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**Sound Effect:** Three gavel bangs.

**Jesse Thorn:** Welcome to the *Judge John Hodgman* podcast. I'm Bailiff Jesse Thorn, here with Judge John Hodgman.

**John Hodgman:** We just finished our first leg of the incredible *Judge John Hodgman* road court tour. We had a wonderful time dispensing justice in New York City, Philadelphia, Washington, DC, and Pittsburgh, Pennsylvania. And now we're getting ready to go back out on the road for our shows in Ann Arbor, in Madison, and St. Paul, Minnesota!

**Jesse Thorn:** This week's episode was recorded during our last tour, live in Durham, North Carolina. We talked about local trees and friendships and a romantic partnership classic: my fiancée brushes her teeth in our bed!

**John Hodgman:** In bed! We had such a good time in Durham, and we can't wait to keep the road court going. If you're near Madison and St. Paul, get your tickets now at [MaximumFun.org/events](https://MaximumFun.org/events). If you have disputes for Madison, St. Paul or Ann Arbor, go to [MaximumFun.org/jjho](https://MaximumFun.org/jjho). But now without further ado, let's get to the stage at the Carolina Theater in Durham, North Carolina.

**Sound Effect:** Three gavel bangs.

**Jesse Thorn:** North Carolina, you came to us seeking justice, and we are here to deliver it. The court of Judge John Hodgman is now in session!

*(Cheers and applause.)*

Let's bring out our first set of litigants. Please welcome to the stage, Steph and David!

*(Cheers.)*

Tonight's case, "Double Fig-Demni-Tree". Steph brings the case against her partner, David. Steph says the fig trees in their backyard have got to go, but David wants to save them. Who's right? Who's wrong? Only one can decide. Please rise as Judge John Hodgman enters the courtroom and delivers an obscure cultural reference.

**John Hodgman:** *(Singing in a Tom Waits impersonation.)* "I'm the last leaf on the tree. The autumn took the rest! But they won't take me. I'm the last leaf on the tree."

*(Applause, which John interrupts with more singing immediately.)*

"When the autumn wind blows—!"

**Jesse Thorn:** Oh, there's always a second verse.

**John Hodgman:** “They’re already gone! Flutter to the ground, ‘cause they can't hang on. There's nothing in the world that I ain't seen. I greet all the new ones that are coming in green. I'm the last fig on the tree.”

Bailiff Jesse Thorn, please swear them in.

**Jesse Thorn:** Steph and David, 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?

*(They swear.)*

Do you swear to abide by Judge John Hodgman's ruling, despite the fact that he himself is a bit of a crabapple?

*(They swear.)*

Instead of a fig.

Judge Hodgman, *(chuckling)* you may proceed.

**John Hodgman:** You're rolling your eyes every night at my Tom Waits impersonations that I am performing with incredible love. That's a hint to both of you.

**Jesse Thorn:** Well, I love crabapples!

**John Hodgman:** And then you come in with I’m some kind of crabapple?!

**Jesse Thorn:** I said you’re a crabapple. I love you very much.

**John Hodgman:** I love you too. Steph and David, you may be seated for an immediate summary judgment in one of yours favors. Can either of you name not only the artist, but the specific song that I sang as I entered this courtroom? Let's try you, Steph. What's your guess?

**Steph:** “The Last Leaf on the Tree” by Tom Waits.

**John Hodgman:** Mm! “Last Leaf on the Tree” by Tom Waits, you say? Interesting guess.

*(Laughter.)*

Definitely writing it down. What about you, David? We'll find out in a moment if you're right.

**David:** That feels like a safe guess to me.

**John Hodgman:** Feels like a safe guess? You're going to guess the same thing?

**David:** I'd like to guess the same.

**John Hodgman:** It's kind of not fair. Kind of not fair. Probably should have done it by secret ballot now that I realize.

*(Laughter.)*

**Jesse Thorn:** David, if it helps, we've been on tour for a few weeks. So, it can't be 75 of the Tom Waits songs.

**John Hodgman:** We have eliminated a few so far.

**David:** I knew it was Tom Waits.

**John Hodgman:** Oh, did you? What tipped my hand?

**David:** *(Laughing.)* Listening to the podcast.

**John Hodgman:** Listening to the podcast. I put down "Last Leaf on the Tree". Well, guess what? Both guesses are correct. Nullify! Can either of you name the album that it comes from?

**David:** No.

**John Hodgman:** Anyway, let's move along then. All guesses are wrong. And Steph and David, who comes here to seek justice in my courtroom?

**Steph:** I do.

**John Hodgman:** The record show that Steph said, "I do." What is the nature of the dispute?

**Steph:** Well, we have two big fig trees in our yard—as I'm sure most of the audience also does, because this is North Carolina. And they're in our backyard.

**John Hodgman:** Is that true?!

*(Rumblings from the audience.)*

**Steph:** Is it true?! Is it true?!

*(Applause.)*

**John Hodgman:** This is all information.

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Because Steph wants to destroy her trees. And if I knew they were the last two fig trees in North Carolina, that might influence my decision. But now that I know that they're practically weeds here in the triangle, I might make a different decision.

*(Laughter.)*

Okay, so, why do you hate these trees so much?

**Steph:** Well, one—

**John Hodgman:** What do you—who's the villain from *The Lorax*? The Onceler!

**Steph:** Yeah, the Onceler. *(Laughs.)*

**John Hodgman:** Yeah, you're the Onceler. Where are your gloves?

**Steph:** I don't know, but the—I could barely get through reading *The Lorax* without, you know, crying. That's how much I love trees. I once had a screaming match with a developer who had called a guy with a chainsaw to cut down a tree in my neighboring yard, and saved the tree for a few more days. So, I definitely love trees.

**John Hodgman:** That's right. Your feeling about trees when it comes to your neighbors is tree for thee, not for me.

*(Laughter.)*

**Steph:** Yeah, there you go. Well, it was a little bit on my property, so. So, a little for me.

**John Hodgman:** Why do you—okay. But the trees that are on your property, that not only are on your property but rely on your property for their life essence—the earth of your property—you want to destroy them?

**Steph:** I do—two of them, yeah.

**John Hodgman:** Okay, what's wrong with these two? Are they bad apples?

*(Chuckles.)*

**Steph:** Yeah—well, one—I mean, okay. The figs that they make taste bad, so that's number one.

**John Hodgman:** Bad-tasting figs. Alright.

**Steph:** Yeah. And I like figs, but this type of fig is bad. And I think David will not dispute me that they taste bad.

But two, they're really big. They take up a lot of the space in the fenced-in part of our backyard.

**John Hodgman:** The trees or the figs? Are they those big, gross, trash figs?

**Steph:** I mean, that's how I feel about them.

**John Hodgman:** Do you dispute that they taste bad, these figs? These figs are gross. Right, David?

**David:** (*Stammering.*) They don't taste like optimal. They're not—

(*Laughter.*)

I mean, like you can make good things with them, but they're not really good figs.

**John Hodgman:** Can you? What can you make from these figs?

**David:** I mean, I—

(*Laughter.*)

If you like cook them in a pan with some butter, they're good. You know, you can caramelize them a little. It's good. I put 'em on some baked goods. I make jam—jam's really good.

**John Hodgman:** Do you have any jam with you?

(*He confirms.*)

Let the record show—

(*Scattered applause.*)

Let the record show—now, it should be very clear that I knew ahead of time that David had fig jam. What I did not know was that—

**Jesse Thorn:** I was thinking to myself, John, “Is that fig jam in your pocket, or—?”

(*Laughter.*)

**John Hodgman:** What I did not know is that he did not have it in his jeans pocket. Specifically, his front jeans pocket. Thank you for warming it up.

*(Laughter.)*

**Jesse Thorn:** Gotta release the essential oils, John. Of the jeans.

**John Hodgman:** Let me open this up here.

**Steph:** Can I say one thing about the fig jam?

**John Hodgman:** Yeah, is there a warning before I open it?

**Steph:** No! No, I just—this fig jam is the absolute pinnacle of what the figs can achieve. This is the best—

**John Hodgman:** This is them at their best.

**Steph:** This is the best—like, if we're gonna steelman the argument here, this is the best that will ever be got.

**John Hodgman:** So, in other words, it's all downhill from here.

**Steph:** It is all downhill.

**John Hodgman:** So, if this jam tastes like butt, then I'm going to rule in your favor. Because this is as good as it gets in the jam department.

**Steph:** Right. But we have to balance, you know—my argument is we have to balance, you know, how good is this jam, and how much work is this jam with what the trees are doing.

**John Hodgman:** Now, just a question before I eat something you gave me out of a jar.

*(Laughter.)*

This isn't gonna hurt me, right?

**David:** No! No.

**John Hodgman:** I mean, we've already established I've already died, so.

**David:** It's a *New York Times* recipe. It's vetted.

**John Hodgman:** (*Stammering.*) Like, did the figs—like, did you collect them from the ground? Did they fall in manure or anything? You picked these from the tree?

**David:** No, no. These were like the prime-est figs from our tree.

**John Hodgman:** These are figs picked directly from a tree?

**David:** Directly from a tree.

**Steph:** He has worked his butt off to like get these—get them before the birds get them. Like, it is a whole process.

**John Hodgman:** Picked fresh off the tree, just like in *I, Claudius*.

**Steph:** Yeah, the best they could possibly be, and think about it.

**John Hodgman:** You people haven't watched *I, Claudius*. You gotta get to it.

**Jesse Thorn:** Judge Hodgman is consuming the jam.

(*Beat.*)

(*Audience laughter.*)

**John Hodgman:** It's a lot happening.

**Jesse Thorn:** Judge Hodgman, can you describe the notes?

**John Hodgman:** (*Singing.*) "It's the last fig on the treeeeee."

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It has melancholy undertones.

(*Laughter.*)

**Jesse Thorn:** Would you describe the flavor as mannered?

**John Hodgman:** (*Chuckles.*) A surprising formal accomplishment in the guise of a guttersnipe growl. That's how I would describe it.

(*Jesse "wow"s.*)

Yeah, also better than the garbage that's in a Fig Newton. But you know, I hate Fig Newtons, because they're named after Newton, Massachusetts. Brookline's ancient rival! All of that's true. Is there cinnamon in this?

**David:** No. I mean, lemon and rosemary.

**John Hodgman:** Lemon and rosemary? You know, the fig should stand on its own.

*(David laughs.)*

**Steph:** And it can't. It cannot.

**John Hodgman:** Don't try to dress up a fig to save these trees.

**Steph:** So, do you want to share why there's lemon and rosemary in it? Do you remember?

**David:** Well, I mean, it doesn't—*(laughs)* I mean, it doesn't have a lot of flavor to it! You gotta—but it's a good vehicle! Where, just—

**John Hodgman:** It's pretty figgy.

*(David agrees.)*

Yeah. I don't know.

*(Laughter.)*

I would say this fig jam is fine. It's fine figs.

**Steph:** It's fine. It's fine.

**David:** It's fine! It's fine. It's fine figs! That's what I say. They're fine figs.

**John Hodgman:** Is there another reason that you want to get rid of the trees?

**Steph:** I mean, it's a lot of work to get to the point of the fig. It's almost like he's compelled to harvest every—

**John Hodgman:** No, look—I'm just going to make an immediate ruling right now. No one's going to make this jam again.

*(Building laughter.)*

So, your argument that it's going to take a lot of work to get to the jam stage is no longer—that doesn't—has no merit, okay? That's moot. I'm trying to decide whether you're going to cut these trees down or not.

**Steph:** Oh, dang! Okay!

**John Hodgman:** You understand what I'm saying? That's the stakes. David, why shouldn't you cut down the trees?

**David:** I mean, it's like a gift from nature to us, and like we're going to reject it?! A fruit producing tree, we're going to spurn?! And we're going to cut it down. We're going to kill these trees just because they weren't sweet enough for us?

**John Hodgman:** The audience is on David's side.

**David:** I know! It's just—

*(Cheers and applause.)*

It just doesn't seem right.

**John Hodgman:** Wait a minute, wait a minute. This is not how things are decided in this court. But just out of curiosity—I did say the audience is on David's side, but to be fair, a smattering.

*(Laughter.)*

Are there some quiet tree haters in this group?

*(A scattering of enthusiastic cheers.)*

Wow!

**Steph:** Because they know. They know how it is. They have their own giant fig tree that is taking up their yard, that they're just sick of it.

**John Hodgman:** Let me, just to get a sense of where the audience stands—if you feel that they should get rid of these trees, don't applaud, just start chanting, “Kill the trees.”

*(An immediate out-of-sync chorus of “kill the trees” that gets louder and louder.)*

First of all, I love our audience, Jesse. Thank you for reassuring me that you'll never have any rhythm. Second of all, that was quite an outpouring for kill the trees. People love to chant, unfortunately. But I do sense some—I get a sense that here in the research triangle, Durham Chapel Hill in Raleigh, that maybe these trees are not considered to be so hot. Would you

say? Do they cause problems? Do they choke out other trees and plants or anything? Are they—?

**David:** No, they're just like really common, and they produce lots of fruit. And they all kind of fall to the ground; it's like a bit of a mess. And I think the most common variety is the variety we have, which is like the—

**John Hodgman:** The (*censor beep*). Yeah.

**David:** Yeah, a brown turkey fig.

**John Hodgman:** Brown turkey fig?! Why did I have to resort to swearing when all I had to say was the brown turkey fig? Blehhh.

**Jesse Thorn:** Welcome to the Durham Farmer's Market.

(*Laughter.*)

Can I offer you a stewed goat apple?

**John Hodgman:** (*Giggling.*) Guano pear for you, sir?

**Steph:** But I just say—one, it's the only—they're trees that take up our fenced in backyard. So, our kids literally cannot like play in the fenced part of the backyard.

**John Hodgman:** Because these trees are there.

**Steph:** Because the trees are there, and they have all knobbly roots in the ground, and they're dropping all these figs. And they basically—it's just like moist. And we have a giant scuppernong grapevine that, of course, we've eaten all of those grapes. Because they're delicious. And we have a bunch of other fruit producing stuff in our yard that is yummy and good and worth it. But these trees are just taking up the space that the kids could play in.

**John Hodgman:** How old are your kids?

**Steph:** one is four and a half, and then the other one is about to be eight months old!

**John Hodgman:** Oh, okay, yeah. So, they want a place to play, and you're a little concerned that they're gonna slip on a turkey brown and hit their head, knock it open on a knobbly root.

**Steph:** They just won't even go in. I mean, that's not even my concern. I try to encourage them to go in there.

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And they just won't even go in there, because that's how overgrown it is.

**John Hodgman:** They sound like scary haunted trees, and I believe—

**Steph:** It is!

**John Hodgman:** Yeah, and I believe you actually have them decorated for Halloween, is that correct?

**Steph:** No.

**John Hodgman:** Oh, well do you have--? You have some decorations you wanted to share with us, some evidence?

**Steph:** Yeah, (*laughing*) sorry.

**John Hodgman:** This is your house?

**Steph:** Yeah. Terrifying.

**John Hodgman:** Oh!

(*Scattered applause.*)

**Steph:** That's right.

**John Hodgman:** That looks—so, let the record show and we'll share these images on the show page of [MaximumFun.org](http://MaximumFun.org) and on Instagram, [@JudgeJohnHodgman](https://www.instagram.com/JudgeJohnHodgman). You have a scary, giant—what looks like a cat skeleton or something? Red skeleton?

**David:** It's like a devil skeleton, kind of.

**John Hodgman:** Devil skeleton?

**Steph:** It's got goat horns, that's what the—

**John Hodgman:** Okay, so what is the point of this evidence other than to show off to your neighbors?

**David:** So, Steph—

**John Hodgman:** It looks good. And it looks like you've built a graveyard out of packing pallets.

**Steph:** (*Stammering.*) Well, I'll just say—so, I don't—being—we met—we're environmentalists. We met through environmentalism. I don't want to just cut down these trees and not replace them with anything. I don't think I can in good conscience cut down these trees and not plant new trees in their place. Global warming, blah, blah, blah. So—

(*Laughter.*)

**John Hodgman:** Sure. I've read the Paris Treaty. I understand your language.

**Jesse Thorn:** I'm so tired of environmentalists telling me, “Global warming, blah, blah, blah.”

(*Laughter.*)

**Steph:** Exactly. Exactly. So, I want to plant two new trees, and they can be any like fruit tree that you want, in the front yard, so that the kids can play in the backyard, and we get rid of the brown turkey figs and actually have something that is yummy and tasty that, you know, I would actually want to like pick and eat.

**John Hodgman:** Have you considered cutting just one down, so the other would feel bad? And threatened. And lonely.

**Steph:** They're too—it's not enough. (*Laughing.*) It's got to be both.

**John Hodgman:** They gotta go.

**Steph:** It's really small back there. And you know, David is worried—we do this, we do a different display every year. And that's how we attract trick or treaters. And so, this is the one for this year. And—(*to David*) you can say what you're worried about.

**John Hodgman:** So, why are we looking, though, at your front yard when the issue is your haunted backyard?

**David:** So, the figs are—we have a very small kind of side yard, which is where the fig trees are. And Steph does not want to plant trees there, because she wants to have that space open. And the only other place to plant them would be in the front yard, obstructing our palette, so to say, for our Halloween art.

**John Hodgman:** Your Halloween palette?

**Steph:** Our Halloween display thing. On either side of that display is power lines, so if we planted a tree underneath either of those lines, that would be a problem eventually.

**John Hodgman:** So, we're talking about no trees in the front yard at all.

**David:** I think it would be hard. And you know, maybe it could be worked out, but my proposition is like why not just plant more trees and keep trees? Like, more trees!

*(Laughter.)*

Not spurn—

**John Hodgman:** *(Whispering.)* Kill the trees, kill the trees, kill the trees, kill—

*(Parts of the audience pick up the chant.)*

Sorry. So, what is your proposition exactly? How would you want me to rule if I were to rule in your favor?

**David:** Um, more trees?

*(Laughter.)*

Don't cut down the fig trees, and plant fruit trees also.

**John Hodgman:** Where? The backyard is—

**David:** *(Stammering.)* You know, it's like we can have more—

**John Hodgman:** The backyard is already a crowded terror escape, according to Steph.

**David:** I mean, like—uh. I don't know! I mean—

**John Hodgman:** And then where would your children play? Here in the front yard? Amidst the skeletons, between the power lines?

**David:** *(Laughing.)* I mean, they do!

**Steph:** If we found a tree—

**John Hodgman:** Right in the front, anywhere that they can kick a ball right into the street and chase after it, like in a Stephen King book?

**Steph:** If we found an understory tree—there's a huge tree that's off to the side in this picture. And so, something that would do okay with like a little bit of shade maybe we could make work. So, we just have to find the right thing that he is amenable to. That's my belief. And also, what is art without constraints, right? If we have the new tree—

*(Laughter and applause.)*

If we have the new tree, then we just work that into the Halloween.

**John Hodgman:** David, how would you feel if I were to order these trees be destroyed?

**David:** I'd feel bummed to see these fine trees, doing their best to make us fruit, march to their execution.

*(Laughter.)*

It would break my heart to have to cut them down, because I know I'd have to do it.

**John Hodgman:** Wait a minute, are you saying these trees can walk around?

**David:** *(Cackles.)* Proverbially, you know.

**John Hodgman:** Because would change my opinion dramatically. If these trees could be marched anywhere, I would be a little concerned for you.

**Jesse Thorn:** Judge Hodgman, proverbially—as in the proverb of The Walking Trees.

*(Laughter.)*

**David:** I was just gonna say, I know I'd have to be the one to cut them down, and I'd have a pretty hard—it'd break my heart to slay my trees.

**John Hodgman:** Steph, why would you make your husband do your dirty work?

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**Steph:** Well, *(chuckles)* the only—I mean, we could wait to do it. The only reason why—

**John Hodgman:** 'Til when?

**Steph:** He might feel like he would have to do it—like, I'm glad to do it. It's just that the reason why he does most of the like getting the fruit and the gardening right now is because I am breastfeeding our child. So—

*(An audience member says something indistinct.)*

That's right! I heard from the audience. *(Chuckles.)*

*(Scattered cheers and applause.)*

**John Hodgman:** Still not as big an applause line as constraints upon art. You need an editor; you need to know the rules before you can break them.

*(Laughter.)*

**Steph:** But you agree, I mean, that that... is my—but so I'm breastfeeding the kid and—you know.

**Jesse Thorn:** You could alternate between breastfeeding and cutting down the tree.

**Steph:** I'm glad to do the work in terms of like taking down the trees. I just have to find, you know, the right time and then the right time to plant it. But I will need his help because of just the division of labor. And that is part of my dispute, because if you're feeling compelled to harvest all these figs—

**John Hodgman:** How long does it take to cut down a fig tree? 18 months?

**Steph:** —and filling up the freezer with all the figs!

**Jesse Thorn:** Are these trees big enough that it would be safe for you to cut down the tree yourselves? And who's going to get all of those roots out of the ground?

**Steph:** It's going to be hard.

**John Hodgman:** Have you consulted an arborist or someone with expertise in the brown turkey fig trees of North Carolina?

**Steph:** We need to do that. We need to do that. Yes.

**John Hodgman:** Yeah. Yeah. I think I've heard and seen enough in order to make my decision. I'm going to retire my chambers. I'll be back in a moment with my verdict.

**Jesse Thorn:** Please rise as Judge John Hodgman exits the courtroom.

Steph, how are you feeling about your chances?

**Steph:** I don't know. *(Laughs.)* I never thought in a million years that anyone supporting me would be yelling “kill—” I mean, all of the neighbors—I've talked a big game about fighting with this developer about the tree that I saved for a few days. So, this is like very not on brand for me. So, that's how bad the trees are. I don't know. *(Chuckles.)* I'm concerned!

**Jesse Thorn:** This is shady. This is like those shady carbon offsets I read about in the *New Yorker*, isn't it?

**Steph:** This is—yeah. I don't know.

**Jesse Thorn:** David, how are you feeling?

**David:** I mean, Steph is very compelling, always. So, I'm stealing myself to mourn my trees, you know? Trees are supposed to bury their man; a man's not supposed to bury their trees.

*(Boisterous laughter and applause.)*

**Jesse Thorn:** David. We learned earlier that Steph is a breastfeeding mother. Are you like a teacher or a first responder or anything like that?

**David:** I'm a nurse.

**Jesse Thorn:** Oh! Well, there you go!

*(Cheers and applause.)*

We'll see what Judge Hodgman has to say about all this.

**Sound Effect:** Three gavel bangs.

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[00:25:00]

**Sound Effect:** Three gavel bangs.

**Jesse Thorn:** Please rise as Judge John Hodgman reenters the courtroom and presents his verdict.

**John Hodgman:** I quote: "My kids are starting to notice I'm a little different from the other dads. 'Why don't you have a straight job like everyone else?' I told them this story. In the forest, there was a crooked tree and a straight tree. Every day the straight tree would say to the crooked one, 'Look at me. I'm tall, and I'm straight, and I'm handsome. Look at you. You're all crooked and bent over. No one wants to look at you.'

"And they grew up in a forest together. And then one day the loggers came. And they saw the crooked tree and the straight tree, and they said, 'Just cut the straight trees, leave the rest.' So, the loggers turned all the straight trees into lumber, and toothpicks, and paper. And the crooked tree is still there, growing stronger and stranger every day." End quote. Tom Waits.

*(Laughter and applause.)*

A lot of wisdom in that old flugelhorn being played underwater. But now we get to you. The parable of the straight and crooked tree. Obviously, your backyard is imperfect. And I appreciate the fact that you care enough about your children to want to save them from

slipping on a fig and then getting—you know, cracking their head open, so the tree can finally feed on them.

*(Laughter.)*

Obviously, David is here. He speaks for the trees. He's made some sick pact with these trees. He values them deeply, more even than his own children. Only you are there to protect them, Steph. Whereas *(chuckling)* David, I think, is watching from the back window, hearing them whisper. It happens probably every other night, right? You find him in the kitchen, standing at the window at 3AM. “Who are you talking to, David?”

“No one. No one!”

“Just listening to a podcast.”

*(Laughter.)*

He's not listening to a podcast. Those are the figs. We're on the eve of Halloween as we record this right now, and I'm scared. I'm scared for your family and scared for your house. Obviously, whatever is behind your house is more terrifying than what you have in front of your house. You couldn't even take a picture of it.

*(Laughter.)* Why not? Did the trees tell you not to?

**Steph:** *(Laughing.)* They didn't ask for that.

**John Hodgman:** They didn't ask for it?

**Steph:** They didn't ask for that. And I was—I didn't want to upset the podcast gods or whatever. So, I—*(laughs)*.

**John Hodgman:** Sure. I'm glad we're all on the same druidic page here.

*(Applause.)*

**John Hodgman:** Second biggest applause of the night.

**Steph:** I have a picture I took in my phone.

**John Hodgman:** Alright, let me see the picture on your phone. Why didn't—

**Steph:** *(Squeaking.)* But it's out there.

**John Hodgman:** It's out there?

**Steph:** It's—well, it's offstage. Do you want me to get it?

**John Hodgman:** Your phone is offstage?

**Steph:** Yeah.

**John Hodgman:** Can I please—Laura, can we get a—can we get the phone? Thank you, by the way—thank you, by the way, for commandeering every phone from every litigant. I trust you're sorting through the best pictures of the trees that you have?

*(Laughter.)*

**Steph:** I've got to go back and—*(chuckles)*.

**John Hodgman:** It's funny; I took all these pictures of the backyard, and there are no trees!

*(Laughter.)*

The trees are only in her mind!

**Steph:** Okay, okay, so. Here it is. Here they are.

**John Hodgman:** Let me see.

**Steph:** So, as you can see, on the left side of the photo is a scuppernong grapevine that has just gone way out of control, and is bigger than either of those trees will be. And then—

[00:30:00]

**John Hodgman:** Jesse, this looks like nothing to me. This is madness, right? That's madness back there.

**Jesse Thorn:** Yeah, there's a lot of leaves.

**Steph:** You might need me to tell you—*(laughs)*. Yeah, it's so bad that there's nothing. Where can the children play in that? Nowhere!

**John Hodgman:** It's an overgrown jungle back there. Your problem isn't the trees!

**Steph:** That's correct. Except one of the things there makes yummy food, and one of them doesn't. Well, two of them don't!

**Jesse Thorn:** Without the grapevine, Judge Hodgman, how will the children make wine?

*(Laughter.)*

**John Hodgman:** Well, it's not—okay, it's now obvious to me that as your husband's mind is imprisoned by the trees, so the vine speaks to you. It's a very delicate emotional ecosystem back there. The two of you, as a married couple with young children, are still working—it's a manifestation of your own marital psychological battles back there. No wonder there's no room for your kids to play!

*(Laughter.)*

You've got—here's my ruling. Kill the—no, don't kill the trees. I think that there needs to be something that happens back there, before those trees die. *(Chuckles.)* Which is to say, there is no room for your kids to play, but I no longer blame the trees. Because it is just—it's overgrown. You need to get out there. I mean, between nursing and nursing, you need to find some time to get out there and trim back this stuff. You need to consult—you should consult with an arborist or someone else to say how can we make these trees a little less intrusive?

I don't believe in just lopping down trees when your real problem is pruning. *(Laughs.)* I think you ought to give them some—I think you have to give them one chance to live. Give these trees one chance to live, Steph. And David? You love these trees so much?

*(David confirms.)*

You better be picking up those turkey browns every day.

*(Steph shouts “no!”)*

Keep your kids from slipping in them. No, just throw them away! They're garbage.

*(Laughter.)*

**Steph:** Part of the problem is the amount of time that he spends on getting every good one, and the bad ones, and the this, and the that!

**John Hodgman:** Oh, oh, oh. David. David, there are no good ones.

*(Laughter and applause.)*

This is the sound of a gavel. *(Bangs his gavel three times.)* Judge John Hodgman rules; that is all.

**Jesse Thorn:** Steph, David, thanks for joining us on the *Judge John Hodgman* podcast.

**Sound Effect:** Three gavel bangs.

**Promo:**

**Music:** Sophisticated electronic harpsichord.

**Travis McElroy:** Hello, Internet. I'm your husband host, Travis McElroy.

**Teresa McElroy:** And I'm your wife host, Teresa McElroy. And this is a promo for *Schmanners*. It's extraordinary etiquette—

**Travis:** —for ordinary occasions. Every week, we're going to tell you about a bit of culture, a bit of history, how etiquette still applies in the modern day. All that stuff!

**Teresa:** We also love to do biographies and histories of, and—you know, general procedurals: how to do etiquette in today's society.

**Travis:** So, come check it out every Friday on [MaximumFun.org](http://MaximumFun.org) or wherever you find your podcasts.

**Teresa:** Manners, shmanners, get it?

*(Music ends.)*

**Promo:**

**Music:** Surreal, drone-y synth.

**Doug Duguay:** My name's Doug Duguay, and I'm here to talk about my podcast in the middle of the one you're listening to. It's called *Valley Heat*, and it's about my neighborhood, the Burbank Rancho Equestrian District. The center of the world when it comes to foosball, frisbee golf, and high-speed freeway roller-skating. And there's been a Jaguar parked outside on my curb for 10 months. I have no idea who owns it. I have a feeling it's related to the drug drop that was happening in my garbage can a little over a year ago. And if this has been a boring commercial, imagine 45 minutes of it. Okay, *Valley Heat*. It's on every month on [MaximumFun.org](http://MaximumFun.org) or wherever you get podcasts. Check it out, but honestly, skip it.

**Music:** Buzzy sci-fi music.

**Narrator:** *(Voice echoing.)* These are the chronicles of the Rancho Equestrian District in Burbank, California. These are the events taking place in my house and around my—

*(Audio fades out.)*

**Sound Effect:** Three gavel bangs.

**John Hodgman:** Hey! Bailiff Jesse and Durham, North Carolina. We have more justice to dispense. It's time for what we call Swift Justice, correct?

**Jesse Thorn:** Wow. Yeah, I mean, what I'm thinking—and if this is okay with you, Durham, North Carolina—is we'll put 15 minutes up on the clock, and we'll see how much justice we can get sorted in that brief amount of time. My hope is that by the end of that 15 minutes, there will no longer be any problems in the entire research triangle.

*(Cheers and applause.)*

**John Hodgman:** I think that's probably true.

**Jesse Thorn:** Or at least, Raleigh and Durham, and maybe Chapel Hill fend for itself.

*(Laughter and applause.)*

**John Hodgman:** It's about time! It's about time.

Don't even know what that means.

Why don't we bring out the first litigants for Swift Justice. Put 15 minutes on the clock! We'll bring out those first litigants when you're ready, Jesse.

**Jesse Thorn:** Please welcome to the stage: Lauren and Jeff.

**John Hodgman:** Lauren and Jeff, please.

**Jesse Thorn:** Lauren and Jeff both work in tech, but Jeff is a lifelong musician. Lauren is part of a program (*trying not to laugh*) where she learns primitive skills.

**John Hodgman:** Wow.

[00:35:00]

Okay, primitive skills. Put a pin in that.

Jeff, quick question. Do you have a '90s cover band?

**Jeff:** (*Chuckling.*) I do.

**John Hodgman:** Yeah, I thought so. What's the name of it?

**Jeff:** 120 Minutes.

*(Cheers from the audience.)*

And actually, there's two of them. I'm not here to buzz market.

**John Hodgman:** Wait a minute, you have two '90s cover bands?

**Jeff:** Sort of, yes.

**John Hodgman:** Hey, has anyone in Durham ever heard the term art needs constraints?

*(Laughter.)*

Primitive skills. Lauren, what do you—what does that mean? What are the primitive skills you're learning?

**Lauren:** Like, have you ever started a fire with a bow drill?

**John Hodgman:** Nope!

**Lauren:** Okay. Or—

**John Hodgman:** Have you?

**Lauren:** Yes, I have!

**John Hodgman:** Oh. Can you go to Steph and David's backyard?

*(Laughter.)*

**Lauren:** It sounds like there's not enough room to do that.

**John Hodgman:** What if you were to live in their backyard? Do you think you could live back there for a week?

**Lauren:** I would love to do that.

**John Hodgman:** I think it would be very dangerous—opossum and so forth. What else? What other primitive skills?

**Lauren:** I learned how to tan a hide; a deer hide.

**John Hodgman:** Whoa! What are you planning?

*(Laughter.)*

What—do you have some information about something that's gonna happen?

**Jesse Thorn:** I'm kind of wondering if that's just day-to-day life in the research triangle.

**Lauren:** With our fig trees, yeah. We—there's this whole side of that, that like are into survivalist things. But then there's a side that's more into like herbalism and just natural.

**John Hodgman:** Right. Who brings—who seeks justice in this court?

**Lauren:** I do.

**John Hodgman:** And what is the nature of the justice you seek?

**Lauren:** So, our relationship could have started three years earlier than it did.

**John Hodgman:** I see.

**Lauren:** We met at a tech event. I offered to help him find a job in tech and exchanged numbers.

**John Hodgman:** Now, what do you mean? You met, but your relationship didn't start for three years. Explain.

**Lauren:** Yes. So, we texted back and forth. I really was trying to help him find a job. He found a job on his own accord. And I said, “Oh, we should get celebratory drinks.”

And then the texts kind of fell cold. So, we actually started dating about a year and a half ago. And this incident, of course, comes up. And I find that he's thinking I flaked on these text messages.

**John Hodgman:** You say that the texts went cold. I have a copy of the texts here.

*(Laughter and scattered applause.)*

**Jesse Thorn:** Thank you, Laura.

**John Hodgman:** Let's see here. Lauren, would you please read the Lauren part?

**Lauren:** Sure.

**John Hodgman:** This is a text that you sent to Jeff.

**Lauren:** Yes, four and a half years ago now.

**John Hodgman:** Four and a half years ago.

**Lauren:** “Wine or whiskey, we can make a game time decision. No Monty for me, spent too much time indoors today and need some nature. Next week's a bit crazier than usual, but Thursday and Friday look good. I'll let you know. Looking forward to hearing about day one.” Hands up emoji.

**John Hodgman:** Hands up emoji. You sent that, and what did you reply? Go ahead Jeff, read the part that says Jeff.

**Jeff:** “Wine was presumptuous of me, perhaps. Whiskey, gin, gyoza, Darjeeling. Whatever you so desire. It is a gorgeous night. Enjoy your envied nature time. Friday I'm out of town—”

**Jesse Thorn:** Uh, moon emoji, tree emoji.

*(Laughter.)*

**Jeff:** Oh, yes. That's true. Moon emoji, tree emoji. “Friday, I'm out of town, FYI. I look forward to meeting up.”

**John Hodgman:** And did you ever meet up? Let the record show that they did not ever meet up!

Why didn't you meet up? That was such an adorable text-cute. A shrug from Lauren. Arguably, the ball was in your court. Jeff was last to text. So, what happened?

**Lauren:** Right, the additional context was that at this networking event, I was the one to approach him. I actually recognized him from bartending four years prior to that. It's a long story.

**John Hodgman:** This is a very involved timeline.

**Lauren:** Right, yeah. I just knew him as like the cute bartender. But anyway, I went up and offered to help him find a job. And he was like, “Okay, cool.”

So, we exchanged numbers. So, I'm already not knowing if this is like a professional thing. Like, I'm hitting on him, but I'm trying not to make it look like I am. You know, so I was forward. And then I was the one to offer the drink thing, too. Like, “Ooh, let's—”

**John Hodgman:** Right, so that's what led up to this text exchange.

**Lauren:** Right!

**John Hodgman:** So, how did it go cold, Lauren?!

**Lauren:** Well, in my mind, I already was forward twice, and I was just kind of waiting for him to be like, “I really want to go out with you.”

**John Hodgman:** Right.

**Lauren:** Yeah.

**John Hodgman:** So, you offered a couple—you said maybe next week is a bit crazier. Thursday and Friday look good. You said Friday I'm out of town. Look forward to meeting up, but you never settled on a date. And you feel that it was his obligation to settle on a date.

**Lauren:** ‘Cause Thursday, I was free. Clearly.

**John Hodgman:** (*Chuckling.*) Say that again, please?

**Lauren:** Thursday I was free, clearly.

**John Hodgman:** Thursday. Yeah, exactly. So, why didn't you follow up?

**Jeff:** So, to me, the most important sentence there is toward the end of hers that says—she says, “I'll let you know.” And she's right—

**Jesse Thorn:** To me, Jeff, it's moon emoji, tree emoji.

(*Laughter.*)

It represents envied nature time.

**John Hodgman:** Just give me one quick sentence. Why didn't you follow up, Jeff?

[00:40:00]

**Jeff:** I felt it was borderline obnoxious to reach out to her again based on the semi—the possible professional flavor of this dynamic.

**John Hodgman:** I understand. So, you just let it drop?

**Jeff:** I had a huge crush on her, and absolutely wanted to. I'm sure I reread those texts eight times and tried to come up with a good reason that I could text her where it wouldn't be—to me—a little bit off taste. You know?

**John Hodgman:** This just sounds like, you know, a run-of-the-mill tragedy miscommunication. And Lauren, what would you have me rule? I don't understand; what's the deal here? What do you want me to do?

**Lauren:** Yeah. So, I would just like some—

**John Hodgman:** Do you want me to shame him for not texting you?

**Lauren:** No, no, no—just the acknowledgement. So, now when it comes up, and we like mention it to friends and stuff too, Jeff is like, “Well, it's in her court. It wasn't my fault at all.”

And I'm like, “Well, you, also could've like said something.” If you really wanted to go out, you could be like, “Hey, what's up?” and just followed up.

**John Hodgman:** Lauren? It's the past; it's gone. What do you want for the future, now that you have him here?

**Lauren:** Oh! To not say that it's all my fault that we didn't date three years ago.

**John Hodgman:** Is that what you say?! It's all her fault?

**Jeff:** I wouldn't phrase it that way, no.

*(Laughter.)*

**John Hodgman:** How would you phrase it?

**Jeff:** It's not really a fault. It's that when the story comes up, she uses the phrase—something like she said tonight, where “the texts went cold”. And I remember feeling how eager I was to have a date with her, and that she didn't reach out to me. And you know, reading those over and over again, I decided that if she were interested, she would have—

**John Hodgman:** It's the past! What do I have to tell both of you?! You're together now! It's the past.

*(Jeff agrees.)*

She's giving you a lifeline! She says the texts went bold. Passive voice! She's not even putting the blame on you, even though she obviously does blame you.

*(Laughter.)*

**Jeff:** Just a rephrasing, just even the tone of the way that we tell—I mean, it's a story about kind of how we didn't get together.

**John Hodgman:** Yeah. From now on, you just say, “It’s unfortunate; we could have had so much time together. But in this case, we both figged up.” That’s what you say from now on. Get out of here, you crazy kids! (*Bangs his gavel five times.*)

**Jesse Thorn:** Thank you Lauren and Jeff. Please welcome to the stage John and Matt.

**John Hodgman:** A lot of nerve coming into my courtroom being that conventionally attractive.

**Jesse Thorn:** (*Chuckling.*) John and Matt have been friends since their kids were in daycare.

**John Hodgman:** John and Matt.

**Jesse Thorn:** They both spend a lot of time with each other and their kids at youth sports events.

**John Hodgman:** John and Matt, welcome. Sports events bond you. Kids—youth sports. Yes. Your kids’ sports. Your kids play sports together.

(*They confirm.*)

What’s the sports?

**John:** Basketball and soccer.

**John Hodgman:** Basketball and soccer. Two of the great ball games, Jesse. That’s right.

**Jesse Thorn:** Absolutely! Both involve balls.

**John Hodgman:** That’s right. Who do you—who brings—who seeks justice in my court?

**John:** I do, your honor.

**John Hodgman:** And you are?

**John:** John.

**John Hodgman:** John, what is the nature of the justice that you seek?

**John:** Well, not only do we go to these sporting events, but last summer we did a couple stints coaching, volunteer-wise. Matt was the head coach; I was the assistant coach. It was a difficult basketball season.

**John Hodgman:** Power struggle. Should have been you.

**John:** True.

**John Hodgman:** I understand.

**John:** So, our kids, they were six at the time last summer when they were playing basketball. There was a very difficult season. Somehow, we made it to the championship game.

*(Hodgman “wow”s.)*

And somehow, we—

**John Hodgman:** Really, the kids did.

**John:** Well, you know, it was a team effort.

*(Laughter.)*

**John Hodgman:** That's true. And you were the coaches; I guess that was true.

**John:** I was the assistant coach.

**John Hodgman:** Yeah. Yeah, I forgot for a moment. I thought you were just intrusive parents. Okay, got it.

**John:** We were in the championship game. The kids played well, and we ended up being up by two points with 45 seconds left in the game.

**John Hodgman:** Mm. This is exciting.

**John:** Yes. So, Matt, as the head coach, kind of directed what would happen. He had the ball inbounded to his son. Before the play happened, he said, “All you need to do is dribble around for 45 seconds, and you win, and we go get ice cream.”

**John Hodgman:** This is what Matt, head coach, said to his own son.

*(John confirms.)*

Right. He gave the ball to his son.

*(John confirms.)*

Mm, conflict of interest.

*(Laughter.)*

**John:** So, his son—who is fantastic—proceeded to dribble as quickly as possible down The court, shoot, missed. The other team got the ball.

**John Hodgman:** I'm enjoying this, Jesse. Because, you know, basketball is my favorite sport.

**Jesse Thorn:** Well, you love the way they dribble up and down the court.

*(Hodgman confirms.)*

**John:** It's true. The other team got the ball, came back, scored. It was a tie. Since it was the championship game, they made us play an overtime round. And the other team—

**John Hodgman:** I've read about it.

**John:** The other team scored one, and our team basically ended up crying at the end of the season. I don't bring this up to blame—

**Jesse Thorn:** When it should have been the other children crying!

*(Laughter, cheers, and applause.)*

**John Hodgman:** Builds character, they say. Builds character. So, you're saying that Matt blew it, as head coach.

**John:** No! I don't.

**John Hodgman:** What happened? You lost the game!

*(John confirms.)*

Buck stops there.

**John:** No! And here's why. So, I brought this case to you because, since then, Matt continues to carry a lot of guilt—himself—for his gametime decision. I don't think it's necessarily healthy to carry that forward. Also, as we keep—

**John Hodgman:** Let the record show that Matt is pondering his guilt so heavily right now that he cannot speak.

[00:45:00]

*(Laughter.)*

**Matt:** I was waiting for my turn, but I'm happy to speak up.

**John Hodgman:** I appreciate that. That's some good head coach material.

*(Laughter.)*

**Matt:** Can I say, for starters: my goal for the season was for the kids to love basketball and want to play another season.

**Jesse Thorn:** And your secondary goal was to teach them to use up 45 seconds of the 24-second clock in order to deaden the ball and end the game.

*(Scattered applause.)*

**Matt:** There's no shot clock in this league! You can do that. And so, ending the season with the team in tears was counter to my goal for the season and why I beat myself up over the decision. Because my son, who's loved basketball—his third word was basketball. It was Mama, Dada, basketball. But his go-to move—

**John Hodgman:** Mama, Dada, basketball?!

**Matt:** Basketball! I know. This is North Carolina.

**John Hodgman:** That's a lie.

**Matt:** And so—but one thing he's very good at is dribbling around without purpose and not shooting. So, I was like this is great! This is how we're gonna win. And I've realized, as soon as it happened—any parent here can attest—the one person a kid's least likely to listen to is their own parents. And I should have picked any other kid on the team, and they would have listened to me. And at least the kids I was in charge of wouldn't have been crying. And I still think about that.

**John Hodgman:** So, you're carrying the guilt, because you put it on your son.

**Matt:** And I think any other child I would have given it to would have listened.

**John Hodgman:** Would have done what you asked. Right.

**Matt:** Yes. And then, again, the kids I was responsible for maybe would have still liked basketball.

**John Hodgman:** When did this happen?

**Matt:** A year ago.

**John Hodgman:** A year ago. And John?

**John:** Yes.

**John Hodgman:** What would you have me rule?

**John:** Well, I think Matt needs to let it go. He tends to—since then, our boys have continued to play sports together. Every game, he brings up this decision that he made at some point. So, it's a weekly occurrence.

**John Hodgman:** Matt, you bring it up in front of the team?!

**Matt:** No, no, no. We're no longer coaching. But the kids are away from us, and it's just the two of us. I don't want to make my kid feel bad about what he did.

**John Hodgman:** Oh, but you're still processing it with your friend, John.

*(Matt confirms.)*

I understand. And you're bored of it?

**John:** No, not at all! I don't think it's very healthy. But also, if he tends to go in for some self-deprecation, the door's open, and I kind of go as well. So, it's kind of negative for both of us.

**Matt:** I want to point out, that is a decision that you have made.

**John Hodgman:** Wait, when he starts self-deprecating, then you deprecate yourself?

**John:** No, I deprecate outwards towards him.

**John Hodgman:** You deprecate him.

*(Laughter.)*

**John:** Pardon my French.

**John Hodgman:** Matt, you are allowed to speak. There are two I's in the word litigants.

*(Scattered laughter.)*

Do you think you can let this go? It feels like you should. It's the past.

**Matt:** So, what I would like is I want John to feel the responsibility of not making a team of six-year-olds end the season crying.

**John Hodgman:** You want him to feel the responsibility of not making children cry?

**Matt:** Yes, like I want him to head coach and feel what it feels like to feel the pressure of having the team play and not end up in tears.

**John Hodgman:** Do you think that it—? Have you resisted becoming head coach, John?

**John:** I did my stint, and I would like to just watch the sports from now on.

**John Hodgman:** Why is it important to you, Matt, that he suffer in this way? He says he did his stint.

**Matt:** As assistant coach! I wanted to feel the pressure of the head coach and why I feel the guilt.

**John Hodgman:** Why? Why?

**Matt:** To understand the guilt I feel.

**John Hodgman:** All of this is optional. You know, I've never been—I've been to two sports games in my life. I live a full life.

**Matt:** Well, you haven't been to a six-year-old basketball game.

**Jesse Thorn:** Matt and John—

**John Hodgman:** No, I'm not a weirdo.

*(Laughter.)*

What if I did? What if I showed up at a six-year-old basketball game without a child involved? That wouldn't be good. This isn't about—but this isn't about John. This is about you, Matt. You're trying to inflict something on John, but you need to process this, and let it go.

What happened happened. You learned from it, right? You gotta get up off the bench and get back in the game. Be a goldfish and other cliches from television! You understand what I'm talking about, right? He's gotta let it go.

**John:** I agree.

**John Hodgman:** Okay, can you let it go?

**Matt:** I will try to let it go.

**John Hodgman:** Let me ask. Because, you know—Luther, is one of these people your dad? That one? Okay.

So, hypothetically, let's say something were to happen here tonight. If you had to pick a new dad, which of these two guys?

*(Boisterous laughter.)*

Just point. Close your eyes. Cover your eyes. Cover your eyes. Hang on, put—hang on. Don't do anything. Okay, Luther, when I put my hand over the head of your new dad, raise your hand, okay? Don't stop pointing now! Because literally he's just in there pointing like this. And it feels like he's pointing at me, and it's getting scary. So, Luther, get ready to raise your hand when you see your new dad.

*(Beat.)*

Okay, don't say anything. No one applaud or anything. I just want to know.

[00:50:00]

Hey, guess what you guys? Luther doesn't want either of you.

*(Laughter and applause.)*

The child has judged well. You're both good dads to your own children. But Matt, you gotta let it go! *(Bangs his gavel four times.)*

**Jesse Thorn:** Thank you, John and Matt.

Let's welcome to the stage Hanna and Ian. Hanna and Ian are engaged and in the process of moving in together. She works in health and human services. Ian owns a music school.

**John Hodgman:** Ian, do you have a '90s cover band?

**Ian:** Uuuh, no. *(Laughs.)*

**John Hodgman:** Oh, okay. Good. You both have really good laughs, and they're good Halloween laughs. *(Chuckles.)* Hanna and Ian, welcome to my court. Who seeks justice here?

**Hanna:** I do.

**John Hodgman:** Hanna, what is the nature of your complaint?

**Hanna:** So, for as long as I can remember, I have brushed my teeth in bed. And I know—*(giggles).*

*(Hoots from the audience.)*

**John Hodgman:** Wow.

*(Someone in the audience shouts something indistinct.)*

Highly transgressive.

**Hanna:** *(Laughs.)* I know it's controversial, and I know it's not for everyone. But it really doesn't affect anyone but me. And so—

*(Laughter.)*

Since Ian and I have gotten together, he has outlawed this practice. And any time I do it, he'll run into the bedroom and demand *(laughing)* that I immediately get up and go to the bathroom to finish brushing my teeth. And I really just want to be able to brush my teeth in peace.

**John Hodgman:** Not only in peace, but under the covers.

**Hanna:** Which is the most peaceful way to brush your teeth!

**John Hodgman:** Uhh, it says here, Ian, that I should ask you why you disagree with this practice, but let's skip that.

*(Laughter.)*

**Ian:** Okay.

**John Hodgman:** Let me clarify—you are engaged.

*(Ian confirms.)*

When did you become engaged?

**Ian:** On the 9th of July of this year.

**John Hodgman:** Oh, well, that's very nice. Congratulations!

*(They thank him, and the audience applauds.)*

And you're in—it says that you are in the process of moving in together. So, how many nights a week are you sleeping over? *(Beat.)* With each other.

**Ian:** Uhhh, most nights?

**Hanna:** Most nights. We're trying to get my house ready, so that we can move fully. So, mostly I'm at Ian's, and then occasionally I have to go back to mine.

**John Hodgman:** So, you're trying to get your house ready for the two of you to live in?

**Hanna:** No, sorry.

**Ian:** No, no. We're—

**John Hodgman:** So, what's gonna happen? Who's gonna move in with whom?

**Hanna:** Oh, right, sorry. So, we're going to sell my house and then buy a bigger house.

**John Hodgman:** Okay. In the future.

**Hanna:** In the future.

**John Hodgman:** So, you're brushing your teeth at home alone with your dog in the laundry basket, having a grand old time.

**Hanna:** Yeah, it's awesome.

**John Hodgman:** Then when you come over to stay over at his house, or he comes over to your house—either way, he's like, “You can't brush your teeth in bed.”

**Hanna:** Right, and I mostly get it.

**John Hodgman:** I'm remiss in not asking: how do you do this?!

*(Laughter.)*

What's the process?

**Hanna:** Well, when—yeah. When I'm at my house, I just, I keep my—

**John Hodgman:** Where, by the way, you can do whatever you want.

**Hanna:** *(Laughs.)* Thank you. Thank you.

**John Hodgman:** That's why you have your own place.

**Hanna:** Exactly. So, I just keep my toothbrush next to the bed.

*(Scattered boos from the audience.)*

**John Hodgman:** Excuse me! This is her house in Northgate Park. It's hers. It's her life. Cultivate your own fig trees, weirdos.

*(Laughter.)*

**Hanna:** And I have a little cup that I spit into, and it's lovely. *(Laughs.)*

*(Boos from the audience.)*

And the audience hates it, obviously. But you know what? I'm alone, and Lunda doesn't care. But when I'm at Ian's house, I don't do that. I'm not asking to do that. It's just occasionally, I'm very tired, or my feet hurt, or I just don't feel like it. And I would like to be able—

**John Hodgman:** And there just happens to be a toothbrush on the bedside table.

**Jesse Thorn:** And you have your fluoride spittoon handy.

*(Laughter.)*

**Hanna:** No, when I'm at his house, I don't have the cup, because of the rule. *(Laughs.)*

**John Hodgman:** This is a great way to start a marriage. “Because of the rule.” Certain things I can't do in my marriage, because of the rule.

*(They laugh.)*

**Hanna:** So, I just go back to the bathroom to spit out the toothpaste.

**John Hodgman:** But you still are brushing in bed. Right.

**Hanna:** Right. Occasionally.

**John Hodgman:** Wait a minute, where do you put the toothpaste on?

**Hanna:** In the bathroom.

**John Hodgman:** Okay, so you prime it in the bathroom. Then you get over, you put the toothbrush with the toothpaste on it gently down in your nightstand. You get in, pull up the covers, and then go *(imitates toothbrushing noises)*, brushy-brushy-brushy. And then you go *(spit noise.)*

**Hann:** No! I—

*(Ian “um”s.)*

Ian wants your attention.

**John Hodgman:** Go ahead, Ian.

**Ian:** Well, it should be noted that it's an electric toothbrush.

**John Hodgman:** Okay? (*Laughs.*)

**Ian:** So, it is—there is a, you know.

**John Hodgman:** It's more like a—

*(They both make electric toothbrush whirring noises.)*

**Ian:** —sound coming from the bedroom. And I'm down the hall going, “Hm. What could that be?”

*(Laughter.)*

**Jesse Thorn:** Ian, you're out there in the hall there, and you're hearing that sound. What are you saying to yourself?

*(Laughter.)*

You're saying like sort of a “Hm.”

*(Jesse and Ian “hm” back and forth.)*

[00:55:00]

Judge Hodgman, let the record reflect that when he's out there in the hall, he's saying, uh, “Hmmm.”

**John Hodgman:** Hm. Hm!

*(They laugh.)*

Ian, you love Hanna, right?

**Ian:** Very much so.

**John Hodgman:** Yeah. But this grosses you out? What's the story? Have you asked her—have you explained to her why you don't like this? I mean, this is not typical.

**Ian:** That's true.

**John Hodgman:** But that doesn't mean that it's illegal. So, have you tried explaining to her how that makes you feel?

**Ian:** Yes.

**John Hodgman:** Alright! Do a reenactment of that, please.

**Ian:** When I find you... in the bed, with a mouth full of toothpaste, finishing an article before you go back to the bathroom—

*(Hanna giggles helplessly.)*

It makes me think you could have done that in the bathroom.

**Hanna:** This is my point. He doesn't have any feelings about it. It doesn't harm him in any way. He just doesn't want me to do it, because he feels like it's wrong. Which clearly everyone else feels too. But I don't think that's a good enough reason to disallow that.

**John Hodgman:** I have to say, I have to say, Ian, that essentially the argument that you just made to the woman that you love is that “I have a system for brushing teeth. Most people have it. You should.”

Not “When I find you brushing your teeth in bed, it makes me feel—”

**Ian:** *(Chuckles.)* Well, it makes me feel concerned that I will find—

**John Hodgman:** No, let me say this. Here's the deal. Moving in together is hard, because you're—obviously, you're not only joining lives together and possessions and a sense of ownership over both the things in your house and the procedures in your house, but then you're going to get together into a bed, and it's not just you're going to have hugging and kissing time there; it's also going to be snoring and farting time, and it's gross.

*(Laughter.)*

Now, I hope that you finally buy one of those famous houses that you can get here in North Carolina—which have two separate villas with California king-sized beds in each of them, separated by a reflecting pool. And you can visit each other from time to time. Then you could brush your teeth forever in your bed over there. But there are going to have to be concessions that are made in terms of how—you know, sleep hygiene and what—you know, this is supposed to be the most, intimate—personally intimate— Like, you sleep together, but you always sleep alone. So, it is both couples intimate, but also it has to be a peaceful retreat for you. And if that is—if something one of you is doing that is violating the peace of the other, then that's something—a place where you have to compromise.

But here's the thing, I don't see that you should do anything until Ian is able to tell you how he feels about it. More than just, "I'm concerned."

*(Cheers and applause.)*

I need you to search yourself, and the moment that you can explain to her, in a compelling way, how you feel about it, then I would advise you to change your routine. If it is a meaningful—do you want to try it again?

**Ian:** Yes.

**John Hodgman:** We'll see.

*(Laughter.)*

**Ian:** When I find you *(laughing)* brushing your teeth in bed, I—and occasionally, also feel maybe a toothpaste tube in the bed, or something like that—

**John Hodgman:** What?

**Jesse Thorn:** Judge Hodgman, let the record reflect that he said, "When I find you brushing your teeth in bed—*(mumbles indistinctly)*."

*(Ian apologizes.)*

**John Hodgman:** Yeah. You have a pretty low voice, and it went down into—yeah.

**Ian:** Sorry, sorry. I feel—

**John Hodgman:** Well, good luck to you, Ian!

*(Laughter.)*

*(Bangs his gavel six times.)* You can try that offstage!

**Jesse Thorn:** Thank you! Thank you, Hanna and Ian.

**Sound Effect:** Three gavel bangs.

**Jesse Thorn:** That's it for this episode of the *Judge John Hodgman* podcast. Our thanks to Reddit user u/ToLiveAndBrianInLA for naming the case in this episode. Make sure to follow us on Instagram, [@JudgeJohnHodgman](https://www.instagram.com/JudgeJohnHodgman). We're on YouTube and TikTok, [@JudgeJohnHodgmanPod](https://www.youtube.com/channel/UC...).

**John Hodgman:** And also, thank you over there on Apple Podcasts to Slim2City for your review. Slim2City said that: “JJHo is guilty of being great.” Which is wonderful. “This podcast,” says Slim2City, “is a sandwich of delights—” Unlike a hotdog. “—delights, insights, and entertainment. The rulings are thoughtful and humorous. The whole crew is a wonderful combination of whimsical, warm, and wonderful people.” That’s the three W’s. “Always a release-day listen with extra mayo and a bag of chips. Weird Dad, out.”

Thank you so much, Weird Dad! Slim2City!

[01:00:00]

I love seeing those reviews, and I love it when you go and leave them over there at Apple Podcasts or wherever you might listen to your podcasts—especially Pocket Cast users. Don’t feel left out. You can start rating our show now, and you can also just share one of our YouTube episodes with a friend or save and share our Instagram posts. Hitting all of those little buttons—the hearts, the thumbs up, the likes—leaving comments, sharing things to people, texting it to your friends. All of these things are really, really helpful in getting people to discover the show.

We’re really very grateful. And even if you just go to a friend of yours or a family member and say, with your own mouth, “Hey, I listen to a podcast. It’s called *Judge John Hodgman*.” That’s really helpful, too. So, thank you very much. And by the way, if you’ve got someone who’s not familiar with the show, and you want to introduce them to it, no better way than bringing them to one of our live shows. Remember, our schedule of road court shows is up now at [MaximumFun.org/events](http://MaximumFun.org/events).

**Jesse Thorn:** The *Judge John Hodgman* podcast was created by John Hodgman and Jesse Thorn. Our touring producer was Laura Volk. This episode was recorded by Stephen Colon. Nattie Lopez is our social media manager. AJ McKeon, our podcast editor. Daniel Speer is our video editor, and our producer is Jennifer Marmor. We’ll talk to you next time on the *Judge John Hodgman* podcast.

**Sound Effect:** Three gavel bangs.

**Transition:** Cheerful ukulele chord.

**Speaker 1:** Maximum Fun.

**Speaker 2:** A worker-owned network.

**Speaker 3:** Of artist owned shows.

**Speaker 4:** Supported—

**Speaker 5:** —directly—

**Speaker 6:** —by you!