



1993

Indices to Volume 81

Kentucky Law Journal

Follow this and additional works at: <https://uknowledge.uky.edu/klj>

Right click to open a feedback form in a new tab to let us know how this document benefits you.

Recommended Citation

Kentucky Law Journal (1993) "Indices to Volume 81," *Kentucky Law Journal*: Vol. 81 : Iss. 4 , Article 15.

Available at: <https://uknowledge.uky.edu/klj/vol81/iss4/15>

This Table of Contents is brought to you for free and open access by the Law Journals at UKnowledge. It has been accepted for inclusion in Kentucky Law Journal by an authorized editor of UKnowledge. For more information, please contact UKnowledge@lsv.uky.edu.

INDEX TO VOLUME 81

KENTUCKY LAW JOURNAL

AUTHOR INDEX*

ADLER, PETER S.

- State Offices of Mediation: Thoughts on
the Evolution of a National Network 1013

AIKEN, JANE HARRIS

- Ex Post Facto in the Civil Context:
Unbridled Punishment 323

ANDERSON, SETH C. and Donald Arthur Winslow

- Defining Suitability 105

ANDERSON, SETH C. and Donald Arthur Winslow

- From "Shoeless" Joe Jackson to Ivan Boesky:
A Sporting Response to Law and Economics
Criticism of the Regulation of Insider
Trading 295

BEGLEITER, MARTIN D.

- Estate Planing in the Nineties: Friday
the Thirteenth, Chapter 14: Jason
Goes to Washington—Part I 535

*BOEH, CAROLINE E.

- Cipollone v. Liggett Group, Inc.*: One
Step Closer to Exterminating the
FIFRA Preemption Controversy 749

BRENNER, SUSAN W.

- Civil Complicity: Using the *Pinkerton*
Doctrine to Impose Vicarious
Liability in Civil RICO Actions 369

CAMPBELL, RUTHEFORD B

- Tribute to Donald A. Winslow 285

CHRISTIAN, THOMAS F.

- Running Statewide Dispute Resolution
Programs—The New York Experience 1093

COCHRAN, ROBERT F., JR.

- Dangerous Products and Injured
Bystanders 687

* Indicates student work.

ETHERIDGE, JACK P.

- Establishing a Joint State Bar Association
and Supreme Court Commission on Alternative
Dispute Resolution 1085

FN'PIERE, PATRICK and Linda Work

- On the Growth and Development of
Dispute Resolution 959

*FRANCK, DOUGLAS C.

- Construction Lending: The Mortgagee's
Right to Inspect the Construction
Project and Duty to Ensure Proper
Disbursement of Construction Loan
Proceeds 511

GRAHAM, LOUISE EVERETT

- Implementing Custody Mediation in Family
Court: Some Comments on the Jefferson
County Family Court Experience 1107

GRAHAM, LOUISE EVERETT

- Starting Down the Road to Reform:
Kentucky's New Long-Arm Statute
for Family Obligations 585

GROVER, SUSAN S.

- The Employer's Fetal Injury Quandary
After *Johnson Controls* 639

HALBLEIB, W. THOMAS, JR. and Susan Stockton

- Tribute to Donald A. Winslow 289

*KENKEL, KENNETH R.

- Arizona v. Fulminante*: Where's the Harm
in Harmless Error? 257

*KLEINE-KRACHT, THERESA A.

- Resolving Statutory Ambiguity with a
Split Scienier Approach: The Second
Circuit's Approach to the Federal Mail
Order Drug Paraphernalia Act 779

LEWIS, THOMAS P.

- Commonwealth v. Wasson*: Invalidating
Kentucky's Sodomy Statute 423

*MATTINGLY, BRYAN

- Indopco, Inc. v. Commissioner*: Will
the IRS Use a Nebulous Supreme Court
Decision to Capitalize on
Unsuspecting Taxpayers? 801

- *McCARTHY, MICHELE MEYER**
 Admissibility of Expert Testimony on
 Child Sexual Abuse Accomodation
 Syndrome in Kentucky 727
- MEHLING, CHRISOTPHER J. and Donald Stepner**
 Court-Annexed Arbitration—The Northern
 Kentucky Experience 1155
- MORGAN, PARTICIA**
 Tribute to Donald A. Winslow 287
- *NIEMEYER, JONATHAN D.**
 All in the Family: Interspousal and Parental
 Wiretapping Under Title III of the Omnibus
 Crime Act 237
- PAQUIN, GARY W.**
 The Development and Organization of
 Domestic Relations Mediation in a
 Multi-Function Mediation Center in
 Kentucky 1133
- PRESS, SHARON**
 Building and Maintaining a Statewide
 Mediation Program: A View from the
 Field 1029
- PRIMM, EDITH B.**
 The Neighborhood Justice Center
 Movement 1067
- ROACH, JOHN C.**
 Rule of Men 483
- RONEN, JOSHUA, Kenneth A. Sagat and Andrew R. Simmonds**
 Dealing with Anomalies, Confusion and
 Contradiction in Fraud on the Market
 Securities Class Actions 123
- SAGAT, KENNETH A., Andrew R. Simmonds and Joshua Ronen**
 Dealing with Anomalies, Confusion and
 Contradiction in Fraud on the Market
 Securities Class Actions 123
- SIMMONDS, ANDREW R., Joshua Ronen and Kenneth A. Sagat**
 Dealing with Anomalies, Confusion and
 Contradiction in Fraud on the Market
 Securities Class Actions 123
- SINGER, LINDA R.**
 Symposium on Emeriging Alternative Dispute
 Resolution Systems—Foreword 853

SMITH, CHRISTOPHER E.	
Justice Antonin Scalia and Criminal Justice Cases	187
STEPNER, DONALD and Christopher J. Mehling	
Court-Annexed Arbitration—The Northern Kentucky Experience	1155
STIPANOWICH, THOMAS J.	
The Quiet Revolution Comes to Kentucky: A Case Study in Community Mediation	855
STOCKTON, SUSAN and W. Thomas Halbleib, Jr.	
Tribute to Donald A. Winslow	289
STULBERG, JOSEPH B.	
Training Interveners for ADR Processes	977
*TURNER, SANDRA L.	
Would I Lie to You? The Sixth Circuit Joins the “Exculpatory No” Controversy in <i>United States v. Steele</i>	213
TUTTLE, ELBERT P.	
Tribute to Donald A. Winslow	281
UNDERWOOD, RICHARD W.	
Part-Time Prosecutors and Conflicts of Interest: A Survey and Some Proposals	1
*WETZEL, B. TODD	
Divisibility of Harm Under CERCLA: Does an Indivisible Potential or Averted Harm Warrant the Imposition of Joint and Several Liability?	825
WIEGAND, SHIRLEY A. and Sara Farr	
Part of the Moving Stream: State Constitutional Law, Sodomy, and Beyond	449
WIER, ROBERT E.	
Tribute to Donald A. Winslow	293
WINSLOW, DONALD ARTHUR and Seth C. Anderson	
Defining Suitability	105
WINSLOW, DONALD ARTHUR and Seth C. Anderson	
From “Shoeless” Joe Jackson to Ivan Boesky: A Sporting Response to Law and Economics Criticism of the Regulation of Insider Trading	295

WORK, LINDA and Patrick Fn'Piere On the Growth and Development of Dispute Resolution	959
ZERHUSEN, KAREN A. Reflections on the Role of the Neutral Lawyer: The Lawyer as Mediator	1165

SUBJECT INDEX

ALTERNATIVE DISPUTE RESOLUTION

Building and Maintaining a Statewide Mediation Program: A View from the Field Sharon Press	1029
Court-Annexed Arbitration--The Northern Kentucky Experience Christopher J. Mehling and Donald Stepner	1155
The Development and Organization of Domestic Relations Mediation in a Multi-Function Mediation Center in Kentucky Gary W. Paquin	1133
Establishing a Joint State Bar Association and Supreme Court Commission on Alternative Dispute Resolution Jack P. Etheridge	1085
Implementing Custody Mediation in Family Court: Some Comments on the Jefferson County Family Court Experience Louise Everett Graham	1107
The Neighborhood Justice Center Movement Edith B. Primm	1067
On the Growth and Development of Dispute Resolution Patrick Fn'Piere and Linda Work	959

The Quiet Revolution Comes to Kentucky: A Case Study in Community Mediation Thomas J. Stipanowich	855
Reflections on the Role of the Neutral Lawyer: The Lawyer as Mediator Karen A. Zerhusen	1165
Running Statewide Dispute Resolution Programs—The New York Experience Thomas F. Christian	1093
State Offices of Mediation: Thoughts on the Evolution of a National Network Peter S. Adler	1013
Symposium on Emerging Alternative Dispute Resolution Systems— Foreword Linda R. Singer	853
Training Intervenors for ADR Processes Joseph B. Stulberg	977
CIVIL PROCEDURE	
Starting Down the Road to Reform: Kentucky's New Long-Arm Statute for Family Obligations Louise Everett Graham	585
CIVIL RIGHTS	
The Employer's Fetal Injury Quandary After <i>Johnson Controls</i> Susan S. Grover	639
CONFLICT OF INTEREST	
Part-Time Prosecutors and Conflicts of Interest: A Survey and Some Proposals Richard H. Underwood	1
CONFRONTATION CLAUSE	
Justice Antonin Scalia and Criminal Justice Cases Christopher E. Smith	187

CONSPIRACY

- Civil Complicity: Using the *Pinkerton*
 Doctrine to Impose Vicarious
 Liability in Civil RICO Actions
 Susan W. Brenner 369

CONSTITUTIONAL LAW

- Arizona v. Fulminante*: Where's
 the Harm in Harmless Error
 Kenneth R. Kenkel 257
- Ex Post Facto in the Civil Context:
 Unbridled Punishment
 Jane Harris Aiken 323
- Justice Antonin Scalia and Criminal
 Justice Cases
 Christopher E. Smith 187
- Rule of Men
 John C. Roach 483

CONSTRUCTION LAW

- Construction Lending: The
 Mortgagee's Right to Inspect
 the Construction Project and
 Duty to Ensure Proper Disbursement
 of Construction Loan Proceeds
 Douglas C. Franck 511

CONTRACTS

- Construction Lending: The
 Mortgagee's Right to Inspect
 the Construction Project and
 Duty to Ensure Proper Disbursement
 of Construction Loan Proceeds
 Douglas C. Franck 511

CORPORATIONS

- Dealing with Anomalies, Confusion
 and Contradiction in Fraud on
 the Market Securities Class Actions
 Kenneth A. Sagat, Andrew R. Simmonds,
 and Joshua Ronen 123
- Defining Suitability
 Seth C. Anderson and
 Donald Arthur Winslow 105

Estate Planning in the Nineties:

- Friday the Thirteenth, Chapter 14:
Jason Goes to Washington—Part I
Martin D. Begleiter 535

From "Shoeless" Joe Jackson to

- Ivan Boesky: A Sporting Response
to Law and Economics Criticism of
the Regulation of Insider Trading
Seth C. Anderson and
Donald Arthur Winslow 295

Indopco, Inc. v. Commissioner: Will
the IRS Use a Nebulous Supreme
Court Decision to Capitalize on
Unsuspecting Taxpayers

- Bryan Mattingly 801

CRIMINAL LAW

Admissibility of Expert Testimony on
Child Sexual Abuse Accomodation
Syndrome in Kentucky

- Michele Meyer McCarthy 727

All in the Family: Interspousal and
Parental Wiretapping Under Title
III of the Omnibus Crime Act

- Jonathan D. Niemeyer 237

Arizona v. Fulminante: Where's
the Harm in Harmless Error

- Kenneth R. Kenkel 257

Civil Complicity: Using the *Pinkerton*
Doctrine to Impose Vicarious
Liability in Civil RICO Actions

- Susan W. Brenner 369

Ex Post Facto in the Civil Context:
Unbridled Punishment

- Jane Harris Aiken 323

Justice Antonin Scalia and Criminal
Justice Cases

- Christopher E. Smith 187

Resolving Statutory Ambiguity with
a Split Scierter Approach: The
Second Circuit's Approach to the
Federal Mail Order Drug
Paraphernalia Act

- Theresa A. Kleine-Kracht 779

DRUGS AND NARCOTICS

- Resolving Statutory Ambiguity with
a Split Scierter Approach: The
Second Circuit's Approach to the
Federal Mail Order Drug
Paraphernalia Act
Theresa A. Kleine-Kracht 779

ELECTRONIC SURVEILLANCE

- All in the Family: Interspousal and
Parental Wiretapping Under Title
III of the Omnibus Crime Act
Jonathan D. Niemeyer 237

EMPLOYERS' LIABILITY

- The Employer's Fetal Injury Quandary
After *Johnson Controls*
Susan S. Grover 639

ENVIRONMENTAL LAW

- Divisibility of Harm Under CERCLA:
Does an Indivisible Potential or
Averted Harm Warrant the
Imposition of Joint and Several
Liability
B. Todd Wetzel 825

EQUAL PROTECTION

- Commonwealth v. Wasson*: Invalidating
Kentucky's Sodomy Statute—Introduction
Thomas P. Lewis 423
- Part of the Moving Stream: State
Constitutional Law, Sodomy,
and Beyond
Sara Farr and Shirley A. Wiegand 449

ESTATES IN PROPERTY

- Estate Planning in the Nineties:
Friday the Thirteenth, Chapter 14:
Jason Goes to Washington—Part I
Martin D. Begleiter 535

EVIDENCE

- Admissibility of Expert Testimony on
Child Sexual Abuse Accomodation
Syndrome in Kentucky
Michele Meyer McCarthy 727

EX POST FACTO CLAUSE

Ex Post Facto in the Civil Context:

Unbridled Punishment

Jane Harris Aiken 323

EXCULPATORY NO DOCTRINE

Would I Lie to You? The Sixth

Circuit Joins the "Exculpatory No"

Controversy in *United States v.*

Steele

Sandra L. Turner 213

FAMILY LAW

Implementing Custody Mediation in

Family Court: Some Comments

on the Jefferson County Family

Court Experience

Louise Everett Graham 1107

Starting Down the Road to Reform:

Kentucky's New Long-Arm Statute

for Family Obligations

Louise Everett Graham 585

FEDERALISM

The Employer's Fetal Injury Quandary

After *Johnson Controls*

Susan S. Grover 639

Part of the Moving Stream: State

Constitutional Law, Sodomy,

and Beyond

Sara Farr and Shirley A. Wiegand 449

Rule of Men

John C. Roach 483

FIFTH AMENDMENT

Arizona v. Fulminante: Where's

the Harm in Harmless Error

Kenneth R. Kenkel 257

Would I Lie to You? The Sixth

Circuit Joins the "Exculpatory No"

Controversy in *United States v.*

Steele

Sandra L. Turner 213

FORFEITURE

Ex Post Facto in the Civil Context:

Unbridled Punishment

Jane Harris Aiken 323

FOURTH AMENDMENT

- All in the Family: Interspousal and
Parental Wiretapping Under Title
III of the Omnibus Crime Act
Jonathan D. Niemeyer 237
- Justice Antonin Scalia and Criminal
Justice Cases
Christopher E. Smith 187

FRAUD ON THE MARKET

- Dealing with Anomalies, Confusion
and Contradiction in Fraud on
the Market Securities Class Actions
Kenneth A. Sagat, Andrew R. Simmonds,
and Joshua Ronen 123

HARMLESS CONSTITUTIONAL ERROR

- Arizona v. Fulminante*: Where's
the Harm in Harmless Error
Kenneth R. Kenkel 257

IMMUNITY

- All in the Family: Interspousal and
Parental Wiretapping Under Title
III of the Omnibus Crime Act
Jonathan D. Niemeyer 237

JUDICIAL REVIEW

- Resolving Statutory Ambiguity with
a Split Scierter Approach: The
Second Circuit's Approach to the
Federal Mail Order Drug
Paraphernalia Act
Theresa A. Kleine-Kracht 779

JURISDICTION

- Starting Down the Road to Reform:
Kentucky's New Long-Arm Statute
for Family Obligations
Louise Everett Graham 585

JURISPRUDENCE

- Indopco, Inc. v. Commissioner*: Will
the IRS Use a Nebulous Supreme
Court Decision to Capitalize on
Unsuspecting Taxpayers
Bryan Mattingly 801

Resolving Statutory Ambiguity with a Split Scierter Approach: The Second Circuit's Approach to the Federal Mail Order Drug Paraphernalia Act Theresa A. Kleine-Kracht	779
KENTUCKY CONSTITUTIONAL LAW	
<i>Commonwealth v. Wasson</i> : Invalidating Kentucky's Sodomy Statute—Introduction Thomas P. Lewis	423
Part of the Moving Stream: State Constitutional Law, Sodomy, and Beyond Sara Farr and Shirley A. Wiegand	449
Rule of Men John C. Roach	483
MORTGAGES	
Construction Lending: The Mortgagee's Right to Inspect the Construction Project and Duty to Ensure Proper Disbursement of Construction Loan Proceeds Douglas C. Franck	511
PREEMPTION	
<i>Cipollone v. Liggett Group, Inc.</i> : One Step Closer to Exterminating the FIFRA Preemption Controversy Caroline E. Boeh	749
The Employer's Fetal Injury Quandary After <i>Johnson Controls</i> Susan S. Grover	639
PREGNANCY DISCRIMINATION ACT	
The Employer's Fetal Injury Quandary After <i>Johnson Controls</i> Susan S. Grover	639
PRIVACY, RIGHT TO	
Part of the Moving Stream: State Constitutional Law, Sodomy, and Beyond Sara Farr and Shirley A. Wiegand	449
Rule of Men John C. Roach	483

PRODUCTS LIABILITY

Dangerous Products and Injured

Bystanders

Robert F. Cochran, Jr. 687

PROFESSIONAL ETHICS

Part-Time Prosecutors and Conflicts of

Interest: A Survey and Some

Proposals

Richard H. Underwood 1

Reflections on the Role of the

Neutral Lawyer: The Lawyer

as Mediator

Karen A. Zerhusen 1165

RACKETEER INFLUENCED AND CORRUPT

ORGANIZATIONS

Civil Complicity: Using the *Pinkerton*

Doctrine to Impose Vicarious

Liability in Civil RICO Actions

Susan W. Brenner 369

SECURED TRANSACTIONS

Indopco, Inc. v. Commissioner: Will
the IRS Use a Nebulous Supreme
Court Decision to Capitalize on
Unsuspecting Taxpayers

Bryan Mattingly 801

SECURITIES REGULATION

Dealing with Anomalies, Confusion
and Contradiction in Fraud on
the Market Securities Class Actions

Kenneth A. Sagat, Andrew R. Simmonds,
and Joshua Ronen 123

Defining Suitability

Seth C. Anderson and
Donald Arthur Winslow 105

From "Shoeless" Joe Jackson to

Ivan Boesky: A Sporting Response
to Law and Economics Criticism of
the Regulation of Insider Trading

Seth C. Anderson and
Donald Arthur Winslow 295

SEPARATION OF POWERS

Justice Antonin Scalia and Criminal

Justice Cases

Christopher E. Smith 187

Would I Lie to You? The Sixth

Circuit Joins the "Exculpatory No"

Controversy in *United States v.**Steele*

Sandra L. Turner 213

SOCIAL SECURITY LAW

Ex Post Facto in the Civil Context:

Unbridled Punishment

Jane Harris Aiken 323

STATE CONSTITUTIONAL LAW

Commonwealth v. Wasson: Invalidating

Kentucky's Sodomy Statute—Introduction

Thomas P. Lewis 423

Part of the Moving Stream: State

Constitutional Law, Sodomy,

and Beyond

Sara Farr and Shirley A. Wiegand 449

STRICT LIABILITY

Dangerous Products and Injured

Bystanders

Robert F. Cochran, Jr. 687

SUPREMACY CLAUSE

Cipollone v. Liggett Group, Inc.:

One Step Closer to Exterminating

the FIFRA Preemption Controversy

Caroline E. Boeh 749

TAXATION

Estate Planning in the Nineties:

Friday the Thirteenth, Chapter 14:

Jason Goes to Washington—Part I

Martin D. Begleiter 535

Indopco, Inc. v. Commissioner: Will

the IRS Use a Nebulous Supreme

Court Decision to Capitalize on

Unsuspecting Taxpayers

Bryan Mattingly 801

TORTS

Cipollone v. Liggett Group, Inc.:

- One Step Closer to Exterminating
the FIFRA Preemption Controversy
Caroline E. Boeh 749

Dangerous Products and Injured

- Bystanders
Robert F. Cochran, Jr. 687

Divisibility of Harm Under CERCLA:

- Does an Indivisible Potential or
Averted Harm Warrant the
Imposition of Joint and Several
Liability
B. Todd Wetzel 825

The Employer's Fetal Injury Quandary
After *Johnson Controls*

- Susan S. Grover 639

VICARIOUS LIABILITY

Civil Complicity: Using the *Pinkerton*

- Doctrine to Impose Vicarious
Liability in Civil RICO Actions
Susan W. Brenner 369

WARRANTY LAW

Dangerous Products and Injured

- Bystanders
Robert F. Cochran, Jr. 687

TABLE OF CASES

- A & F Materials Co., United States v.,
578 F. Supp. 1249 (S.D. Ill. 1984) 842-43
- Alcan Aluminum Corp., United States v.,
964 F.2d 252 (3d Cir. 1992) 844
- American Soc'y of Mechanical Engineers, Inc.,
v. Hydrolevel Corp., 456 U.S. 556 (1982) 389-90, 394
- Anonymous v. Anonymous, 558 F.2d 677
(2d Cir. 1977) 237-38, 245-46
- In re Apple Computer Sec. Litig.*, 886 F.2d 1109
(9th Cir. 1989), *cert. denied*, 496 U.S. 943
(1990) 167
- Arizona v. Fulminante, 111 S. Ct. 1246 (1991) 208, 257-58
260, 271

Arkansas-Platte & Gulf Partnership v. Van Waters & Rogers, Inc., 959 F.2d 158 (10th Cir.), <i>vacated and remanded sub nom.</i> Arkansas-Platte & Gulf Partnership v. Dow Chem. Co., 113 S. Ct. 314 (1992), <i>aff'd sub nom.</i> , Arkansas-Platte & Gulf Partnership v. Van Waters & Rogers, 981 F.2d 1177 (10th Cir. 1993)	751, 758-62, 775, 777
Armetta v. Clevetrust Realty Investors, 359 So.2d 540 (Fla. Dist. Ct. App. 1978)	522
State <i>ex rel.</i> Bailey v. Facemire, 413 S.E.2d 190 (W. Va. 1991)	65
Baker v. Wade, 774 F.2d 1285 (5th Cir. 1985), <i>cert. denied</i> , 478 U.S. 1022 (1986)	509
Basham, State v., 170 N.W.2d 238 (S.D. 1969)	82
Basic Inc. v. Levinson, 485 U.S. 224 (1988)	123-79
Bateman, State v., 547 P.2d 6 (Ariz.), <i>cert. denied</i> , 429 U.S. 864 (1976)	492
Beasley v. Beasley, 396 S.E.2d 222 (Ga. 1990)	616
Bedore, United States v., 455 F.2d 1109 (9th Cir. 1972)	224-25
Blackie v. Barrack, 524 F.2d 891 (9th Cir. 1975)	157
Blue Cross & Blue Shield of Kentucky v. Baxter, 713 S.W.2d 478 (Ky. Ct. App. 1986)	496
Bonadio, Commonwealth v., 415 A.2d 47 (Pa. 1980)	488
Bowers v. Hardwick, 478 U.S. 186 (1986)	435, 444, 452, 456, 458, 463-64, 470, 478, 481, 483, 486, 508
Bram v. United States, 168 U.S. 532 (1897)	260-61, 266
Bramblett, United States v., 348 U.S. 503 (1955)	216-18
Briarcliff Candy Corp. v. Comm'r, 475 F.2d 775 (2d Cir. 1973)	811, 819, 823
<i>In re</i> Brodeur, 479 N.E.2d 57 (Ind. 1985)	17-18
Brown v. Bd. of Educ., 347 U.S. 483 (1954)	426
Brown v. Commonwealth, 639 S.W.2d 758 (Ky. 1982), <i>cert. denied</i> , 460 U.S. 1037 (1983)	741
Brown v. Mississippi, 297 U.S. 278 (1936)	262
Brunswick Corp. v. E.A. Doyle Mfg. Co., 770 F. Supp. 1351 (E.D. Wis. 1991)	400
Burgess v. Salmon, 97 U.S. (7 Otto) 381 (1878)	338
Burke, Commonwealth v., 481 S.W.2d 52 (Ky. 1972)	465
Burnham v. Superior Court, 495 U.S. 604 (1990)	625

- Bush, United States v., 503 F.2d 813 (5th Cir. 1974),
reh'g denied, 511 F.2d 1902 (1975) 223-24, 232
- Bussey v. Commonwealth, 697 S.W.2d 139 (Ky. 1985) 738-39
- Butts v. Atlanta Fed. Sav. & Loan Ass'n, 262
 S.E.2d 230 (Ga. Ct. App. 1979) 511
- Cady, Roberts & Co., 40 S.E.C. 907 (1961) 302
- Calder v. Bull, 3 U.S. (3 Dall.) 386 (1798) 327-28, 333-34
- California Fed. Sav. & Loan Ass'n v. Guerra,
 479 U.S. 272 (1987) 657-58, 667
- Campbell, Commonwealth v., 117 S.W. 383 (1909) 430-31, 433, 459,
 472, 474, 501, 507
- Capital Traction v. Hof, 174 U.S. 1 (1899) 883
- Capo, United States v., 791 F.2d 1054
 (2d Cir. 1986) 229
- Carpenter v. Pennsylvania, 58 U.S. (17 How.)
 456 (1854) 334-35
- Cent. Texas Sav. & Loan Ass'n v. United States,
 731 F.2d 1181 (5th Cir. 1984) 811
- Chapman v. California, 386 U.S. 18 (1967) 266, 268, 273, 276
- Chem-Dyne Corp., United States v., 572
 F. Supp. 802 (S.D. Ohio 1983) 839-40
- Chemical Specialties Mfrs. Ass'n v. Allenby,
 958 F.2d 941 (9th Cir.), *cert. denied*,
 113 S. Ct. 80 (1992) 750, 771
- Chiarella v. United States, 445 U.S. 222 (1980) 304-05
- Cipollone v. Liggett Group, Inc., 112 S. Ct.
 2608 (1992) 751-52,
 763, 767-77
- Cogdell, United States v., 844 F.2d 179
 (4th Cir. 1988) 227
- Cole v. Commonwealth, 553 S.W.2d 468 (Ky. 1977) 69
- Comm'r v. Lincoln Sav. & Loan Ass'n, 403 U.S. 345
 (1971) 808, 810-14, 819, 823
- Connor v. Great Western Sav. & Loan Ass'n,
 447 P.2d 609 (Cal. 1968) 522
- Coy v. Iowa, 487 U.S. 1012 (1988) 201
- Crossen v. Commonwealth, 344 F. Supp. 587
 (E.D. Ky. 1972) 500
- Crum v. AVCO Fin. Servs., 552 N.E.2d 823
 (Ind. Ct. App. 1990) 513, 526
- Cruz v. New York, 481 U.S. 186 (1987) 201
- Culombe v. Connecticut, 367 U.S. 568 (1961) 264-65, 272

Cummings v. Missouri, 71 U.S. (4 Wall.) 277 (1866)	338-39, 341, 356
D.K.G. Apaloosas, Inc., 829 F.2d 532 (5th Cir. 1987), <i>cert. denied</i> , 485 U.S. 976 (1988)	324
Daniels v. Big Horn Fed. Sav. & Loan Ass'n, 604 P.2d 1046 (Wyo. 1980)	524-25
Davey, United States v., 155 F. Supp. 175 (S.D.N.Y. 1957)	221
Davis v. Nevada Nat'l Bank, 737 P.2d 503 (Nev. 1987)	525-26, 529
Delta Airlines, Inc. v. Commonwealth, 689 S.W.2d 14 (Ky. 1985)	438, 477
DeVeau v. Braisted, 363 U.S. 144 (1960)	336
Diaz v. Pan American Airways, 492 F.2d 385 (5th Cir.), <i>cert. denied</i> , 404 U.S. 950 (1971)	679-80
Dirks v. S.E.C., 463 U.S. 646 (1983)	304
Dothard v. Rawlinson, 433 U.S. 321 (1977)	681-83
Dunkle, Commonwealth v., 602 A.2d 830 (Pa. 1992)	747
Dunson v. Stockton, Whatley, Davin & Co., 346 So.2d 603 (Fla. Ct. App. 1977)	522
Dyer v. Commonwealth, 816 S.W.2d 647 (Ky. 1991)	742
Dyer, United States v., 750 F. Supp. 1278 (E.D. Va. 1990)	785-87, 793, 795
Egbert v. Egbert, 309 A.2d 746 (N.J. Super. Ct. Ch. Div. 1973)	602
Elmore v. American Motors Corp., 451 P.2d 84 (Cal. 1969)	688
Equihua-Juarez, United States v., 851 F.2d 1222 (9th Cir. 1988)	226
Estate of Salsbury, 34 T.C.M. (CCH) 1441 (1975)	539
Estin v. Estin, 334 U.S. 541 (1948)	597, 601
Fahy, State v., 183 A.2d 256 (Conn. 1962), <i>rev'd</i> , 375 U.S. 85 (1963)	267
Fannin v. Williams, 655 S.W.2d 480 (Ky. 1983)	473
<i>In re</i> Federated Dep't Stores, Inc., 135 Bankr. 950 (Bankr. S.D. Ohio 1992)	818
Feminist Women's Health Center v. Roberts, No. C86-1612, 1989 WL 56017 (W.D. Wash. May 5, 1989)	398
Ferebee v. Chevron Chemical Co., 736 F.2d 1529 (D.C. Cir.), <i>cert. denied</i> , 469 U.S. 1062 (1984)	751, 754, 756, 760-61, 775

- 57,261 Items of Drug Paraphernalia, United States v., 869 F.2d 955 (6th Cir.), *cert. denied*, 493 U.S. 933 (1989) 789, 798
- Fitzgibbon, United States v., 619 F.2d 874 (10th Cir. 1980) 229
- Flemmin v. Nestor, 363 U.S. 603 (1960) 342-46, 356-59
- Foster-Milburn Co. v. Chinn, 120 S.W.2d 364 (Ky. 1909) 461
- Frye v. United States, 293 F. 1013 (D.C. Cir. 1923) 734-35, 740-42, 744-45
- Frymire v. Peat, Marwick, Mitchell & Co., 657 F. Supp. 889 (N.D. Ill. 1987) 399-400
- Fulminante, State v., 778 P.2d 602 (Ariz. 1988) 258-59
- Fultz v. Gilliam, 942 F.2d 396 (6th Cir. 1991) 237-38
- Gaines v. O'Connell, 204 S.W.2d 425 (Ky. 1947) 494
- Ganger v. Peyton, 379 F.2d 709 (4th Cir. 1967) 73
- Garbish v. Malvern Fed. Sav. & Loan Ass'n, 517 A.2d 547 (Pa. Super. Ct. 1986) 511, 528
- Gentry v. Resolution Trust Corp., 937 F.2d 899 (3d Cir. 1991) 395
- Gideon v. Wainwright, 372 U.S. 335 (1963) 269
- Gilliland, United States v., 312 U.S. 86 (1941) 217
- Giordano, United States v., 416 U.S. 505 (1974) 240
- Goldfine, United States v., 538 F.2d 815 (9th Cir. 1976) 232, 234
- Goodner v. Lawson, 232 S.W.2d 587 (Tenn. Ct. App. 1950) 516
- Green v. Occidental Petroleum, 541 F.2d 1335 (9th Cir. 1976) 151
- Greenman v. Yuba Power Prods, Inc., 377 P.2d 897 (Cal. 1963) 706
- Griffin v. California, 380 U.S. 609 (1965) 268
- Griswold v. Connecticut, 381 U.S. 479 (1965) 461
- Hajecate, United States v., 683 F.2d 894 (5th Cir. 1982), *cert. denied*, 461 U.S. 929 (1983) 222-23
- Harmelin v. Michigan, 111 S. Ct. 2680 (1991) 208
- Harrison v. Dean Witter Reynolds, Inc., 715 F. Supp. 1425 (N.D. Ill. 1989) 393-94
- Harrod v. Meigs, 340 S.W.2d 601 (Ky. 1960) 495
- Hawker v. New York, 170 U.S. 189 (1898) 340-41
- Hayes v. Shelby Memorial Hosp., 726 F.2d 1543 (11th Cir. 1984) 646, 649

Henningson V. Bloomfield Motors, Inc., 161 A.2d 69 (N.J. 1960)	690
Henry v. First Fed. Sav. & Loan Ass'n, 459 A.2d 772 (Pa. Super. Ct. 1983)	520-21
Hershberg v. City of Barboursville, 133 S.W. 985 (Ky. 1911)	461
Hester v. Commonwealth, 734 S.W.2d 457 (Ky.), <i>cert. denied</i> , 484 U.S. 989 (1987)	739-40, 744
Hewelette v. George, 9 So. 885 (Miss. 1891)	249
High Tech Gays v. Defense Indus, Sec. Clearance Office, 895 F.2d 563 (9th Cir. 1990)	463
Hiss v. Hampton, 338 F. Supp. 1141 (D.D.C. 1972)	355
Indopco, Inc. v. Comm'r, 112 S. Ct. 1039 (1991)	801-02, 811-12, 814-24
Int'l Paper Co. v. Ouellette, 479 U.S. 481 (1987)	756
Int'l Union, U.A.W. v. Johnson Controls, Inc., 111 S. Ct. 1196 (1991)	640-46, 650-51, 659, 661, 670-71, 673, 676, 678-79, 681-86
Jones, United States v., 542 F.2d 661 (6th Cir. 1976)	238-39, 241-42, 247, 249-55
Katz v. United States, 389 U.S. 347 (1967)	242
Kempf v. Kempf, 868 F.2d 970 (8th Cir. 1989)	238-39, 253
Kennedy v. Mendoza-Martinez, 372 U.S. 144 (1962)	345-47
Kentucky Bar Ass'n v. Lovelace, 36 KY. L. SUMMARY at 7, (June 29, 1989), <i>withdrawn</i> , Kentucky Bar Ass'n v. Lovelace, 778 S.W.2d 651 (Ky. 1989)	75, 77, 100
Kentucky Bar Ass'n v. Marcum, 830 S.W.2d 389 (Ky. 1992)	77
Kim, State v., 645 P.2d 1330 (Haw. 1982)	735
King, United States v., 613 F.2d 670 (7th Cir. 1980)	229
Kratz v. Kratz, 477 F. Supp. 463 (E.D. Pa. 1979)	238, 241, 247
Kulko v. Superior Court, 436 U.S. 84 (1978)	604
Lanham v. Lanham, 188 S.W.2d 439 (Ky. 1945)	595
Lantrip v. Commonwealth, 713 S.W.2d 816 (Ky. 1986)	739
Laterza v. American Broadcasting Co., 581 F. Supp. 408 (S.D.N.Y. 1984)	399
Lefkovitz v. Lefkovitz, 341 So.2d 253 (Fla. Dist. Ct. 1976)	613

Legislative Research Comm'n v. Brown, 664 S.W.2d 907 (Ky. 1984)	494
Levin, United States v., 133 F. Supp. 88 (D. Colo. 1956)	221
Lewis v. Commonwealth, 247 S.W. 749 (Ky. 1923)	460
Light v. Equitable Mortgage Resources, Inc., 383 S.E.2d 142 (Ga. Ct. App. 1989)	521
Los Angeles Dep't of Water and Power v. Manhart, 435 U.S. 702 (1978)	681-83
Lovett, United States v., 328 U.S. 303 (1946)	348
Loving v. Virginia, 388 U.S. 1 (1967)	472
M.S.M. Corp. v. Knutson Co., 167 N.W.2d 66 (Minn. 1969)	527
MacPherson v. Buick Motor Co., 111 N.E. 1050 (N.Y. 1916)	690
Maddox v. Lord, 818 F.2d 1058 (2d Cir. 1987)	84
Main Street Distributing, United States v., 700 F. Supp. 655 (E.D.N.Y. 1988)	788-89
Mapp v. Ohio, 367 U.S. 643 (1961)	267
<i>In re</i> Marriage of Brown, 795 P.2d 375 (Kan. 1990)	613
McCormick v. McCormick, 623 S.W.2d 909 (Ky. 1981)	620
McDermott v. Wisconsin, 228 U.S. 115 (1913)	655
Medina de Perez, United States v., 799 f.2d 540 (9th Cir. 1986)	226-30, 232-35
Michael H. v. Gerald D., 491 U.S. 110 (1989)	499
Michigan v. Bullock, 485 N.W.2d 866 (Mich. 1992)	452
Miller v. Fenton, 474 U.S. 104 (1985)	265, 271
Miller v. Florida, 482 U.S. 423 (1987)	350, 352, 366
Miranda v. Arizona, 384 U.S. 436 (1966)	278
Mishra, United States v., 979 F.2d 301 (3d Cir. 1992)	793-94
Mitchell v. Commonwealth, 777 S.W.2d 930 (Ky. 1989)	739
Monsanto Co., United States v., 858 F.2d 160 (4th Cir. 1988)	840-42
Motes v. United States, 178 U.S. 458 (1900)	266
Murphy, United States v., 977 F.2d 503 (10th Cir. 1992)	790-91, 798
N.C.N.B. Corp. v. United States, 684 F.2d 284 (4th Cir. 1982)	811, 819, 823
Nat'l Treasury Employees Union v. Von Raab, 489 U.S. 656 (1989)	202

State <i>ex rel.</i> Nebraska State Bar Ass'n v. Hollstein, 274 N.W.2d 508 (Neb. 1979)	42
New York v. Burger, 482 U.S. 691 (1987)	455
New York v. Keta, 593 N.E.2d 1328 (N.Y. 1992)	455
New York v. Exxon Corp., 766 F. Supp. 177 (S.D.N.Y. 1991)	844
New York v. Quarles, 467 U.S. 649 (1984)	200
Newcomb v. Ingle, 944 F.2d 1534 (10th Cir. 1991)	237-38, 247-48, 254
Nixon v. Administrator of General Services, 433 U.S. 425 (1976)	346-48
<i>In re</i> Ockrassa, 799 P.2d 1350 (Ariz. 1990)	68
Oliver v. United States, 466 U.S. 170 (1984)	455
Olmstead v. United States, 277 U.S. 438 (1928), <i>overruled by</i> Berger v. New York, 388 U.S. 41 (1967)	461
O'Neil v. Picillo, 883 F.2d 176 (1st Cir. 1989), <i>cert. denied</i> , 493 U.S. 1071 (1990)	827-29, 831, 837-38, 843, 851
<i>In re</i> Opinion of the Justices, 530 A.2d 21 (N.H. 1987)	491
Palmer v. Liggett Group, Inc., 825 F.2d 620 (1st Cir. 1987)	756
Papas v. Upjohn Co., 926 F.2d 1019 (11th Cir. 1991), <i>vacated and remanded sub nom.</i> Papas v. Zoecon Corp., 112 S. Ct. 3020 (1992), <i>aff'd sub nom.</i> Papas v. Upjohn Co., No. 89-3752, 1993 WL 41169 (11th Cir. Mar. 8, 1993)	759
Paris Adult Theatre I v. Slaton, 413 U.S. 49 (1973)	507
Parker v. Columbia Bank, 604 A.2d 521 (Md. Ct. Spec. App. 1992)	513
Paternostro v. United States, 311 F.2d 298 (5th Cir. 1962)	221-25, 228-30, 235
<i>In re</i> Patterson, 176 F.2d 966 (9th Cir. 1949)	14-15
Payne v. Arkansas, 356 U.S. 560 (1958)	269, 272-74, 276
Pension Benefit Guar. Corp. v. R.A. Gray & Co., 467 U.S. 717 (1984)	337
People v. Onofre, 415 N.E.2d 937 (N.Y. 1980), <i>cert. denied</i> , 451 U.S. 987 (1981)	488
People v. Washington, 444 N.E.2d 753 (Ill. App. Ct. 1982)	42

- Persico, United States v., 832 F.2d 705 (2d Cir. 1987),
cert. denied, 486 U.S. 1022 (1988) 399
- Phillippe, United States v., 173 F. Supp. 582
 (S.D.N.Y. 1959) 221
- Phillips v. Phillips, 826 S.W.2d 746 (Tex. Ct.
 App. 1992) 622
- Pike v. Frank G. Hugh, 467 P.2d 229 (Cal. 1970) 699
- Poe, State v., 252 S.E.2d 843 (N.C. Ct. App. 1979) 490
- Poindexter, Commonwealth v., 118 S.W. 943
 (Ky. 1909) 506-07
- Posters 'N'Things, Ltd., United States v.,
 969 F.2d 652 (8th Cir. 1992) 786-87, 795
- Pritchard v. Pritchard, 732 F.2d 372 (4th Cir. 1984) 252
- Prudential Ins. Co. v. Executive Estates, Inc.,
 369 N.E.2d 1117 (Ind. Ct. App. 1977) 523
- Putnam v. Fanning, 495 S.W.2d 175 (Ky. 1973) 1120
- Rhea v. Massey-Ferguson, Inc., 767 F.2d
 266 (6th Cir. 1985) 884
- Robe, United States v., 570 F.2d 1358
 (9th Cir. 1978) 225-26
- Rodgers, United States v., 466 U.S. 475 (1989) 215, 219, 232-33
- Roe v. Wade, 410 U.S. 113 (1973) 446, 500
- Rogers v. Richmond, 365 U.S. 534 (1961) 263-64
- Rogers, State v., 120 A.2d 409 (Conn. 1956) 263
- Rose v. Council for Better Educ., Inc.,
 790 S.W.2d 186 (Ky. 1989) 473, 495
- Ross, State v., 829 S.W.2d 948 (Mo. 1992) 94
- S.E.C. v. Texas Gulf Sulphur, 401 F.2d 833
 (2d Cir. 1968) (en banc), *cert. denied*,
 394 U.S. 976 (1969) 127, 302-03
- Sasaki v. Commonwealth, 485 S.W.2d 897
 (Ky. 1972), *vacated*, 410 U.S. 951 (1973) 500, 509
- Satterlee v. Matthewson, 27 U.S. (2 Peters) 380 (1829) 327
- Schneiderman, United States v., 968 F.2d 1564
 (2d Cir. 1992), *cert. denied*, 61 U.S.L.W. 3512
 (U.S., Feb. 12, 1993) (No. 92-1174) 780-82, 785,
 791-92, 794-99
- Schochet v. State, 580 A.2d 176 (Md. 1990) 490
- Sec. Investor Protection Corp. v. Vigman,
 908 F.2d 1461 (9th Cir. 1990), *rev'd on*
other grounds sub nom. Holmes v. Sec.
Investor Protection Corp., 112 S. Ct. 1311 (1992) 400

Security & Investment Corp. v. Droege, 529 So.2d 799 (Fla. Dist. Ct. App. 1988)	522
Selective Service System v. Minnesota Public Interest Research Group, 468 U.S. 841 (1984)	348
Shaffer v. Heitner, 433 U.S. 186 (1977)	607-08
Shamburger v. Duncan, 253 S.W.2d 388 (Ky. 1952)	494, 497
Shaw v. Garrison, 467 F.2d 113 (5th Cir. 1972), <i>cert. denied</i> , 409 U.S. 1024 (1973)	23
Simons v. Miami Beach first Nat'l Bank, 381 U.S. 81 (1965)	598
Simpson v. Simpson, 490 F.2d 803 (5th Cir. 1977)	237-38, 240, 242-48, 250-54
Sims, State v., 608 A.2d 1149 (Vt. 1991)	736
Smith, Commonwealth v., 173 S.W. 340 (Ky. 1915)	460, 504
Smith v. Van Gorkom, 488 A.2d 858 (Del. 1985)	312
South Dakota v. Opperman, 247 N.W.2d 673 (S.D. 1976)	454
Stanford v. Kentucky, 492 U.S. 361 (1989)	207
Stark County Bar Ass'n v. Russell, 495 N.E.2d 430 (Ohio 1986)	88
Stark, United States v., 131 F. Supp. 190 (D. Md. 1955)	218-20
Steele, United States v., 896 F.2d 998 (6th Cir.), <i>vacated</i> , 933 F.2d 1313 (6th Cir. 1990)	213-18, 310-32, 234, 236
Steffan v. Cheney, 780 F. Supp. 1 (D.D.C. 1991)	467
Strandell v. Jackson County, Ill., 838 F.2d 884 (7th Cir. 1987)	884
Stringfellow, United States v., 661 F. Supp. 1053 (C.D. Cal. 1987)	844
Summit v. Mudd, 679 S.W.2d 225 (Ky. 1984)	93
T.S.C. Industries v. Northway, Inc., 426 U.S. 438, <i>mot. denied</i> , 429 U.S. 810 (1976)	125
Tamargo, United States v., 637 F.2d 346 (5th Cir.), <i>cert. denied</i> , 454 U.S. 824 (1981)	231
Taylor, United States v., 907 F.2d 801 (8th Cir. 1990)	228
<i>In re Texas Int'l Sec. Litig.</i> , 114 F.R.D. 33 (W.D. Okla. 1987)	162
Thigpen v. Carpenter, 730 S.W.2d 510 (Ark. Ct. App. 1987)	491

- 3520 Brighton Boulevard, United States v.,
785 F. Supp. 141 (D. Colo. 1992) 789, 797-98
- Thomas v. Washington Gas Light Co.,
448 U.S. 261 (1980) 594
- Tobacco Emporium, United States v., No.
91-227-CR-T-17, WL 80624 (M.D. Fla. 1992) 790
- Tokarz v. Frontier Fed. Sav. & Loan Ass'n,
656 P.2d 1089 (Wash. Ct. App. 1982) 514
- Town of Newton v. Rumery, 480 U.S. 386 (1987) 87-89
- In re Truder*, 17 P.2d 951 (N.M. 1932) 76-77
- Tumey v. Ohio, 273 U.S. 510 (1927) 269
- United Energy Owners Comm., Inc. v. United States
Energy Management Systems, Inc., 837 F.2d 356
(9th Cir. 1988) 391
- United States *ex rel.* S.E.C. v. Carter, 907 f.2d 484
(5th Cir. 1990) 86
- Vanderbilt v. Vanderbilt, 354 U.S. 416 (1957) 597, 601, 603
- Viacom Int'l Inc. v. Icahn, 946 F.2d 998
(2d Cir. 1991), *cert. denied*, 112 S. Ct.
1244 (1992) 174-75
- Village of Hoffman Estates v. Flipside,
455 U.S. 489 (1982) 784, 787, 789, 793, 796-97
- Vincent, Commonwealth v., 137 S.W.2d 1091
(Ky. 1940) 461
- Walsh, State v., 713 S.W.2d 508 (Mo. 1986) 489
- Wasson, Commonwealth v., 842 S.W.2d 487
(Ky. 1992) 423-48,
449-82, 483-510
- Watkins v. United States Army, 847 F.2d 1329
(9th Cir. 1988), *withdrawn*, 875 F.2d 699
(9th Cir. 1989) (en banc) 464, 466, 468
- Weeks v. United States, 232 U.S. 383 (1914) 267
- Wells, Commonwealth v., 244 S.W. 675 (Ky. 1922) 504
- Wiley v. Bowen, 824 F.2d 1120 (D.C. Cir. 1987) 357-59
- In re Williams*, 50 P.2d 729 (Okla. 1935) 77
- Williams v. North Carolina (Williams I),
317 U.S. 287 (1942) 592-93, 596, 599
- Williams v. North Carolina (Williams II),
325 U.S. 226 (1945) 594-95, 599-600, 603
- Wilson v. Seiter, 111 S. Ct. 2321 (1991) 207
- Wilson v. Southwest Airlines, 517 F. Supp. 292
(N.D. Tex. 1981) 680

Wisconsin Public Intervenor v. Mortier, 111 S. Ct. 2476 (1991)	760-62, 772
Woods v. Holy Cross Hosp., 591 F.2d 1164 (5th Cir. 1979)	884
Wright v. Olin Corp., 697 F.2d 1172 (4th Cir. 1982)	646, 649
Young v. United States <i>ex rel.</i> Vuitton et Fils S.A., 481 U.S. 787 (1987)	73, 86
Yowell v. Chevron Chem Co., 836 S.W.2d 62 (Mo. Ct. App. 1992)	772
Zlotnick v. T.I.E. Communications, 836 F.2d 818 (3d Cir. 1988)	138