



---

Spring 3-1-1988

## The Fourth Circuit Review

Follow this and additional works at: <https://scholarlycommons.law.wlu.edu/wlulr>



Part of the [Courts Commons](#)

---

### Recommended Citation

*The Fourth Circuit Review*, 45 Wash. & Lee L. Rev. 647 (1988).

Available at: <https://scholarlycommons.law.wlu.edu/wlulr/vol45/iss2/8>

This Article is brought to you for free and open access by the Washington and Lee Law Review at Washington and Lee University School of Law Scholarly Commons. It has been accepted for inclusion in Washington and Lee Law Review by an authorized editor of Washington and Lee University School of Law Scholarly Commons. For more information, please contact [christensena@wlu.edu](mailto:christensena@wlu.edu).

# THE FOURTH CIRCUIT REVIEW

## CONTENTS

FOREWORD .....	Francis D. Murnaghan, Jr. 649
I. ADMIRALTY & MARITIME LAW	
<i>The Rescue Doctrine in Maritime Law After</i> <i>Furka v. Great Lakes Dredge and Dock Co.</i> .....	661
II. ANTITRUST LAW	
<i>Persons Under the Sherman Act: Rex Systems,</i> <i>Inc. v. Holiday</i> .....	679
III. BANKRUPTCY & CREDITORS' RIGHTS	
Vancouver Women's Health Collective Society v. A.H. Robins Co.: <i>Providing</i> <i>Adequate Notice to Foreigners in a</i> <i>"Mass Tort" Bankruptcy Proceeding</i> .....	691
IV. CRIMINAL PROCEDURE	
<i>The Fourth Circuit's New Limitations</i> <i>on Struck Jury Venires:</i> United States v. Ricks .....	707
V. CONSTITUTIONAL LAW	
J.A. Croson Co. v. City of Richmond: <i>Nonfederal Government Entities May</i> <i>Use Racial Classifications Only to Remedy</i> <i>Prior Government Discrimination</i> .....	721
VI. COPYRIGHT, PATENT & TRADEMARK LAW	
Brunswick Beacon, Inc. v. Schock-Hopchas Publishing Co.: <i>Interpreting the "Work</i> <i>Made for Hire" Doctrine of the 1976</i> <i>Copyright Act</i> .....	735
VII. CORPORATE & SECURITIES LAW	
A. <i>The Duty to Disclose Financial Projections</i> <i>Under SEC Rule 10b-5: The Fourth Circuit Holds</i> <i>that Unreliable Financial Projections Are Not Material</i> .....	753
B. <i>Limiting the Scope of Civil RICO: International</i> Data Bank, Ltd. v. Zepkin.....	767
VIII. EMPLOYMENT & LABOR LAW	
<i>When Does the Ninety Day Complaint Filing</i> <i>Period Begin for 42 U.S.C. § 2000e-5(f)(1)?</i> Harvey v. City of New Bern Police Department.....	781

IX. INSURANCE LAW

Mraz v. Canadian Universal Insurance Co.:  
*Determining when Hazardous Waste Damage  
Occurs for Purposes of Insurance Coverage*..... 797

X. REAL PROPERTY LAW

Gulf Oil Corp. v. Chiodo: *Interpreting Dual  
Option Leases Again* ..... 819

XI. TORTS

A. Spell v. McDaniel: *Spelling Out Two Theories  
of Municipal Liability for Incidents of Police  
Misconduct* ..... 841

B. Webb v. Blackie’s House of Beef, Inc.:  
*Sobering Judicial Restraint on Dram Shop  
Liability in Virginia* ..... 867

TABLE OF CASES ..... 882