was the most—I remember, I was very, very impressed by that one.

[00:29:25] **Jesse Thorn:** “Mr. Jesse, you could have found him. I gave you all the clues,” said your dad.

(They laugh.)

[00:29:31] **John Hodgman:** So, Blinky is on this cup of shame as a reminder to not cheat, and obviously you've been rolling the dice by hand. The cup you use—you put the dice in there to roll *Yahtzee* style, because you feel it prevents—it's like putting a—making a pickpocket wear gloves. It's impossible for them to ply their deceitful craft.

[00:29:52] **Jim:** Well said. Perfect.

[00:29:54] **John Hodgman:** Thank you. I do know how to say some words sometimes. Sometimes. How do you feel about the cup of shame—being asked to use the cup of shame?

[00:30:04] **Jesse:** Well, my main objection is, first of all, the insult to my character and the implication that I am not winning *Catan* properly. But also, it does tend to add some time. And when we get into the later stages of a game of *Catan*, it gets very, you know, fast paced and we're rolling really quickly. And if you have to, every time, grab the cup of shame from where the other person put it, put the dice in, rattle it around, and then turn it upside down, take the cup away, and then see the numbers, that adds a little bit of time that really slows down the pace of the game, in my opinion.

[00:30:40] **John Hodgman:** And is there a shame component? Do you feel shamed by the cup of shame?

[00:30:46] **Jesse:** Not really shamed, but I do feel a little bit affronted that—at the implication that I am somehow cheating with the dice, even if only subconsciously.

[00:30:58] **John Hodgman:** Jim, you wanna respond to that?

[00:30:59] **Jim:** Your honor.

[00:31:00] **John Hodgman:** Yeah, I'll allow it.

[00:31:01] **Jim:** Thanks. If I have any regrets, I named it “cup of shame” 'cause probably everybody has heard of the cone of shame that dogs have to wear around their head when they have surgery.

(John confirms.)

I would—if I were to rename it, I would call this the cup of integrity or the grail, 'cause it gives people an opportunity to do the right thing.

[00:31:21] **John Hodgman:** Grail!

[00:31:22] **Jim:** The grail. So, that was my fault. I own that.

[00:31:27] **John Hodgman:** That's still pretty affronting though. I mean, by implication, you're suggesting Jesse is not doing the right thing, and this is giving her finally the opportunity to prove that she's not a cheater. In the evidence that you submitted, there's also a photograph of a toy skeleton. Can either of you illuminate what I'm looking at here?

[00:31:45] **Jesse:** So, since we've been playing *Catan* for so long, it's sort of grown different aspects. And—

[00:31:53] **John Hodgman:** Yeah, it's two skeletons, actually. One fully articulated skeleton looks to be about six inches high, and then it looks like a sculpture of a skeleton crawling out of the earth, like a reanimated zombie or something.

[00:32:05] **Jesse:** That's correct. That one was stolen from my mom's plant decorations.

(They snort with laughter and affirm.)

So, I'm not actually sure where—when they started getting involved, but it was first the skeleton crawling out of the ground. And Da said that that one would bring him good luck and started playing with it. And then eventually, I sort of claimed that one. And then, the other skeleton, who I believe was a Halloween decoration and then became a Christmas decoration.

[00:32:34] **John Hodgman:** It seems fair.

[00:32:36] **Jesse Thorn:** Possibly a Valentine's Day decoration.

(Jim laughs.)

[00:32:38] **Jesse:** Well, after he was a Halloween decoration, then we started putting him on the Christmas tree as well.

[00:32:42] **John Hodgman:** Oh, sure, sure. Of course.

[00:32:43] **Jesse:** Yeah, so, as it stands, the skeleton crawling out of the ground is sort of my good luck on my side. And the fully articulated skeleton is Da's good luck skeleton.

[00:32:55] **Jesse Thorn:** So, what I'm hearing—tell me if I'm correct, Jesse. Your father quite naturally brought a good luck skeleton to your game of *Settlers of Catan*, from a plant as one would expect. And as he got luckier and luckier from this good luck skeleton crawling out of the dining room table, you then annexed that skeleton?

[00:33:23] **Jesse:** Uh, no. I would object to that retelling. I think for a while it was whoever won the game of *Catan* got the skeleton the next time.

[00:33:29] **Jesse Thorn:** Ah, I see! (*Chuckles.*)

[00:33:32] **John Hodgman:** Do both of you believe in good luck? (*Beat.*) Let the record show they're both thinking very carefully about how they're going to answer.

[00:33:43] **Jesse Thorn:** Each has tilted their head 30 degrees.

[00:33:46] **Jim:** I am gonna try to be brief on this one. Scientifically, I don't.

[00:33:51] **John Hodgman:** Alright, I'll come back in half an hour and listen to what you—

(*Everyone laughs.*)

[00:33:53] **Jim:** I—scientifically, I do not believe in it. And yet, I had an old friend who was literally like the pit boss who would watch craps table stuff, and he would swear that sometimes people defied the odds, and they would get hot. So, here's my toaster analogy. I have to admit, you know, I don't know how—the inner workings of a toaster, but I do know when you push the thing down, wait for a while, done, toast comes up. So, something seems to be happening, but I can't—

[00:34:28] **John Hodgman:** And the toaster says, “Toast is done!” Right?

[00:34:31] **Jim:** Sometimes. (*Chuckles.*)

[00:34:31] **John Hodgman:** That's a very specific joke for a very specific listener. That's all I have to say. But you can't explain.

[00:34:36] **Jim:** I can't explain the causal mechanism, but I have seen things that defy the odds, like one in thousands. So, I don't know if luck actually happens. For the skeletons, it's placebo effect for me. I know it just brings out the best in me as a *Catan* player to have been surrounded by Skeletor and the other skeleton.

[00:35:01] **Jesse Thorn:** So, you understand this coffee cup essentially to be a cooler.

[00:35:05] **John Hodgman:** What's a cooler?

[00:35:07] **Jesse Thorn:** A cooler is William H. Macy, if I remember correctly.

[00:35:10] **Jim:** Exactly right. Great movie.

[00:35:12] **Jesse Thorn:** It's William H. Macy, and he goes to casino tables and uses his bad luck to tamp down the good luck of people who are winning a lot of money. And then, later in the film you see him naked, and you're like, "Whoa! Okay!"

(John cackles.)

[00:35:29] **Jim:** To that end, I rarely, rarely ever gamble, but I tend to have horrendous luck at any type of gambling. You know, poker machines, blackjack. Whereas other people seem to have good luck.

[00:35:43] **John Hodgman:** You believe in bad luck, at least. Uh, Jesse—litigant. Jesse, you'd like to add something?

[00:35:47] **Jesse:** I would like to note that I do tend to have good luck with gambling. I also don't do it very much, but I did win \$500 at Bingo when I was 11.

[00:35:56] **John Hodgman:** Oh, fantastic!

[00:35:58] **Jesse:** I legally was not allowed to play bingo, so it had to be claimed in my name by my uncle, but it did go to me.

[00:36:04] **Jesse Thorn:** Truly classic uncle behavior. *(Laughs.)*

[00:36:07] **John Hodgman:** Jim, was it this former pit boss pal of yours who put the idea in your head that people who are rolling dice at craps get an unconscious good luck, that somehow their attitude affects the way that they throw the dice, so they get more consistent rolls or something like that?

[00:36:24] **Jim:** Gosh, that's a great question. I don't understand it for sure, but it does seem to happen. It seems to be a real phenomenon, and I've noticed even when I've watched people playing craps, some of them are very meticulous about how they set it in their hands and how they throw it. I don't know if it works or not, but the outcome seems to suggest that the odds of this being purely due to chance—it's hard to fathom. It's possible, but highly improbable.

[00:36:56] **John Hodgman:** In Jesse's case, you mean?

[00:36:59] **Jim:** Yes.

[00:37:00] **John Hodgman:** Right. In casinos, typically the house wins. Typically, any small advantage of a so-called lucky streak gets, uh, erased.

[00:37:09] **Jim:** Over time. Yes, indeed.

[00:37:11] **John Hodgman:** Over time. Right.

[00:37:11] **Jesse Thorn:** Now, in bingo halls, nieces typically win.

[00:37:16] **John Hodgman:** That's true. That's true. It's a small advantage. Nieces have a small advantage of bingo. So, Jim, you would acknowledge that lucky streaks, whether they are unconscious or mystical, do happen even in casinos. That's what you're saying, right?

[00:37:32] **Jim:** Yes. But over time.

[00:37:34] **John Hodgman:** So, why should Jesse be punished for having a lucky streak?

[00:37:38] **Jim:** In general, lucky streaks are very short. Over time—I'm doing the normal curve with my hand. Over time, lucky streaks dissipate and the house wins. So, we played—god, probably over a hundred games. And when her lucky streak continues consistently, it seems that something else is going on aside from just that periodic good luck.

[00:38:05] **John Hodgman:** Let me—I just wanna verify something. I'm getting a vibe. I just want to verify this. Are you an only child, Jesse?

[00:38:11] **Jesse:** I am, yes.

[00:38:12] **John Hodgman:** Yeah, that was a big check mark on that one. Mm-hm. Gotcha. What fun. What fun?

[00:38:15] **Jesse:** Except the dog.

[00:38:16] **John Hodgman:** I know, of course. What fun, what fun? Look, I love family of all shapes and sizes, but as an only child, I'm really feeling the fun of a three-person household.

[00:38:27] **Jesse:** Oh yes, very much so.

[00:38:29] **John Hodgman:** It's really—it's a special vibe. It's a vibe. Let's just say it's a vibe. It's no more special than any other, but it's definitely a vibe. It's making me feel very nostalgic myself, which is a toxic impulse. So, I'll move on.

[00:38:40] **Jesse:** And for the record, I do not live with my parents anymore. I do live across town.

[00:38:44] **John Hodgman:** No, I understand. What's the best barbecue sauce in Kansas City? Arthur Bryant's or Jack Stack's?

[00:38:50] **Jesse:** (*Whispering.*) I don't like barbecue! That's my secret. That's my secret. I'm a bad Kansas City-ian.

[00:38:55] **John Hodgman:** That's the—that's the cup of—that's your cup of shame?

[00:38:58] **Jesse:** That's my real shame. You know, I'm not ashamed by the cup of shame, 'cause I know I'm in the right. But I am ashamed by the fact that I'm a—

[00:39:05] **John Hodgman:** You shouldn't be ashamed. People like what they like.

[00:39:07] **Jesse:** But I'm born and bred Kansas City-ian, and I've never liked barbecue sauce. I can't do it.

[00:39:11] **John Hodgman:** Jim, Jack Stack or Arthur Bryant for barbecue? Sauce or altogether experience.

[00:39:18] **Jim:** Your honor, it's amazing. You should know that I'm a vegetarian. I've never eaten barbecue here. Sorry about that.

[00:39:24] **John Hodgman:** No, no. Don't apologize to me. Thank you for saving the planet. But in the meantime, are either of you particularly competitive?

[00:39:33] **Jesse:** I think that I tend to be sort of competitive at times.

[00:39:36] **John Hodgman:** Mm-hm. Mm-hm. Mm-hm. How do you think that affects this dispute?

[00:39:42] **Jesse:** Well, I think that it—you know, it definitely motivates my desire to win and my pride in winning. And I think that I—you know, I recognize that competitiveness is not always good, so I try to limit that to the board game areas of my life, because I feel like that is a safe outlet for competitiveness.

[00:40:03] **John Hodgman:** Jim, what do you think about Jesse's self-assessment there? Her competition and the fact that she puts her competitive nature into a cup of shame.

[00:40:13] **Jim:** As I have seen her in life, I think she uses her competitive nature in a really positive way. She did really well in college for sure. She has a great work ethic. She strived to do the best. But when it comes to gaming like *Catan*, her competitiveness has kind of led her to fall over to the dark side. It's kind of possessed her a little bit, you know, when she does that thing with the dice. So.

[00:40:39] **Jesse Thorn:** She doesn't have the kind of values that you're looking for in a child. The kind of values that a child who's being watched by a killer clown who could be anywhere has.

(They giggle.)

[00:40:52] **John Hodgman:** So, you're there at KCUR—both of you, but in different studios. Can you please get those dice over to Jesse as quickly as possible, Jim? Can someone fly those dice in to Jesse?

[00:41:05] **Jesse Thorn:** I want to take a second. I feel like I mischaracterized Jim's child morality scheme when I said it was a killer clown watching over her behavior that could be anywhere. A killer clown and a rubber rat.

[00:41:24] **Jim:** Both. Yeah. A sidekick. Yeah.

[00:41:27] **John Hodgman:** Okay. The cup of shame has been delivered to Jesse. Uh, it has—Jesse, will you confirm that there are two dice in there?

[00:41:33] **Jesse:** There are indeed.

[00:41:34] **John Hodgman:** Okay. And those are the two dice from your personal *Dungeons and Dragons* set?

[00:41:37] **Jesse:** Yes, they are. Yes.

[00:41:38] **John Hodgman:** That's right. Two six-sided dice that you—I would presume settles of *Catan*—the complete set comes with dice when you buy it, right?

[00:41:46] **Jesse:** Yeah! I actually have no idea where the original dice went.

[00:41:49] **John Hodgman:** Yeeeah. Weird, right? Mysterious. Hmm!

(*They giggle.*)

Did you check in—did you check the heating grate? Or maybe the dump where you threw them? Alright, let me just make sure before we do this. So, ideally, Jesse, if I were to rule in your favor, you would like me to prohibit the use of the cup of shame?

[00:42:10] **Jesse:** Yes. Except I would say when mutually agreed upon. You know, not just a—

[00:42:14] **John Hodgman:** Why would you—why would you mutually agree upon the cup of shame? If you feel that classic old-fashioned hand-rolling is fair, why would you ever use the cup of shame?

[00:42:24] **Jesse:** If there's like a really, really absurd streak. Or for example, if we both keep—sometimes it'll be like we both keep getting 7s or we both keep getting, you know, 8. Something like that when it's, you know, such an extreme streak and, you know, both of us are on the same streak that it's—you know.

[00:42:41] **John Hodgman:** You're asking me to rule in your favor, but you're basically acknowledging your father's case that there are streaks that are so unusual as they need to be tamped down by the mystical cup of shame.

[00:42:54] **Jesse:** But those are rare. Those are few and far between. You know, we're not talking every game. We're talking like every like 10 games.

[00:43:01] **John Hodgman:** I see. And Jim, if I were to rule in your favor, you would ask—you ask that I rule to continue using the cup and for either player to be able to call for its use. How is that even different from what Jesse is saying?

[00:43:14] **Jim:** The other thing that I put in my plea was that if someone would have extraordinarily great luck, and she won 10 to 3, for example—just blew me out of the water—that we would call it a draw. You know?

[00:43:31] **John Hodgman:** It would officially go into the imaginary record book as a draw.

[00:43:33] **Jim:** Exactly, yeah. Because it's a game of skill for sure. Even though there's a little bit of chance, you know, to do the ethically aspirational thing, any reasonable person would wanna win by skill as opposed to incredible luck.

[00:43:49] **John Hodgman:** I think I understand. Jesse, I'm gonna give you an opportunity. Neither of you were able to get the cultural reference, but Jesse, you're a very lucky person. I'm gonna give you the opportunity to win this thing without my even going to my little Harbor master shack, where I would normally consider this case. Without using the cup of shame, I want you to roll the dice five times.

[00:44:15] **Jesse:** Okay.

[00:44:16] **John Hodgman:** If you get a 7 three or more times, then you win. That's the test of a streak right there. You see what I'm saying?

[00:44:21] **Jesse:** Okay. Yeah. Yeah. If I get a 7 three or more times. Okay. Okay.

(Dice clatter.)

Roll one.

[00:44:26] **John Hodgman:** And I'm gonna—and Jesse, unlike your father, I'm going to trust you. I'm gonna trust you to report the results accurately. Okay, whenever you're ready.

[00:44:33] **Jesse:** Alright. I rolled once, and I—

[00:44:35] **John Hodgman:** You rolled—?! You rolled once already?!

[00:44:37] **Jesse:** I did! I'm sorry! I can start over though, because I got an 8. So, I don't like that.

[00:44:41] **John Hodgman:** You got an 8. Okay. You're rolling five times. You need to get three 7s.

[00:44:46] **Jesse:** Okay, roll number two.

(Dice clatter.)

I got another eight!

[00:44:52] **John Hodgman:** *(Chuckles.)* Yeah, go on. Three.

(Dice clatter.)

[00:44:54] **Jesse:** I got a five.

(Dice clatter.)

(Chuckling.) Got a six.

(Dice clatter.)

And got an 11.

[00:45:03] **John Hodgman:** Wow. 11 is very rare!

[00:45:06] **Jesse:** It is not that rare!

[00:45:08] **John Hodgman:** *(Chuckling.)* Oh, I thought that—but let me tell you this, you got two 8s in a row.

[00:45:12] **Jesse:** I did. An 8 is usually very—is usually a good roll.

[00:45:15] **John Hodgman:** That's usually a good roll, but there wasn't—there wasn't a winning streak. So, you don't win automatically.

[00:45:21] **Jesse:** *(Snaps her fingers.)* Dang it!

[00:45:21] **John Hodgman:** Although! Nor do you prove Jim's point that you're some kind of supernatural creature. So, I will now go into my Harbor Master's hut to consider this evidence, and I'll be back in a moment with my verdict.

[00:45:35] **Jesse Thorn:** Please rise as Judge John Hodgman exits the courtroom.

(Chairs squeak, followed by heavy footsteps and a door closing.)

Jim, how are you feeling about your chances?

[00:45:44] **Jim:** Yeah, really good. Particularly when, toward the end of our discussion, Jesse basically confessed. So, I'm happy she did that, because this has been therapeutic for her somehow. And your honor, you brought out the best in her. So, I'm very grateful.

[00:46:01] **Jesse Thorn:** Jesse, you're giving a Dikembe Mutombo style finger wag.

(Jim laughs.)

What's going on for you right now?

[00:46:08] **Jesse:** Well, on the contrary, I think that I feel pretty confident. Because I think I proved pretty well with my five dice rolls of completely random numbers that I do not have some mystical power of rolling dice. And I think that the judge understands that, you know, a lucky streak is not something that one can be punished for.

[00:46:29] **Jesse Thorn:** Is it possible that you used your mystical powers to not get a bunch of numbers in a row?

[00:46:36] **Jesse:** I mean, one could certainly assert that.

[00:46:37] **Jim:** Aha!

[00:46:38] **Jesse:** But I think that would be very hard to prove in a court of law.

[00:46:42] **Jesse Thorn:** Well, we'll see what Judge Hodgman has to say about all this when we come back in just a moment.

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

[00:46:50] **Sound Effect:** Three gavel bangs.

[00:46:53] **Jesse Thorn:** Judge John Hodgman, we are headed out on our international tour, the Van Freaks Roadshow.

[00:47:01] **John Hodgman:** That's right. The Van Freaks Roadshow, combining our love for international justice with our love for *Antiques Roadshow*, and our love for the Mitsubishi Delica, Japanese only market adventure van. The Van Freaks Roadshow is what we're calling it. We even have a URL, VanFreaksRoadShow.com, which will take you to all the information we're about to give you right now, so that you can go ahead and click those links and get those tickets to Belfast, Northern Island; Dublin, Republic of Ireland; Edinburgh, Scotland; London, UK; Copenhagen, Denmark; Lexington, Kentucky; Chicago, Illinois; Madison, Wisconsin. I'm gonna stop saying the states, 'cause it's taking too long. St. Paul, Austin, Atlanta, Durham, Charlottesville, Washington DC—not a state, a district—Portland, Maine. Gotta say that one, because otherwise you're gonna Portland, Oregon, by mistake. Boston. And of course, our huge, end of tour, live streaming show from the Murmrr Opera House, in Williamsburg, Brooklyn.

Whooooo! Jesse.

[00:48:00] **Jesse Thorn:** This is gonna be a good old time. By the way, we wanna make clear: if you're an appraiser on the *Antiques Roadshow*, you get in for free.

(John agrees.)

I've already confirmed with Nico Lowry, from Swann Auction Galleries in New York, that he will be appearing on our New York City show. What I want from this, someone listening to this must know Fiona Bruce, the host of the UK *Antiques Roadshow*.

[00:48:23] **John Hodgman:** Yeah, reach out.

[00:48:24] **Jesse Thorn:** Let's make the connection. I'm not gonna say love connection, because I'm a happily married man. But let's make the connection with Fiona Bruce, the brilliant host of the British version of the *Antiques Roadshow*. Because, come on. How could she not? How could she not? Is there an Irish *Antiques Roadshow*? Maybe there is! There's a bunch of different *Antiques Roadshows*. We should find out if there's a Danish one.

[00:48:46] **John Hodgman:** Yeah, that's a good idea. We'll look into it. If you're an appraiser for *Antiques Roadshow* in any of those locations, let us know. Also! People are asking, "Are you gonna be traveling from town to town in a Mitsubishi Delica?" Uh, I wish! But you know—

[00:48:58] **Jesse Thorn:** But if you have one to loan us!

[00:49:00] **John Hodgman:** Yeah, I'm just saying a lot of these places you can't—like, you can't drive a Mitsubishi Delica from Belfast to Edinburgh. It doesn't work. But if you—

[00:49:09] **Jesse Thorn:** No. *(Chuckles.)* Well, it depends on how well outfitted the Delica is.

[00:49:14] **John Hodgman:** That's true. If it's got one of those snorkels.

[00:49:16] **Jesse Thorn:** Yeah, exactly! *(Laughs.)*

[00:49:19] **John Hodgman:** If you have a Mitsubishi Delica and you bring it to one of our shows—I'm gonna make this promise for myself, Jesse. I will take the picture with you in your van. I will get in your van.

[00:49:32] **Jesse Thorn:** I'll get in your van!

[00:49:33] **John Hodgman:** Yeah, totally. And if like three people show up—

[00:49:36] **Jesse Thorn:** You don't even have to have candy in there.

[00:49:38] **John Hodgman:** Yeah. If three people show up with Delicas, I'm gonna get three vans. We love—

[00:49:42] **Jesse Thorn:** Absolutely. Sequentially, not simultaneously.

(John agrees.)

Not like four corners or something like that. “You won't believe how many Delicas I'm in right now!”

[00:49:53] **John Hodgman:** If you show up with a Mitsubishi Delica, and it has been painted to look as though the front is Richard Kind's face, I will get in that van, and I will give you \$50. 50 of my dollars. And we're gonna have—when I say Richard Kind, I'm not making promises. But are we gonna have special guests like Nico Lowry? Of course, we are. Other surprise special guests? Obviously. Anywhere we can get a fun, local person to come up on stage, that's great. And of course, the fun local people we really want on stage are you. You and your disputes. You're gonna hear about it at the end of the show, but I'm gonna tell you right now: make sure that you live in one of these towns, you look to your left, you look to your right. Figure out who in your life is wrong and bring them to the show so you can hash it out onstage, on the Van Freaks Roadshow.

For all of the information, go to VanFreaksRoadshow.com, where you can also submit your disputes via MaximumFun.org/jjho.

[00:50:50] **Jesse Thorn:** Belfast, Dublin, Edinburgh, London, Copenhagen, Lexington, Chicago, Madison, St. Paul, Austin, Atlanta, Durham, Charlottesville, Washington, Portland, Boston, Brooklyn, and streaming across the world! VanFreaksRoadshow.com. Let's get back to the case.

[00:51:05] **Sound Effect:** Three gavel bangs.

[00:51:08] **Jesse Thorn:** Please rise as Judge John Hodgman reenters the courtroom and presents his verdict.

(Chairs squeak, followed by heavy footsteps and a door closing.)

[00:51:14] **John Hodgman:** I was very excited to hear about the Harbor Master card, because you may notice that Joel Mann isn't here. I'm not in Maine at the moment. I had to come back and be a city mouse in Brooklyn, New York, for a little bit. But back in Maine, there's an ongoing dispute between the Harbor Master in a town called Bucks Harbor and the owner of the marina in town, which is I think called Bucks Harbor Marina. And if you ever read a book by Robert McCloskey called *One Morning in Maine*, the main character visits that marina, and they go to get ice cream at the general store. It's very, very charming, etc..

But of course, this charming portrayal of Maine hides—like all literature about Maine—a horrific darkness. The Harbor Master is in this conflict with the owner of the marina, because the owner of the marina was allowing—well, this is allegedly allowing boats that were too

heavy for the guest moorings to moor. And consequently, during a storm, one of these boats that was too big for its mooring dragged the mooring and banged into a bunch of other boats, and the Harbor Master went and reinspected all the moorings and asked him to stop doing this and to replace things. Asking someone to do something in Maine is probably the worst thing you can ever do in Maine. People get very, very angry about being asked to do something for the good of the community sometimes. And consequently, he sued the Harbor Master and the town and asked for arbitration. And it was a very—it's been a very expensive process as the town has been forced to hire an attorney, and so has the owner of the marina. And the fight has been in the papers—completely incomprehensible legal details back and forth in the papers for almost a year.

So, when the time came for the arbitration—the arbitration that the owner of the marina wanted... I don't know whether he sensed it wasn't gonna go his way or not, but he did not show up. And instead, he sent a friend with a letter saying essentially, "I refuse to take part in this farce, and I'm closing the marina forever." His family business that he had been running for a couple of—a couple of generations, I think was now going to be (*chuckling*) closed. This is the kind of competition that is no good. It is corrosive. It is destructive. It is personally hurtful as much as anything else. He said that he would—he sensed that he might not win, so he would ensure that everyone would lose, and he took his marina, and he went home. That is no good.

Compare that, however, to *Yahtzee*: a game we are talking about later, a game in which everyone rolls with a cup, and everyone gets their own cup. But the thing about *Yahtzee* is you're not actually competing against each other. You have a list of particular rolls that you're trying to get. Three of a kind, four of a kind, what we call a full house—that's two of one, three of the other. And you only have so many numbers of rolls to get those particular rolls. And if you don't make them, then you lose that turn. And it's essentially like everyone's playing solitaire, but at the same table. It's a wonderful game for introverts. You're just competing against the dice and yourself as you try to create as best a score as you can. And yes, your score is better than someone else's, for example. But it doesn't even matter that much. 'Cause when someone else rolls really well, it's actually kind of fun, and you kind of root for them. That's competition that's good.

So, the first thing I wanna say, Jesse, is I don't think you should necessarily impugn your competitive streak. There's nothing wrong with being competitive in nature, especially since you're good at winning and beating your dad at *Settlers of Catan*. That's fine. I mean, the only thing you're taking from him is his pride, but that's what games are. You know? And it's not like he never wins. It's perfectly natural that you should win more, 'cause you're a more seasoned player. And you have these lucky streaks. Now, Jim, I believe you. I think there's something to what you say—that Jesse gets on these lucky streaks, not consciously cheating but unconsciously, somehow like a replicant, replicating the motion of the hand, the precise precision of the fingers, such that unconsciously and without intention her lucky streak continues. Why do I believe this? Well, I don't think it's all gobbledygook. I don't know a lot about sports, but I do know enough and believe that in competition attitude means a lot. You know, when you envision success, you tend to be more likely to achieve it, statistically speaking—whatever the success might be.

I know that, for example, that when I picture myself going to the YMCA and moving around, I am actually more likely to do it. And when my heart rate gets up to the point that it's

uncomfortable, I know—for whatever reason—when I picture in my mind the ocean, it calms down and I'm able to perform at a higher level. And what you're—and so, I believe that Jesse is lucky. She won that 500 bucks at Bingo when she was 11 years old. And not to mention the luck she has in having a nice mom and dad who care about each other and a terrific dog and a place to come home to, to play *Catan* and destroy her father in it. Those are—that's all incredible luck. And she believes in that luck. And in that sense, there is real luck, because I think luck does beget luck to a degree. Whereas you acknowledge—or your mindset is you're a loser.

(Jim chuckles.)

You've said as much, that when you go into a casino, you lose. Now, look. We all know that there are factors beyond our control. I'm not saying that you are—there's no way for you to be like pressing a button on a slot machine in a different way that would cause you to lose than to win. But I can believe to a degree that there may be something to your on its face cockamamie but perhaps not so cockamamie, theory that when physical activity is involved, like rolling the dice, that maybe attitude does adjust the attitude of the dice as they fly from your hand and hit the felt, as it were. And I do believe that using a cup would neutralize that advantage to some degree. Potentially. I believe in you. But who cares? Who cares?

Look, both of you are wrong. There's no way—there's no way you can use the cup sometimes and not use the cup other times. The only thing that is fair is to play the game consistently: either to use fingers at all times and acknowledge that there might be this microscopic advantage that Jesse might get from time to time, because she's on a lucky streak and she has a lucky attitude. And you, Jim, have a loser attitude and are so upset about losing that you will create—literally create a mechanism to break her momentum and cool her down: the cup of shame. Should it be called the grail? Should it be called the cup of integrity? Grail is pretty good. Like, I could make a ruling that was like, “Yeah, let's make it *Yahtzee*.” Let's everyone—let's each of you have a grail. Grail sounds fun. It feels very *Catan-y* (*kuh-tahn-ee*), *Catan-y* (*kuh-tan-ee*), whatever you wanna say.

But cup of integrity is no better than cup of shame. Both of those things are shaming. You are shaming your daughter. You are breaking her momentum on purpose, because you are sick of losing. You are—and you are breaking her spirit, which is I know what you don't want do, because you're a loving dad. But you are putting upon her an element of shame through the face of Blinky and trying to foist it off on Blinky the clown, when it's you who's handing her the cup saying, “I don't trust you, and I want you to start losing, please!” I can't abide it. Never mind the fact it's a grody coffee cup. Look, dice are wonderful. You know what I mean? Like there's a reason that we use dice as divination tools, as tools of luck of random number generation. It feels good to roll dice. *(Mimicking the sound.)* Tick, tick, tick, tick, tick, rrrrt. You know, it's fun.

And even *Yahtzee* style, you put 'em in that thing and go guh-guh-guh-guh-guh-guh, brrring! That's fun. Putting them in that nasty coffee cup's like (*dully*) bum-bum-bum-bum-bum-doomp. It's gross. It doesn't respect the tactile pleasure of rolling dice. So, as I say, I could rule that you both have a grail. You get some quality—you go down to Ye Olde Cheating Shoppe or whatever the strategy gaming place is. I bet you they got some good cups there. Dice rolling cups. Get some high-quality ones so that it sounds good, and it feels good. I could rule that, but I'm not gonna. I'm not gonna, because when it comes to luck, I'm with

Jesse. I don't wanna screw up my luck. I wanna rule with Jesse. I want her to—I think that you should trust that your daughter can use her hands to roll dice fairly. I want you to trust her. I don't think it's—I think it's less fun for you to be putting shame, literally like shoving shame into her hands to hold.

That's your—that's your pro—losing is your thing to hold, not her thing to hold. But I will make these additional orders. First of all, the cup of shame may stay on the table, but it may never be used. Blinky is always watching. Second of all, Jim, go out and get some new dice. I don't know; there's something about these dice, something weird about what's going on here with these dice. Start fresh. Maybe the two of you go out together and you each buy one die, right? That would be fair. You each buy one die. They have to be compatible, if not identical. They can be a nice color or whatever, you know what I mean? Like, I know that they've got lots of fun dice. Compatible, six-sided dice. Each one of you buys one, and you put these other ones, and you put them in the heating grate or bury them somewhere. Or they can stay on the table in the cup of shame forever. That's where they're gonna go. They're gonna stay there in the cup of shame forever. That's a new totem for your game.

You know, I'm just trying to clear the air over the land of Catan. There's a shadow over the land of Catan of mistrust. And this reframing of the game is going to reestablish trust. So, these weird—these dice from your past, Jesse, are gonna go into the cup of shame. You're each gonna buy separate dice, and you're gonna continue to play. And in particular, when you play in person—insofar as that happens—Jim, I want you to start keeping a record. I commission you to do a full statistical analysis. I would be thrilled if you could come back here in, I don't know, a year, six months, 18 months, whatever it is, whatever you need. Talk to—I mean, I know—talk to your pit boss friend. He probably knows a statistician. Figure out how much data you would need to collect and how you could prove to me that your daughter is actually a magic-using bard who's unconsciously cheating at this, because it's so statistically impossible that she'd be rolling the way she's rolling. If you can prove that to me, then we're gonna go for the grail. You know what I mean?

(Jim confirms.)

That's your holy grail to catch. But I need data before I can—and until data happens, I'm rolling with Jesse. You know how you roll with a lucky person. I'm rolling with Jesse. I want my luck to soar. I don't want to—I don't want to drink from your cup of shame, Jim. Jesse, you keep rolling 5s all night long. This is the sound of a gavel.

[01:03:52] **Sound Effect:** Clown nose honks.

[01:03:53] **John Hodgman:** Judge John Hodgman rules. That is all.

[01:03:54] **Jesse Thorn:** Please rise as Judge John Hodgman exits the courtroom.

(Chairs squeak, followed by heavy footsteps and a door closing.)

[01:04:00] **Jesse Thorn:** Jim, how do you feel?

[01:04:02] **Jim:** I am almost speechless with that amazing analysis by the judge. I will collect data. That seems very reasonable, and thank you, your honor.

[01:04:13] **Jesse Thorn:** Jesse, how do you feel?

[01:04:15] **Jesse:** I feel pretty good. I think that—you know, my honor as a *Catan* player has been restored, and I'm looking forward to many more games of *Catan*!

[01:04:24] **Jesse Thorn:** Jesse, Jim, thanks for joining us on the *Judge John Hodgman* podcast.

[01:04:28] **Sound Effect:** Three gavel bangs.

[01:04:30] **Jesse Thorn:** Another *Judge John Hodgman* case is in the books. Before we dispense Swift Justice, our thanks to Redditor ColinWithaK—Colin spelled with a C (*chuckles*)—for naming this week's episode “Per-Roll Hearing”. Join the conversation at the Maximum Fun subreddit. That's at [MaximumFun.Reddit.com](https://www.reddit.com/r/MaximumFun). That's where we ask for these title suggestions to people on the Reddit have really—

[01:04:52] **John Hodgman:** They have a good time over there.

[01:04:54] **Jesse Thorn:** —been coming through for us.

[01:04:56] **John Hodgman:** “Per-Roll Hearing”.

[01:04:57] **Jesse Thorn:** Evidence and photos from the show posted on our Instagram account, at [Instagram.com/judgejohnhodgman](https://www.instagram.com/judgejohnhodgman). Make sure to follow us there. *Judge John Hodgman*, created by Jesse Thorn and John Hodgman. This episode engineered by Chris Pruitt at KCUR in Kansas City, Missouri (*mi-zur-uh*). Marie Bardi runs our social media. Our producer is Jennifer Marmor. My late father was from Kansas City and pronounced it Missouri (*mi-zur-uh*), so please don't send me correction emails. Now, let's get to Swift—apparently it's a big cultural issue there. We've run into this before. We've run into this before.

Now, let's get to Swift Justice where we answer your small disputes with a quick judgment. Redditor Muad'Dipstick says—I think we should just do a new show that's just reading people's Reddit names out loud.

[01:05:50] **John Hodgman:** That's a *Dune*—that's a *Dune* reference. I think it's supposed to be like Muad'Dib, but it's Muad'Dipstick. Yeah. I like it. I like it.

[01:05:54] **Jesse Thorn:** Okay. Got it. Okay. “My”—it's weird that a Judge John Hodgman listener would have a *Dune* reference as their Reddit and handle, but okay.

[01:06:05] **John Hodgman:** Who knows, who knows.

[01:06:06] **Jesse Thorn:** “My roommate hates bananas so much; she doesn't want them in the house. I really like bananas.”

[01:06:12] **John Hodgman:** Statistically implausible that there would be so many *Dune* fans among the *Judge John Hodgman* listenership.

[01:06:18] **Jesse Thorn:** Sorry, John. I'm gonna read that again. “My roommate hates bananas so much she doesn't want them in the house. I really like bananas.” (*Laughs.*)

[01:06:28] **John Hodgman:** My old friend and first roommate in New York City, Adam Sacks, really hates bananas. He really hates them, and he really hates the smell of them. And he finds them disgusting, and he does not even eat bananas foster—one of the few desserts that I enjoy! Not that—not that Adam Sacks and I were living in that basement on 22nd Street, cooking up bananas foster. Or who knows?! We might've been. We might've gotten there if he liked bananas. If my roommate Adam Sacks said to me, “I really hate bananas, and I can't have them around,” even if I really liked bananas, sometimes it's just part of being a roommate. Sometimes you eat your bananas outside. If you hate bananas, you hate 'em! People like what they like. People hate what they hate. And if it's like a real gross thing to them, go eat your bananas outside.

Uh, I'm gonna say Arthur Bryant's barbecue sauce. I love Jack Stack Barbecue very much. I'm gonna say Arthur Bryant's barbecue sauce is better because it has lard in it. There we go. Settled that fight. But what about disputes—but what about the food in your town? What's the best food in your town? We're looking for disputes over which place makes the best burger. Which place makes the best burrito in the Mission or in Kansas City? Which place makes the best sub or hoagie or hero or wedge? Wikipedia wants me to believe that name for a sub sandwich in Boston is spuckie. Disagree. Never heard it. Are there any Blimpies still out there? Sometimes they would call a sub a blimpie, and that's why they had that Blimpy chain. Which is the best blimpie in your town? Does your roommate order from a chain restaurant when you like the local place? What's the best pizza in town? Yorkside in New Haven or Yorkside on York Street in New Haven? Send us in your local food disputes at MaximumFun.org/jjho. And also, send us in all of your other disputes, particularly if you're out there in London or Belfast or Dublin or Copenhagen and a whole bunch of other cities. Right, Jesse? We want 'em all.

[01:08:22] **Jesse Thorn:** MaximumFun.org/jjho is where to submit them. And let us know where you are, because we are headed out on the road. And who knows, we might coming to where you live and need cases for our live show. So, MaximumFun.org/jjho.

[01:08:40] **John Hodgman:** I also just want to point out that what you have listened to today is a dispute between a father and a daughter. The father believes that she rolls dice wrong.

(*Jesse chuckles.*)

So, if you think your dispute might not be right for the podcast, you are wrong! It probably is.

[01:08:56] **Jesse Thorn:** MaximumFun.org/jjho. Big or small, we judge them all. And in conclusion, Philippe's the Original's French dip is better than Cole's.

[01:09:04] **Sound Effect:** Three gavel bangs.

[01:09:06] **Sound Effect:** Cheerful ukulele chord.

[01:09:07] **Speaker 1:** Maximum Fun.

[01:09:08] **Speaker 2:** A worker-owned network.

[01:09:10] **Speaker 3:** Of artist owned shows.

[01:09:11] **Speaker 4:** Supported—

[01:09:12] **Speaker 5:** —directly—

[01:09:13] **Speaker 6:** —by you!