TRIPLICATE

a mostly monospaced font family · designed by Matthew Butterick · available only at mbtype.com
Why Should Proportional Fonts Have All the Fun?

Monospaced fonts occupy an odd niche in typography. Even though we still need monospaced fonts — as do machines — most of the available options are ugly and sad.

Why? Because putting every character on the same width is hard. Designers of monospaced fonts often start with a proportional design, and then, in Procrustean fashion, surgically mangle each letter until it fits (with predictably dire consequences).

Triplicate, by contrast, is modeled on several faces from the golden age of the typewriter — a time when designers treated monospacing not merely as a limitation, but also an opportunity.

Moreover: unlike the usual monospaced snoozefest, Triplicate has three weights, true italics (not sloped romans), real small caps, oldstyle figures, alternate characters optimized for programming, and even a non-monospaced variant (!)

True, a monospaced family will never be the most versatile member of your type library. But now, when you need one, you can have a good one. MB
RENÉE’S STUDIO IN BORINGLAND — 8:32 AM

SILAS TEWKESBURY, a degenerate nonagenarian, has tunneled into the studio. RENÉE is working nearby, in conversation with her husband POTIPHAR.

RENNÉE
Potiphar, why can’t your father accept that we’re moving to Alaska?

POTIPHAR
Darling, I think he’s concerned about its fiscal stability.

[Enter HUMMINGBIRD, through the window, flitting.]

RENNÉE
Alaska? You mean, because it’s one of the five states that doesn’t have a sales tax? Please.

POTIPHAR
Well, I think he’s 90% right.

[Silas, hiding in darkness, pumps his fist. Meanwhile, HUMMINGBIRD lands in acrylic paint.]

RENNÉE
Oh goodness, what a commotion. Potiphar, I’m sorry, but this will have to wait.

RENÉE’S STUDIO IN TYPETALON — 8:32 AM

Silas Tewkesbury, a degenerate nonagenarian, has tunneled into the studio. Renée is working nearby, in conversation with her husband Potiphar.

Renée
Potiphar, why can’t your father accept that we’re moving to Alaska?

Potiphar
Darling, I think he’s concerned about its fiscal stability.

[Enter Hummingbird, through the window, flitting.]

Renée
Alaska? You mean, because it’s one of the five states that doesn’t have a sales tax? Please.

Potiphar
Well, I think he’s 90% right.

[Silas, hiding in darkness, pumps his fist. Meanwhile, Hummingbird lands in acrylic paint.]

Renée
Oh goodness, what a commotion. Potiphar, I’m sorry, but this will have to wait.
Processes: 196 total, 2 running, 6 stuck, 188 sleeping, 1192 threads
Load Avg: 1.31, 1.16, 1.18 CPU usage: 1.51% user, 1.51% sys, 96.96% idle
MemRegions: 45180 total, 3160M resident, 153M private, 1128M shared.
SharedLibs: 17M resident, 15M data, 0B link
PhysMem: 7115M used (1450M wired), 5164M used (486M locked), 0(0) free
VM: 452G vsize, 1068M framework vsize, 0(0) swapins, 0(0) swapouts.
PhysMem: 7115M used (1450M wired), 5164M used (486M locked), 0(0) free

Volume: 652G vsise, 1068M framework vsize, 0(0) swapins, 0(0) swapouts.

SharedLibs: 17M resident, 15M data, 0B link

Processes: 196 total, 2 running, 6 stuck, 188 sleeping, 1192 threads
Load Avg: 1.31, 1.16, 1.18 CPU usage: 1.51% user, 1.51% sys, 96.96% idle
MemRegions: 45180 total, 3160M resident, 153M private, 1128M shared.
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PhysMem: 7115M used (1450M wired), 5164M used (486M locked), 0(0) free
VM: 452G vsize, 1068M framework vsize, 0(0) swapins, 0(0) swapouts.
Body
And that's the odd wrinkle we have to overcome when we talk about the web. Because to convince you to abandon the typewriter habits in printed documents, I'm able to cite a persuasive body of evidence: namely, the professional typographic practices of the last 500 years, as reflected in books, newspapers, and magazines. The web, however, has no equivalent tradition. We can't fill this gap merely by holding the web to print traditions. That would be limiting and illogical.

But it's equally illogical to refuse to compare the web to any benchmark on the grounds that it's *sui generis* (because it's not—the web is primarily a typographic medium), or that it's new technology (because it's not—the web is 20 years old), or that it's still evolving (because that's true of every technology, including print). Nevertheless, we've kept web design hovering in an odd state of neither here nor there.

How? Like the poor worker of proverb—by blaming the tools. If you ask a web designer “why aren't we doing better with web typography?” you're likely to hear either “we can't, because such-and-such won't work in the old browsers” or “we can't, until such-and-such works in the new browsers.” The culture of web design encourages us to rely on the past and the future as excuses for why we can't take accountability for the present. These excuses keep today's web design in a bubble, conveniently impervious to criticism.
Cadmium Q. Eaglefeather (SBN 502981)
Eaglefeather Law Offices
1920 Hillhurst Ave.
Los Angeles, CA 90027
(323) 555-1435
(866) 555-1147 fax
cadmium@cqelaw.com
Attorney for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

TRIXIE ARGON, individually and on behalf of a class of similarly situated persons,

Plaintiff;

vs.

MEGACORP INC., a California corporation, and DOES 1 through 100, inclusive,

Defendants.

Case No. BC5551212

Plaintiff’s Notice of Motion and Motion to Compel Defendant MEGACORP to Produce Financial Records at Trial; Points & Authorities

Complaint filed: June 9, 2021
Trial date: August 20, 2023

Assigned to Judge Jerry Blank, Dept. 1010, Central Civil Division
NOTICE OF MOTION

To all parties and their attorneys of record:

You are hereby notified that at a date and time to be determined, in Dept. 1010 of the above-entitled court, plaintiff Trixie Argon will move the Court for a motion to compel defendant MegaCorp to produce financial records she previously requested.

This motion is made on the ground that Ms. Argon served MegaCorp with a valid notice to produce financial records at trial. Cal. Civ. Proc. Code § 1987(c), Cal. Civ. Code § 3295(c). MegaCorp served objections and refused to comply.

Ms. Argon’s notice to produce seeks information directly relevant to her trial for punitive damages against MegaCorp. Therefore, the documents are material to Ms. Argon’s case and there is good cause to order them to be produced. Cal. Civ. Proc. Code § 1987(c).

November 19, 2022

EAGLEFEATHER LAW OFFICES

By: ________________

Cadmium Q. Eaglefeather
Attorney for Plaintiff
Previously, the Court denied MegaCorp’s motion for summary adjudication of Ms. Argon’s claims for punitive damages. (Eaglefeather Decl. ¶ 1.) Ms. Argon served MegaCorp with a timely notice to produce financial records at trial. (Eaglefeather Decl. ¶ 2.) MegaCorp responded with boilerplate objections to Ms. Argon’s requests and refused to produce any financial records. (Eaglefeather Decl. ¶ 3.) This motion seeks to compel MegaCorp to produce these records.

1. Ms. Argon is entitled to the financial records.

Because this is a punitive-damages case, Ms. Argon is entitled to subpoena documents “to be available at the trial for the purpose of establishing the profits or financial condition” of MegaCorp. Cal. Civ. Code § 3295(c).

Ms. Argon has a right to these records even without showing that there is a “substantial probability that [she] will prevail”. Id. That’s the rule for pretrial discovery of financial records, but not for records to be brought to trial. Id.
2. The financial records are material to Ms. Argon’s case.

If the jury finds MegaCorp liable for punitive damages, the jury may then consider “[e]vidence of profit and financial condition” of those defendants to determine the amount of punitive damages. Cal. Civ. Code §§ 3294(a) and 3295(d); Nolin v. Nat’l Convenience Stores, Inc., 95 Cal. App. 3d 279, 288 (1979).

3. Ms. Argon will be prejudiced without the financial records, so there is good cause to compel their production.

MegaCorp was ordered to stand trial on punitive damages. (Eaglefeather Decl. ¶ 4.) If the jury returns an initial verdict for punitive damages, Ms. Argon will need these financial records to prove the amount of punitive damages. MegaCorp cannot circumvent the trial by withholding evidence that the jury must consider. Cal. Civ. Code § 3295(d).

November 19, 2022

EAGLEFEATHER LAW OFFICES

By: ________________

Cadmium Q. Eaglefeather
Attorney for Plaintiff
February 15, 2023

George Falkenburg
Falkenburg, Fester, and Funk LLP
1252 W. 83rd Street
Bakersfield, CA 90909


Dear Mr. Falkenburg:

In response to your recent request, I’ve enclosed a DVD of photographs I took during the inspection of the MegaCorp facility on October 30, 2022.

I apologize for the delay, but I was recently hospitalized for a concussion sustained while rollerblading. Rest assured that I am on the mend. If you have any questions about this DVD, please let me know.

Separately: you recently served a set of 953 interrogatories on my client. These interrogatories were not accompanied by the declaration of necessity that’s required when serving more than 35 requests. See Cal. Civ. Proc. Code § 2030.050.

By the way, it was great seeing you and Thelma over the holidays. I think we still have your cheesecake platter. Let’s talk soon about our plans for Maui in the spring.

Sincerely,

CADMIUM Q. EAGLEFEATHER

CQE / bqe
Enclosure
To: Cadmium Q. Eaglefeather  
From: Trixie Argon  
Date: 10 September 2023  

Re: Cause of action for malicious prosecution

Malicious prosecution has three elements that must be pleaded and proved:

1) the defendant commenced a judicial proceeding against the plaintiff;

2) the original proceeding was “initiated with malice” and “without probable cause”; and

3) the proceeding was “pursued to a legal termination in [the plaintiff’s] favor.”


1. Commencement of judicial proceeding

Any civil proceeding where the plaintiff seeks affirmative relief may be the basis of a malicious-prosecution claim. The original plaintiff does not need to personally sign the complaint. If the plaintiff is “actively instrumental” or the “proximate and efficient cause” of the action, the plaintiff may be liable. Jacques Interiors v. Petrak, 188 Cal. App. 3d 1363, 1372 (1987).

2. Initiated without probable cause and with malice

The malicious-prosecution plaintiff must establish both malice and lack of probable cause by the defendant in the underlying action. 

In a malicious-prosecution action against an attorney in a civil suit, the standard for probable cause
is whether a reasonable attorney would have thought the underlying claim was tenable at the time the original complaint was filed. Sheldon Appel Co. v. Albert & Oliker, 47 Cal. 3d 863, 885-86 (1989). An attorney may be liable for continuing to prosecute a claim after they discover the action lacks probable cause, even if there was probable cause at the outset. Zamos v. Stroud, 32 Cal. 4th 958, 970 (2004).

The showing of malice requires evidence of “ill will or some improper purpose,” ranging “anywhere from open hostility to indifference.” Grindle v. Lorbeer, 196 Cal. App. 3d 1461, 1465 (1987). Malice may be inferred from lack of probable cause if the party’s behavior was clearly unreasonable. However, this is not an automatic inference. Grindle, 196 Cal. App. 3d at 1468 (“Negligence does not equate with malice”). As above, failure by an attorney to conduct an adequate investigation may be evidence of “indifference” suggesting malice.

3. Favorable termination

Malicious prosecution requires that the underlying complaint to have been terminated in favor of the malicious-prosecution plaintiff. This means that a defendant cannot make a malicious-prosecution counterclaim as a “defense” to a complaint that appears to be malicious. Until the underlying complaint has been resolved, a malicious-prosecution claim cannot lie. Babb v. Superior Court, 3 Cal. 3d 841, 846-847 (1971). Thus, procedurally, the only option is to complete the underlying action, and then file a claim for malicious prosecution in a follow-on action.
TRIXIE B. ARGON
1920 HILLHURST AVE. #C731 LOS ANGELES 90027
(213) 555-1234 TRIXIEARGON@GMAIL.COM

EDUCATION

UCLA Anderson School of Management 2020–22
• Cumulative GPA: 3.98
• Academic interests: real-estate financing, criminal procedure
• Henry Murtaugh Award

Hartford University 2012–16
• B.A. summa cum laude, Economics
• Extensive coursework in Astrophysics, Statistics
• Van Damme Scholarship

BUSINESS EXPERIENCE

Boxer Bedley & Ball Capital Advisors 2017–
Equity analyst
• Performed independent research on numerous American industries
• Steelmaking, croquet, and butterscotch manufacturing
• Led company in equities analyzed in two quarters

OTHER WORK EXPERIENCE

Proximate Cause 2016–17
Assistant to the director
• Helped devise fundraising campaigns for this innovative nonprofit
• Handled lunch orders and general errands

Hot Topic 2013–15
Retail-sales associate
• Top in-store sales associate in seven out of eight quarters
• Inventory management
• Training and recruiting
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November 19, 2022

EAGLEFEATHER LAW OFFICES

By: ____________________

Cadmium Q. Eaglefeather

Attorney for Plaintiff
POINTS & AUTHORITIES

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February 15, 2023

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OTHER WORK EXPERIENCE

Proximate Cause 2016–17
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Retail-sales associate
• Top in-store sales associate in seven out of eight quarters
• Inventory management
• Training and recruiting

MB Type sample · Triplicate B