



---

Fall 9-1-1975

## Index - Digest

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

---

### Recommended Citation

*Index - Digest*, 32 Wash. & Lee L. Rev. 1145 (1975).

Available at: <https://scholarlycommons.law.wlu.edu/wlulr/vol32/iss4/24>

This Index 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).

# INDEX - DIGEST

Numbers refer to pages on which material begins

	PAGE		PAGE
<b>ANTITRUST</b>			
Annual Survey of Antitrust Developments—Class Actions, Mergers, and Market Definition: A New Trend Toward Neutrality .....	299	and Due Process of Law: Continuing Uncertainty After <i>Mitchell v. W.T. Grant Co.</i> . . .	79
Attorneys' Minimum Fee Schedules Do Not Violate Antitrust Laws .....	419	The Eleventh Amendment Does Not Bar an Award of Attorneys' Fees Based on the Private Attorney General Theory .....	133
Antitrust—The Jurisdictional Requirements of Robinson-Patman Act § 2(a) Clarified; <i>Gulf Oil Corp. v. Copp Paving Co., Inc.</i> .....	939	<i>Kahn v. Shevin</i> and the "Heightened Rationality Test": Is the Supreme Court Promoting a Double Standard in Sex Discrimination Cases .....	275
<b>BANKRUPTCY</b>			
<i>Baker v. Gold Seal Liquors, Inc.</i> : Railroad Reorganization and the Availability of Setoff Under the Bankruptcy Act .....	361	Staggered Term Elections Do Not Unconstitutionally Dilute Voting Power of Racial Minorities .....	429
<i>E. F. Corp. v. Smith</i> : Voidable Preference and the Problem of Antecedent Indebtedness Under § 60(a) .....	955	Discriminatory Dismissal of Public School Teachers on the Basis of National Teacher Examination Scores .....	432
<b>CIVIL PROCEDURE</b>			
Applicability of Work Product Doctrine in Subsequent Litigation .....	423	Revocation of Teacher's Certification Must Comply with Standards of Procedural Due Process .....	438
<b>COMMERCIAL LAW</b>			
Address—Summary Prejudgment Creditors' Remedies and Due Process of Law: Continuing Uncertainty After <i>Mitchell v. W. T. Grant Co.</i> .....	79	Due Process Guarantees in the Termination of Doctor's Staff Privilege at a Private Hospital .....	446
The Inflation Crunch and Relief for Government Contractors Under Public Law 85-804 .....	5	<b>COPYRIGHTS</b>	
<b>CONSTITUTIONAL LAW</b>			
Address—Summary Prejudgment Creditors' Remedies .....		Cable Television and Copyright: Can the State Protect the Broadcaster? .....	163
		<b>CRIMINAL LAW AND PROCEDURE</b>	
		Search and Seizure .....	449
		Effect of Adverse Publicity Before and During Trial Upon Accused's Rights to a Fair Trial .....	489
		Application of Presumption that Venue For Forgery Lies in District Where Forged Instrument was Uttered .....	499
		Insufficiency of Silence to Invoke	

	PAGE		PAGE
Fifth Amendment Privilege After Valid Waiver .....	506	<b>MENTAL HEALTH</b>	
Sentencing .....	512	Justiciability and Mental Health .....	347
<b>EVIDENCE</b>		<b>PENSIONS</b>	
Hearsay and Confrontation: Can the Criminal Defendant's Rights Be Preserved Under a Bifurcated Standard? .....	243	Who's Afraid of <i>ERISA</i> Wolf?: § 405(d) and Other Houses of Straw for Trustees Under the Employee Retirement Income Security Act of 1974 .....	921
Admissibility of "Other Crimes" Evidence in a Criminal Prosecution .....	540	<b>PRODUCTS LIABILITY</b>	
A Critique of Two Arguments Against the Exclusionary Rule: The Historical Error and the Comparative Myth .....	881	Comment: <i>Dreisonstok v. Volkswagenwerk, A.G.</i> , The Duty to Warn of Enhanced Injuries in Automobile Accidents .....	545
<b>GOVERNMENT</b>		Suits in Implied Contract and the Statute of Limitations .....	557
Restraint of Agency Proceedings Under the Freedom of Information Act .....	191	<b>PROFESSIONAL RESPONSIBILITY</b>	
<b>INTERNATIONAL LAW</b>		Professional Responsibility and Self-Regulation of the Securities Lawyer .....	597
The 1974 Diplomatic Conference on the Law of War: A Victory for Political Causes and a Return to the "Just War" Concept of the Eleventh Century .....	25	<b>SECURITIES</b>	
Article 1 of the Draft Protocol I to the 1949 Geneva Conventions: The Coming of Age of the Guerrilla .....	65	The Development of a Flexible Duty Standard of Liability Under SEC Rule 10b-5 .....	99
Extraterritorial Application of Section 16(b) of the Securities Exchange Act of 1934— <i>Wagman v. Astle</i> , 380 F. Supp. 497 (S.D.N.Y. 1974) .....	699	Warehouse Receipts Evidencing Sales of Scotch Whiskey in Casks Included Within Definition of "Security" Necessitating Registration Under § 5 of the Securities Act of 1933 .....	562
<b>LABOR LAW</b>		Unorthodox Transactions and Liability for Short-Swing Profits Under §16(b) of the Securities Exchange Act of 1934 .....	565
<i>Bekins Moving &amp; Storage Company</i> —Denial of Certification to Union Practicing Invidious Discrimination .....	387	Factors Determining the Degree of Culpability Necessary for Violation of the Federal Securities Laws in Information Transmission Cases .....	571
<b>LAND USE</b>		SEC Enforcement Techniques: Expanding and Exotic Forms of Ancillary Relief .....	683
<i>Shipton v. Barfield</i> : Duties of Subdivision Developers to Lot Purchasers .....	989	Extraterritorial Application of Section 16(b) of the Securities	

	PAGE		PAGE
ties Exchange Act of 1934—		The Securities Investor Protec-	
Wagman v. Astle, 380 F. Supp.		tion Act of 1970 (SIPA) . . . . .	828
497 (S.D.N.Y. 1974) . . . . .	699		
Definition of a "Security" . . . . .	721	<b>TAXATION</b>	
The 140 Series Rules . . . . .	730		
Rule 10b-5 . . . . .	742	Reorganization of Savings and	
The Tender Offer—A Develop-		Loan Associations Under	
ing Concept . . . . .	772	Section 368—A Return to the	
Injunctions and Damages Under		"Continuity of Interest"	
the Williams Act—Defensive		Test . . . . .	215
Mechanism, Punitive		Irrevocable Term Life Insurance	
Sanctions, Remedial De-		Trusts and Gifts In Con-	
vices . . . . .	777	templation of Death Under §	
Going Private—A Public Con-		2035 . . . . .	855
cern . . . . .	791	The Home Office Deduction	
Section 16(b) . . . . .	799	Revisited with a New Test	
Broker-Dealer Regulation . . . . .	813	Under <i>Bodzin v. Commis-</i>	
Stock Exchanges and the Anti-		<i>sioner</i> . . . . .	971
trust Laws . . . . .	824		