

Fall 9-1-1980

Digest

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

Recommended Citation

Digest, 37 Wash. & Lee L. Rev. 1376 (1980), <https://scholarlycommons.law.wlu.edu/wlulr/vol37/iss4/26>

This Index is brought to you for free and open access by the Washington and Lee Law Review at Washington & 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 & Lee University School of Law Scholarly Commons. For more information, please contact lawref@wlu.edu.

Pratt v. Kelly, 585 F.2d 692 (4th Cir. 1978)	425
Ramey v. Harber, 589 F.2d 753 (4th Cir. 1978), <i>cert. denied</i> , 442 U.S. 910 (1979)	494
Slatin v. Stanford Research Inst., 590 F.2d 625 (4th Cir. 1978), <i>cert. denied</i> , 440 U.S. 981 (1979)	662
Sledge v. J.P. Stevens & Co., 585 F.2d 625 (4th Cir. 1978), <i>cert. denied</i> , 440 U.S. 981 (1979)	605
United States v. Bilir, 592 F.2d 735 (4th Cir. 1979)	521
United States v. Block, 590 F.2d 535 (4th Cir. 1978)	512
United States v. Burman, 584 F.2d 1354 (4th Cir. 1978), <i>cert. denied</i> , 440 U.S. 922 (1979)	578
United States v. DeCoster (III), 624 F.2d 196 (D.C. Cir. 1979)	1300
United States v. Duncan, 598 F.2d 839 (4th Cir.), <i>cert. denied</i> , 444 U.S. 871 (1979)	569
United States v. Jackson, 585 F.2d 653 (4th Cir. 1978)	527
United States v. Mandel, 602 F.2d 653 (4th Cir. 1979), <i>cert. denied</i> , 445 U.S. 961 (1980)	502
United States v. McGuirt, 588 F.2d 419 (4th Cir. 1978), <i>cert. denied</i> , 444 U.S. 827 (1979)	695
United States v. Naftalin, 441 U.S. 768 (1979)	859
United States v. Newbourn, 600 F.2d 452 (4th Cir. 1979)	517
United States v. Postal, 589 F.2d 862 (5th Cir. 1979)	269
Universal City Studios, Inc. v. Sony Corp. of America, 480 F. Supp. 429 (C.D. Cal. 1979)	1277
Washington Steel Corp. v. TW Corp., 602 F.2d 594 (3d Cir. 1979)	953
Williams v. Leeke, 584 F.2d 1336 (4th Cir. 1978), <i>cert. denied</i> , 442 U.S. 911 (1979)	534
World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286 (1980)	1341

DIGEST

ADMINISTRATIVE LAW

EEOC Reasonable Cause Determinations Not Subject to Judicial Review	404
Broad Scope of General Safety Standards—Applicability in OSHA Litigation	389
Burden of Proof as to Safety Program Adequacy	381

ADMIRALTY

Seamen's Death Actions Under the Jones Act, DOHSA, and the General Maritime Law: A Comparison	1247
---	------

ALIENS & LAW

The Loneliness of the Long Distance Statute, The Alien Tort Claims Act, 28 U.S.C. § 1350 ..	1263
---	------

ANTITRUST

The Antitrust Commission and the Webb-Pomerene Act: A Critical Assessment <i>John F. McDermid</i>	105
The "Big Antitrust Case": Thoughts on Procedural Reform	25
<i>John S. Kingdon</i>	
The Case Against No-Conduct Monopolization	73
<i>Luther C. McKinney</i>	
Compensable Injuries Under Section 4 of the Clayton Act	412
A Critical Profile of the National Antitrust Commission	1
<i>Joe Sims</i>	
Elimination of the Conduct Requirement in Government Monopolization Cases	
<i>Alfred F. Dougherty, Jr.</i>	
<i>John B. Kirkwood</i>	
& <i>James D. Hurwitz</i>	83

Monopoly and Competition: Tilting the Law Towards a More Competitive Economy Eleanor M. Fox	49		
AUTOMOBILES (see MOTOR VEHICLES)			
BANKING			
Conflicts of Interest: The Chinese Wall and Bank Financing of Hostile Tender Offers	953		
Correspondent Banking and Insider Loans After the Financial Institutions Regulatory and Interest Rate Control Act of 1978	1327		
BRIBERY			
Mail Fraud	502		
CIVIL PROCEDURE			
The Constitutionality of Real Estate Attachments	701		
Fairness or Federalism in the Supreme Court's Minimum Contact Analysis: <i>World-Wide Volkswagen Corp. v. Woodson</i>	1341		
Federalizing State Law	423		
Implied Cause of Action for Damages Under the Fourteenth Amendment	483		
The Long Arm of Federal Courts: Domestic Jurisdiction on the High Seas	269		
Res Judicata and Collateral Estoppel in Bankruptcy Discharge Proceedings	281		
The Seventh Amendment's Effect on <i>Erie</i>	430		
CIVIL RIGHTS			
Availability of Medicaid Funded Abortions	446		
An Implied Private Right of Action Under Title VI	297		
Constitutionality Adequate Safeguards in Commitment Proceedings	437		
Remedies for Statutory Violations Under Sections 1983 and 1985(c)	309		
		"Your Papers, Please." Is an Identification Requirement Constitutional?	253
COMMERCIAL LAW			
		The Constitutionality of the Virginia Motor Vehicle Franchise Act	458
		Personal Liability of Directors During Corporate Dissolution	453
		Seller's Liability for Defective Design—The Measure of Responsibility	237
COMMODITIES LAW			
		Employee Plan Trading in Commodity Futures	
	 Thomas A. Russo	
		Stephan G. Bachelder	
		& Bronislaw E. Grala	811
		Recent Developments in Commodities Law	986
CONFLICT OF LAWS			464
CONSTITUTIONAL LAW			
		The Constitutionality of Real Estate Attachments	701
		Drawing the Line on the Ineffective Assistance of Counsel Defense: <i>United States v. Decoster (III)</i>	1300
		Fairness or Federalism in the Supreme Court's Minimum Contact Analysis: <i>World-Wide Volkswagen Corp. v. Woodson</i>	1341
		First Amendment Rights of Public Employees	477
		Implied Cause of Action for Damages Under the Fourteenth Amendment	483
		The Patentability of Living Matter: Hey Waiter, What's Chakrabarty's <i>Pseudomonas</i> Bacterium Doing Back in the Supreme Court's Soup?	183
		Police Power, Takings, and Due Process. William B. Stoebuck	493
		Political Patronage	493
		Virginia's Medical Malpractice Act: A Constitutional Analysis	1192
		"Your Papers, Please." Is an Identification Requirement Constitutional?	253

CONTRACTS

- Seller's Liability for Defective Design—The Measure of Responsibility 237

COPYRIGHT LAW (see PATENT & COPYRIGHT LAW)

CORPORATE LAW

- Personal Liability of Directors During Corporate Dissolution . 453

CREDITORS' RIGHTS

- The Constitutionality of Real Estate Attachments 701

CRIMINAL LAW & PROCEDURE

- Conspiracies: Sufficiency of Proof and the Validity of Special Parole Terms 577
- Deadlocked Juries 561
- Drawing the Line on the Ineffective Assistance of Counsel Defense: *United States v. Decoster (III)* 1300
- Federal Nexus in Electronic Surveillance 568
- Mail Fraud 502
- Plea Bargaining 553
- Prisoners' Rights 532
- Search and Seizure 510
 - Third Party Consent to Search and Seizure 512
 - The Automobile Exception to the Warrant Requirement ... 516
 - The Extended Border Search Doctrine 521
 - Standing to Contest Warrantless Searches and Seizures ... 526
- What is an Interrogation? 587
- "Your Papers, Please." Is an Identification Requirement Constitutional? 253

EDUCATION LAW

- Financial Exigency and Academic Tenure 594

EMPLOYMENT DISCRIMINATION

- EEOC Reasonable Cause Determinations Not Subject to Judicial Review 404

- Employee Pregnancies 620
- Pain and Suffering Damages Not Available Under ADEA 659
- Statute of Limitations and the Duty of Fair Representation .. 671
- Substantive, Procedural and Remedial Issues in Title VII Litigation 604

ENVIRONMENTAL LAW

- Challenges to Federal Water Pollution Control Regulations 630

ETHICS (see PROFESSIONAL RESPONSIBILITY)

FEDERALISM

- Federalizing State Law 423

FOURTH CIRCUIT REVIEW .. 373

FRANCHISING

- The Constitutionality of the Virginia Motor Vehicle Franchise Act 458

GOVERNMENT SERVICE

- First Amendment Rights of Public Employees 477
- Political Patronage 493

INTERNATIONAL LAW

- The Loneliness of the Long Distance Statute, The Alien Tort Claims Act, 28 U.S.C. § 1350 .. 1263
- The United States and Taiwan After Derecognition: Consequences and Legal Remedies
..... *Ahmed Sheikh* 323

JUDICIAL REVIEW

- EEOC Reasonable Cause Determinations Not Subject to Judicial Review 404

JURY TRIALS

- Deadlocked Juries 561
- The Seventh Amendment's Effect on *Erie* 430

LABOR LAW

Appropriate Bargaining Units in Non-Profit Hospitals	1221
Pain and Suffering Damages Not Available Under ADEA	659
Relegating Arbitration to a Secondary Role in Labor Disputes ..	647
Statute of Limitations and the Duty of Fair Representation ..	671

LIMITATIONS OF ACTIONS

Statute of Limitations and the Duty of Fair Representation ..	671
---	-----

LITIGATION

Advertising the Economics of High Jury Awards: The Insurance Industry's Bid for Prospective Jurors to Tighten Their Purse Strings	1175
Broad Scope of General Safety Standards — Applicability in OSHA Litigation	389
Conspiracies: Sufficiency of Proof and the Validity of Special Parole Terms	577
The Free-Speech-Fair Trial Controversy: DR 7-107	219
A Model Rule for Student Practice in the United States Courts	1101
..... <i>George K. Walker</i>	

MAIL FRAUD	502
------------------	-----

MEDICINE & LAW

Availability of Medicaid Funded Abortions	446
Constitutionally Adequate Safeguards in Commitment Proceedings	437
Virginia's Medical Malpractice Act: A Constitutional Analysis ..	1192

MOTOR VEHICLES

Search and Seizure: The Automobile Exception to the Warrant Requirement	516
The Constitutionality of the Virginia Motor Vehicle Franchise Act	458

PAROLE

Conspiracies: Sufficiency of Proof and the Validity of Special Parole Terms	577
---	-----

PATENT & COPYRIGHT LAW

Combination Patents and Synergism: Must 2 + 2 = 5?	1206
Home Videorecording and Copyright Law: The Betamax Case ..	1277
The Patentability of Living Matter: Hey Waiter, What's Chakrabarty's <i>Pseudomonas</i> Bacterium Doing Back in the Supreme Court's Soup?	183

PHILOSOPHY & LAW

Foreword: The Impact of Judicial Decision-Making	<i>H. Emory Widener</i> 373
Partners in a Process: The Academy and the Courts	<i>Wade H. McCree, Jr.</i> 1041

PLEA BARGAINING	553
-----------------------	-----

POLICE PROCEDURES

Federal Nexus in Electronic Surveillance	568
Police Power, Takings, and Due Process .. <i>William B. Stoebuck</i>	1057
Search and Seizure	510
Third Party Consent to Search and Seizure	512
The Automobile Exception to the Warrant Requirement ...	516
The Extended Border Search Doctrine	521
Standing to Contest Warrantless Searches and Seizures ...	526
What is an Interrogation?	587

POLITICS (see GOVERNMENT SERVICE)

PRISONERS' RIGHTS	532
-------------------------	-----

PROFESSIONAL RESPONSIBILITY

The Free Speech-Fair Trial Controversy: DR 7-107	219
--	-----

Outside the Courtroom: Conflicts of Interests in Nonlitigious Situations	161
Standards of Disqualification for Federal Trade Commissioners in "Hybrid" Proceedings: <i>Association of National Advertisers v. FTC</i>	1359
"Sweetheart" Arrangements Between Lenders and Their Title Lawyers—Are They Really?	
<i>Andrew L. Blair & W. Henry Jernigan, Jr.</i>	343

PROPERTY

The Constitutionality of Real Estate Attachments	701
Installment Land Contracts: Developing Law in Virginia	1161

PUBLIC SERVICE (see GOVERNMENT SERVICE)

SCIENCE, TECHNOLOGY & LAW (see PATENT & COPYRIGHT LAW)

SECURITIES LAW

Conflicts of Interest: The Chinese Wall and Bank Financing of Hostile Tender Offers	953
Freezeout Merger Regulation: An SEC Rule Joins State Efforts .	964
A Guide to the Investigative and Enforcement Provisions of the Uniform Securities Act	
<i>Joseph C. Long</i>	739
Implied Private Rights of Action and the Federal Securities Laws: A Historical Perspective	
<i>John A. Maher</i>	783

Rule 10b-5: The Circuits Debate the Exclusivity of Remedies, the Purchaser-Seller Requirement, and Constructive Deception ...	877
Section 17(a) of the '33 Act: Defining the Scope of Antifraud Protection	859
Tender Offers: Standing to Sue, Prohibited Practices, Reliance of Non-Tenderer	930
Toward the Uncertificated Security: A Congressional Lead for States to Follow	
<i>Egon Guttman</i>	717
What is a Tender Offer?	908

TAX

Deductibility of Lease Payments Allocated to Reserve Account .	685
Good Faith Purpose for Issuing Summons	692

TORTS

The Loneliness of the Long Distance Statute, The Alien Tort Claims Act, 28 U.S.C. § 1350 ..	1263
Negligent Infliction of Emotional Distress: Keeping <i>Dillon</i> in Bounds	1235

WOMEN'S RIGHTS

Availability of Medicaid Funded Abortions	446
Employee Pregnancies	620

WORKERS COMPENSATION . 464