1989

Indices to Volume 77

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

Available at: https://uknowledge.uky.edu/klj/vol77/iss4/8

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.
AUTHOR INDEX

(An asterisk is used to denote all student works)

ALFINI, JAMES J. and Terrence J. Brooks
   Ethical Constraints on Judicial Election Campaigns:
       A Review and Critique of Canon 7 .......................... 671

ATKINS, BURTON
   Judicial Selection in Context:
       The American and English Experience ........................ 577

BAUM, LAWRENCE
   Voters’ Information in Judicial Elections:
       The 1986 Contests for the Ohio Supreme Court .............. 645

BESCHLE, DONALD L.
   Autonomous Decisionmaking and Social Choice:
       Examining the “Right to Die” .................................. 319

*BORDERS, JOHN D., JR.
   Fit to be Fryed: Frye v. United States
       and the Admissibility of Novel Scientific Evidence .......... 849

BROOKS, TERRENCE J. and James J. Alfini
   Ethical Constraints on Judicial Election Campaigns:
       A Review and Critique of Canon 7 .......................... 671

CALDEIRA, GREGORY A.
   Commentary on Senate Confirmation of Supreme Court Justices:
       The Roles of Organized and Unorganized Interests ............ 531

CANON, BRADLEY C.
   Commentary on State Selection of Judges ......................... 747

CAMERON, CHARLES M., Jeffrey A. Segal and Albert D. Cover
   The Role of Ideology in Senate Confirmation of Supreme Court Justices .................................. 485

COVER, ALBERT D., Jeffrey A. Segal and Charles M. Cameron
   The Role of Ideology in Senate Confirmation of Supreme Court Justices .................................. 485

*CROMER, BRIAN A.
   Prosecutorial Indiscretion and the United States Congress:
       Expanding the Jurisdiction of the Independent Counsel ............ 923

951
DAVIDOW, ROBERT P.
The Search for Competent and Representative Judges Continued........................................ 723

EPPS, JOAnne A.
Passing the Confrontation Clause Stop Sign:
Is All Hearsay Constitutionally Admissible? ........................................... 7

FELICE, JOHN D. and Herbert F. Weisberg
The Changing Importance of Ideology,
Party, and Region in Confirmation of Supreme Court Nominees, 1985-88 ....................................... 509

FISH, PETER G.
Spite Nominations to the United States Supreme Court:
Herbert Hoover, Owen J. Roberts, and the Politics of Presidential Vengeance in Retrospect ........................................................................ 545

GRAHAM, LOUISE EVERETT
Forward to Volume 77 ........................................................................ 1

*HACKLEY, JOHN
UCC Section 2-714(1) and the Lost-Volume Theory:
A New Remedy for Middlemen? ........................................... 189

*HORN, ERICA
Protecting Persons with AIDS from Employment Discrimination ........................................................................ 403

HOWARD, J. WOODFORD, JR.
Commentary on the Selection of Federal Judges ............................................................................... 619

LEWIS, BARBARA
Commentary on the Selection of Federal Judges ........................................... 631

LEWIS, THOMAS P.
Commentary on Senate Confirmation of Supreme Court Justices ........................................... 539

LIVELY, PIERCE
A Tribute and Challenge to Exceptional Law Students ........................................................................ 759

*MATTINGLY, PAUL
Compelled Participation in Summary Jury Trials:
A Tale of Two Cases ........................................................................ 421

MURPHY, MOLLIE A.
Personal Jurisdiction and the Stream of Commerce Theory: A Reappraisal and a Revised Approach ........................................................................ 243

MYERS, RICHARD S.
The Establishment Clause and Nativity Scenes:
A Reassessment of Lynch v. Donnelly ........................................................................ 61

*PAGE, TODD
Digital Audio Tape Machines:
New Technology or Further Erosion of Copyright Protection? ........................................... 441
QUINT, PETER E.
The Federalist Papers and the Constitution
of the United States .......................................................... 369

RADER, RANDALL R.
The Independence of the Judiciary: A Critical
Aspect of the Confirmation Process ...................................... 767

*SCHOAFF, DONNA J.
Meredith Corp. v. FCC: The Demise
of the Fairness Doctrine .................................................. 227

SEGAL, JEFFREY A., Albert D. Cover and Charles M. Cameron
The Role of Ideology in Senate Confirmation
of Supreme Court Justices ................................................ 485

*SKEENS, KAREN
11 U.S.C. 505: Does it Allow the
Bankruptcy Court to Determine a Third
Party's Tax Liability? ........................................................ 463

SPEZIALE, MARCIA J.
The Experimental Logic of
Benjamin Nathan Cardozo ................................................ 821

STEPHENS, ROBERT F.
Commentary on State Selection of Judges ............................ 741

*THORNTON, JAMES C.
Court-Annexed Arbitration: Kentucky's
Viable Alternative to Litigation ........................................... 881

WALKER, THOMAS G.
Commentary on the Selection of Federal Judges ....................... 635

WEISBERG, HERBERT F. and John D. Felice
The Changing Importance of Ideology, Party,
and Region in Confirmation of
Supreme Court Nominees, 1985-88 .................................... 509

*WEST, BRIAN S.
CTS Corp. v. Dynamics Corp. of America:
Of State Regulation, Tender Offers,
and Necromancy ................................................................ 149

WRIGHT, R. GEORGE
Low-Level Equal Protection: The Scope and
Logic of Deferential Review ................................................. 117

SUBJECT INDEX

ADMINISTRATIVE LAW
Meredith Corp. v. FCC:
The Demise of the Fairness Doctrine,
Donna J. Schoaff ............................................................... 227
Prosecutorial Indiscretion and the United States Congress: Expanding the Jurisdiction of the Independent Counsel, Brian A. Cromer ............................................................ 923

ALTERNATIVE DISPUTE RESOLUTION
Court-Annexed Arbitration: Kentucky's Viable Alternative to Litigation, James C. Thornton ........................................................................ 881

CIVIL PROCEDURE
Compelled Participation in Summary Jury Trials: A Tale of Two Cases, Paul Mattingly .................................................................. 421
Personal Jurisdiction and the Stream of Commerce Theory: A Reappraisal and a Revised Approach, Mollie A. Murphy ............................................................. 243

COMMERCIAL LAW
CTS Corp. v. Dynamics Corp. of America: Of State Regulation, Tender Offers, and Necromancy, Brian S. West........................................................................ 149
11 U.S.C. 505: Does it Allow the Bankruptcy Court to Determine a Third Party's Tax Liability?, Karen Skeens ........................................................................ 463
Meredith Corp. v. FCC: The Demise of the Fairness Doctrine, Donna J. Schoaff ........................................................................ 227
UCC Section 2-714(1) and the Lost-Volume Theory: A New Remedy for Middlemen?, John Hackley ........................................................................ 189

CONSTITUTIONAL LAW
Autonomous Decisionmaking and Social Choice: Examining the "Right to Die", Donald L. Beschle........................................................................ 319
CTS Corp. v. Dynamics Corp. of America: Of State Regulation, Tender Offers, and Necromancy, Brian S. West ........................................................................ 149
Low-Level Equal Protection: The Scope and Logic of Deferential Review, R. George Wright ........................................................................ 117
Meredith Corp. v. FCC: The Demise of the Fairness Doctrine, Donna J. Schoaff ........................................................................ 227
Passing the Confrontation Clause Stop Sign: Is All Hearsay Constitutionally Admissible?, JoAnne A. Epps ........................................................................ 7
Personal Jurisdiction and the Stream of Commerce Theory: A Reappraisal and a Revised Approach, Mollie A. Murphy ............................................................. 243
The Establishment Clause and Nativity Scenes:
   A Reassessment of Lynch v. Donnelly,
   Richard S. Myers ............................................................ 61
The Federalist Papers and the Constitution of the United States,
   Peter E. Quint.................................................................. 369

COPYRIGHT/PATENT LAW
Digital Audio Tape Machines: New Technology or
   Further Erosion of Copyright Protection?,
   Todd Page ........................................................................ 441

CORPORATIONS
   CTS Corp. v. Dynamics Corp. of America: Of State
   Regulation, Tender Offers, and Necromancy,
   Brian S. West ................................................................... 149

CRIMINAL LAW
   Fit to be Fryed: Frye v. United States and the
   Admissibility of Novel Scientific Evidence,
   John D. Borders, Jr .......................................................... 849
   Passing the Confrontation Clause Stop Sign:
   Is All Hearsay Constitutionally Admissible?,
   JoAnne A. Epps ............................................................. 7

EMPLOYMENT/LABOR LAW
   Protection Persons with AIDS from
   Employment Discrimination,
   Erica Horn ....................................................................... 403

EVIDENCE
   Fit to be Fryed: Frye v. United States and the
   Admissibility of Novel Scientific Evidence,
   John D. Borders, Jr .......................................................... 849
   Passing the Confrontation Clause Stop Sign:
   Is All Hearsay Constitutionally Admissible?,
   JoAnne A. Epps ............................................................. 7

EXECUTIVE BRANCH
   Commentary on Senate Confirmation of Supreme
   Court Justices: The Roles of Organized
   and Unorganized Interests,
   Gregory A. Caldeira ........................................................ 531
   Prosecutorial Indiscretion and the
   United States Congress: Expanding the
   Jurisdiction of the Independent Counsel,
   Brian A. Cromer................................................................ 923
   Spite Nominations to the United States Supreme Court:
   Herbert Hoover, Owen J. Roberts, and the Politics of
   Presidential Vengeance in Retrospect,
   Peter G. Fish ................................................................... 545
The Federalist Papers and the
   Constitution of the United States,
   Peter E. Quint ................................................................... 369
FAMILY LAW
Autonomous Decisionmaking and Social Choice:
Examining the "Right to Die",
Donald L. Beschle ............................................................. 319

GOVERNMENT
Commentary on Senate Confirmation
of Supreme Court Justices,
Thomas P. Lewis ............................................................. 539
Commentary on Senate Confirmation of
Supreme Court Justices: The Roles of
Organized and Unorganized Interests,
Gregory A. Caldeira .......................................................... 531
Commentary on State Selection of Judges,
Bradley C. Canon ............................................................. 747
Commentary on State Selection of Judges,
Robert F. Stephens .......................................................... 741
Commentary on the Selection of Federal Judges,
J. Woodford Howard, Jr .................................................. 619
Commentary on the Selection of Federal Judges,
Barbara Lewis ............................................................... 631
Commentary on the Selection of Federal Judges,
Thomas G. Walker .......................................................... 635
Ethical Constraints on Judicial Election Campaigns:
A Review and Critique of Canon 7,
James J. Alfini and Terrence J. Brooks ......................... 671
Judicial Selection in Context:
The American and English Experience,
Burton Atkins ............................................................... 577
Spite Nominations to the United States Supreme Court:
Herbert Hoover, Owen J. Roberts, and the Politics of
Presidential Vengeance in Retrospect,
Peter G. Fish ............................................................... 545
The Changing Importance of Ideology, Party,
and Region in Confirmation of
Supreme Court Nominees, 1985-88,
John D. Felice and Herbert F. Weisberg ......................... 509
The Independence of the Judiciary: A Critical
Aspect of the Confirmation Process,
Randall A. Rader .......................................................... 767
The Role of Ideology in Senate Confirmation
of Supreme Court Justices,
Jeffrey A. Segal, Albert D. Cover and Charles M. Cameron.... 485
The Search for Competent and Representative
Judges Continued,
Robert P. Davidow .......................................................... 723
Voters' Information in Judicial Elections: The 1986
Contests for the Ohio Supreme Court,
Lawrence Baum ........................................................... 645
JUDICIAL BRANCH

Commentary on Senate Confirmation of Supreme Court Justices,
Thomas P. Lewis ................................................................. 539
Commentary on Senate Confirmation of Supreme Court Justices: The Roles of Organized and Unorganized Interests,
Gregory A. Caldeira .......................................................... 531
Commentary on State Selection of Judges,
Bradley C. Canon .............................................................. 747
Commentary on State Selection of Judges,
Robert F. Stephens ......................................................... 741
Commentary on the Selection of Federal Judges,
J. Woodford Howard, Jr. .................................................... 619
Commentary on the Selection of Federal Judges,
Barbara Lewis .................................................................... 631
Commentary on the Selection of Federal Judges,
Thomas G. Walker ......................................................... 635
11 U.S.C. 505: Does it Allow the Bankruptcy Court to Determine a Third Party’s Tax Liability?,
Karen Skeens ................................................................. 463
Ethical Constraints on Judicial Election Campaigns: A Review and Critique of Canon 7,
James J. Alfini and Terrence J. Brooks ............................ 671
Judicial Selection in Context:
The American and English Experience,
Burton Atkins......................................................................... 577
Low-Level Equal Protection: The Scope and Logic of Deferential Review,
R. George Wright............................................................... 117
Prosecutorial Indiscretion and the United States
Congress: Expanding the Jurisdiction of the Independent Counsel,
Brian A. Cromer.................................................................... 923
Spite Nominations to the United States Supreme Court:
Herbert Hoover, Owen J. Roberts, and the Politics of Presidential Vengeance in Retrospect,
Peter G. Fish ................................................................. 545
The Changing Importance of Ideology, Party, and Region in Confirmation of Supreme Court Nominees, 1985-88,
John D. Felice and Herbert F. Weisberg ......................... 509
The Experimental Logic of Benjamin Nathan Cardozo,
Marcia J. Speziale .............................................................. 821
The Federalist Papers and the Constitution of the United States,
Peter E. Quint ................................................................. 369
The Independence of the Judiciary: A Critical Aspect of the Confirmation Process, 767
Randall R. Rader

The Role of Ideology in Senate Confirmation of Supreme Court Justices, 485
Jeffrey A. Segal, Albert D. Cover and Charles M. Cameron

The Search for Competent and Representative Judges Continued, 723
Robert P. Davidow

Voters' Information in Judicial Elections: The 1986 Contests for the Ohio Supreme Court, 645
Lawrence Baum

JURY
Compelled Participation in Summary Jury Trials: A Tale of Two Cases, 421
Paul Mattingly

Fit to be Fryed: Frye v. United States and the Admissibility of Novel Scientific Evidence, 849
John D. Borders, Jr

LEGAL EDUCATION
A Tribute and Challenge to Exceptional Law Students, 767
Pierce Lively

Forward to Volume 77, 1
Louise Everett Graham

LEGISLATIVE BRANCH
Commentary on Senate Confirmation of Supreme Court Justices: The Roles of Organized and Unorganized Interests, 531
Gregory A. Caldeira

Prosecutorial Indiscretion and the United States Congress: Expanding the Jurisdiction of the Independent Counsel, 923
Brian A. Cromer

The Establishment Clause and Nativity Scenes: A Reassessment of Lynch v. Donnelly, 61
Richard S. Myers

The Federalist Papers and the Constitution of the United States, 369
Peter E. Quint

SYMPOSIUM
Commentary on Senate Confirmation of Supreme Court Justices, 539
Thomas P. Lewis

Commentary on Senate Confirmation of Supreme Court Justices: The Roles of Organized and Unorganized Interests, 531
Gregory A. Caldeira
Commentary on the Selection of Federal Judges,
J. Woodford Howard, Jr. .................................................... 619
Commentary on the Selection of Federal Judges,
Barbara Lewis ................................................................. 631
Commentary on the Selection of Federal Judges,
Thomas G. Walker ............................................................ 635
Judicial Selection in Context: The American
and English Experience,
Burton Atkins ................................................................... 577
The Changing Importance of Ideology, Party,
and Region in Confirmation of
Supreme Court Nominees, 1985-88,
John D. Felice and Herbert F. Weisberg ......................... 509
The Independence of the Judiciary: A Critical
Aspect of the Confirmation Process,
Randall R. Rader ................................................................ 767
The Role of Ideology in Senate Confirmation
of Supreme Court Justices,
Jeffrey A. Segal, Albert D. Cover and Charles M. Cameron. 485

TAX LAW
11 U.S.C. 505: Does it Allow the Bankruptcy Court
to Determine a Third Party's Tax Liability?,
Karen Skeens .................................................................... 463

TORT LAW
Protecting Persons with AIDS from
Employment Discrimination,
Erica Horn ....................................................................... 403

WILLS/PROBATE
Autonomous Decisionmaking and Social Choice:
Examining the “Right to Die”,
Donald L. Beschle ............................................................ 319
# TABLE OF CASES

<table>
<thead>
<tr>
<th>Case</th>
<th>Citation</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amalgamated Food Employees v. Logan Valley</td>
<td>Shopping Plaza, 391 U.S. 308 (1968)</td>
<td>577, 578, 579</td>
</tr>
<tr>
<td>American Civil Liberties Union v. Allegheny</td>
<td>County, 842 F.2d 655 (3d Cir. 1988)</td>
<td>76, 79, 83, 112, 114</td>
</tr>
<tr>
<td>American Civil Liberties Union v. City of St. Charles</td>
<td>622 F. Supp. 1542 (N.D. Ill. 1985)</td>
<td>86</td>
</tr>
<tr>
<td>American Jewish Congress v. City of Chicago</td>
<td>827 F.2d 120 (7th Cir. 1987)</td>
<td>74, 79, 82, 83</td>
</tr>
<tr>
<td>Application of Smith</td>
<td>112 A.2d 625 (Pa. 1955)</td>
<td>906, 913, 919</td>
</tr>
<tr>
<td>Attorney General of Maryland v. Johnson</td>
<td>385 A.2d 57 (Md. 1978)</td>
<td>916</td>
</tr>
<tr>
<td>Barber v. Page</td>
<td>390 U.S. 719 (1968)</td>
<td>26, 27, 28, 29, 38, 42</td>
</tr>
<tr>
<td>Bartling v. Superior Court</td>
<td>209 Cal. Rptr.</td>
<td>355</td>
</tr>
<tr>
<td>Booth Tow Services, Inc. v. Spector, 53</td>
<td></td>
<td>472</td>
</tr>
<tr>
<td>Bostwick v. United States</td>
<td>521 F.2d 741 (8th Cir. 1975)</td>
<td>474</td>
</tr>
<tr>
<td>Bourjaily v. United States</td>
<td>483 U.S. 171 (1987)</td>
<td>46, 47</td>
</tr>
<tr>
<td>Brown v. Commonwealth, 639 S.W.2d 758 (Ky. 1982)</td>
<td>875</td>
<td></td>
</tr>
<tr>
<td>Bundlie v. Christensen, 276 N.W.2d 69 (Minn. 1979)</td>
<td>691, 694</td>
<td></td>
</tr>
<tr>
<td>Bussey v. Commonwealth, 697 S.W.2d 139 (Ky. 1985)</td>
<td>876</td>
<td></td>
</tr>
<tr>
<td>California v. Green, 399 U.S. 149 (1970)</td>
<td>30, 31, 38, 39, 41</td>
<td></td>
</tr>
<tr>
<td>Cardiff Acquisitions, Inc. v. Hutch, 751 F.2d 906 (8th Cir. 1984)</td>
<td>180, 181, 182, 184, 187</td>
<td></td>
</tr>
<tr>
<td>Chemetron Corp. v. McCouth Steel Corp., 381 F. Supp. 245 (N.D. Ill. 1974)</td>
<td>213, 214, 224</td>
<td></td>
</tr>
<tr>
<td>Colgrove v. Battin, 413 U.S. 149 (1973)</td>
<td>430, 431</td>
<td></td>
</tr>
<tr>
<td>Commonwealth v. Lykus, 327 N.E.2d 671 (Mass. 1975)</td>
<td>865</td>
<td></td>
</tr>
<tr>
<td>Commonwealth v. Rose, 725 S.W.2d 588 (Ky. 1987)</td>
<td>876</td>
<td></td>
</tr>
<tr>
<td>Copolino v. State, 223 So. 2d 68 (Fla. Dist. Ct. App. 1968)</td>
<td>864</td>
<td></td>
</tr>
<tr>
<td>CTS Corp. v. Dynamics Corp. of America, 107 S. Ct. 1637 (1987)</td>
<td>151, 154, 155, 156, 169, 171, 172, 173, 174, 175, 176, 177, 178, 180, 182, 183, 184, 185, 187</td>
<td></td>
</tr>
<tr>
<td>Debs v. United States, 249 U.S. 211 (1919)</td>
<td>566</td>
<td></td>
</tr>
<tr>
<td>Dutton v. Evans, 400 U.S. 74 (1970)</td>
<td>33</td>
<td></td>
</tr>
</tbody>
</table>
Electra Records Co. v. Gen. Electronic
Distributors, 360 F. Supp. 821 (E.D.
N.Y. 1973) ................................................................. 460
Epstein v. Gluckin, 135 N.E. 861 (N.Y. 1922) ..................... 845, 846
Everson v. Board of Education, 330 U.S. 1
(1947) ........................................................................ 61, 98
Fausto v. Diamond, 584 F. Supp. 451
(D.R.I. 1984) .................................................................. 88
Fertico Belgium S.A. v. Phosphate Chemicals
Export Ass’n, Inc., 510 N.E.2d 334
(N.Y. 1987) ....................................................................... 189, 190, 191, 192,
199, 200, 201, 206,
207, 208, 215, 216,
217, 218, 219, 220,
221, 222, 223, 224,
225, 226
Fischer v. Grieb, 113 S.W.2d 1139 (Ky. 1938) ......................... 917
Foremaster v. City of St. George, 655 F.
Supp. 844 (D. Utah 1987) .............................................. 88
Friedman v. Board of County Commissioners,
781 F.2d 777 (10th Cir. 1985) .......................................... 84
Frohwerk v. United States, 249 U.S.
204 (1919) ....................................................................... 566
Frye v. United States, 293 F. 1013 (D.C.
Cir. 1923) ...................................................................... 851, 858
Gershwin Publishing Corp. v. Columbia
Artists Management, 443 F.2d 1159 (2d
Cir. 1971) ..................................................................... 460
Gravel v. United States, 408 U.S. 606
(1972) ............................................................................ 928
Gray v. American Radiator & Standard
Sanitary Corp., 176 N.E.2d 761
(Ill. 1961) ....................................................................... 243, 251, 256, 257,
259, 260, 261, 268,
279, 283, 284, 312, 316
Grovey v. Townsend, 295 U.S. 45 (1935) ........................... 574, 575
Hall v. Miller, 465 A.2d 222 (Vt. 1983) ............................. 209
Hall v. Zambelli, 669 F. Supp. 753 (S.D.
W. Va. 1987) ................................................................. 276, 277
Hanson v. Denckla, 357 U.S. 235 (1958) ......................... 254, 256, 259, 260,
265, 266, 287
Hays v. Wood, 603 P.2d 19 (Cal. 1979) .............................. 135
Hudgens v. NLRB, 424 U.S. 507 (1976) ............................ 578, 579
Humphrey’s Executor v. United States, 295
U.S. 602 (1935) .............................................................. 940
Hutson v. Fehr Bros., Inc., 584 F.2d 833 (8th Cir.), cert. denied, 439 U.S. 983 (1978) ................................................................. 260, 273


In re Baker, 542 P.2d 701 (1975) .................................................. 690, 691, 692, 693

In re Becker's Motor Transportation, Inc., 632 F.2d 242 (3rd Cir. 1980) .................................................. 474, 475

In re Donohue, 580 P.2d 1093 (Wash. 1978) ........................................ 693

In re Elward, 1 Ill. Cts. Comm. 114 (Ill. 1977) ........................................ 694

In re Grand Jury Investigation, Etc., 587 F.2d 589 (3d Cir. 1978) ............................................... 934


In re Kaisa, 759 P.2d 392 (Wash. 1988) ........................................ 692


In re Rouss, 116 N.E. 782 (N.Y. 1917) .................................................................................. 834


Insurance Corp. of Ireland v. Campagnie des Bauxites de Guinee, 456 U.S. 694 (1982) ................................................. 289


Jacob & Youngs, Inc. v. Kent, 129 N.E. 889 (N.Y. 1921) .................................................. 830, 831

Jones v. State Board of Medicine, 544 P.2d 399 (Idaho 1976) .................................................. 133


Kaelin v. City of Louisville, 643 S.W.2d 590 (Ky. 1983) .................................................. 914

Kentucky Commission on Human Rights v. Fraser, 625 S.W.2d 852 (Ky. 1981) ........................................ 910

<table>
<thead>
<tr>
<th>Citation</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kilbourn v. Thompson, 103 U.S. 168 (1881)</td>
<td>927</td>
</tr>
<tr>
<td>Kimbrough v. Holiday Inn, 478 F. Supp. 566</td>
<td></td>
</tr>
<tr>
<td>(E.D. Pa. 1979)</td>
<td>908, 919</td>
</tr>
<tr>
<td>Klein v. Maravelas, 114 N.E. 809 (N.Y. 1916)</td>
<td>839, 840, 843</td>
</tr>
<tr>
<td>Lloyd v. Tanner, 407 U.S. 551 (1972)</td>
<td>578, 579</td>
</tr>
<tr>
<td>Long v. Ansell, 293 U.S. 76 (1934)</td>
<td>926</td>
</tr>
<tr>
<td>Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803)</td>
<td>347, 542</td>
</tr>
<tr>
<td>Mason v. F. Li Luigi, 832 F.2d 383 (7th Cir. 1987)</td>
<td>278</td>
</tr>
<tr>
<td>Mattox v. United States, 156 U.S. 237 (1895)</td>
<td>21, 22, 23, 24, 25, 26, 38, 39, 53</td>
</tr>
<tr>
<td>McDermott, Inc. v. Lewis, 531 A.2d 206 (Del. 1987)</td>
<td>185</td>
</tr>
<tr>
<td>Mead Corp. v. McNally-Pittsburg Mfg. Corp., 654 F.2d 1297 (6th Cir. 1981)</td>
<td>210, 211</td>
</tr>
<tr>
<td>Meredith Corp. v. FCC, 809 F.2d 863 (D.C. Cir. 1987)</td>
<td>229, 230, 233, 237, 238, 239, 240</td>
</tr>
<tr>
<td>Morris v. SSE, Inc., 843 F.2d 489 (11th Cir. 1988)</td>
<td>279</td>
</tr>
<tr>
<td>Neri v. Retail Marine Corp., 285 N.E.2d 311 (N.Y. 1972)</td>
<td>196, 197</td>
</tr>
<tr>
<td>Citation</td>
<td>Page(s)</td>
</tr>
<tr>
<td>----------</td>
<td>---------</td>
</tr>
<tr>
<td>Nixon v. Condon, 286 U.S. 73 (1932)</td>
<td>574</td>
</tr>
<tr>
<td>Opinion of the Justices, 304 A.2d 881 (N.H. 1973)</td>
<td>909</td>
</tr>
<tr>
<td>Park 'n Fly v. City of South San Francisco, 234 Cal. Rptr. 23 (Ct. App. 1987)</td>
<td>134</td>
</tr>
<tr>
<td>Pennoyer v. Neff, 95 U.S. 714 (1877)</td>
<td>252, 253, 255, 257, 295</td>
</tr>
<tr>
<td>People v. Kelly, 549 P.2d 1240 (Cal. 1976)</td>
<td>869</td>
</tr>
<tr>
<td>Perry v. Commonwealth ex rel. Kessinger, 652 S.W.2d 655 (Ky. 1983)</td>
<td>876</td>
</tr>
<tr>
<td>Plessend v. Ferguson, 163 U.S. 537 (1896)</td>
<td>62, 808</td>
</tr>
<tr>
<td>Pointer v. Texas, 308 U.S. 400 (1965)</td>
<td>22, 23, 24, 25, 26, 31, 39</td>
</tr>
<tr>
<td>RCA/Ariola International, Inc. v. Thomas &amp; Grayston Co., 845 F.2d 773 (8th Cir. 1988)</td>
<td>460, 461</td>
</tr>
<tr>
<td>Red Lion Broadcasting Co. v. FCC, 395 U.S. 367 (1969)</td>
<td>230, 239</td>
</tr>
<tr>
<td>Reed v. State, 391 A.2d 364 (Md. 1978)</td>
<td>869</td>
</tr>
<tr>
<td>Reeves v. Simons, 150 S.W.2d 149 (Ky. 1942)</td>
<td>912</td>
</tr>
<tr>
<td>Roe v. Wade, 410 U.S. 113 (1973)</td>
<td>325, 486, 555, 805</td>
</tr>
<tr>
<td>Saefke v. Vandewalle, 279 N.W.2d 415 (1979)</td>
<td>696</td>
</tr>
<tr>
<td>Schaefer v. United States, 251 U.S. 466 (1920)</td>
<td>566</td>
</tr>
<tr>
<td>Schenck v. United States, 247 U.S. 47 (1919)</td>
<td>566</td>
</tr>
<tr>
<td>Scott v. Surford, 60 U.S. (19 How.) 393 (1857)</td>
<td>62</td>
</tr>
<tr>
<td>Shafer v. Farmer's Grain Co., 268 U.S. 189 (1925)</td>
<td>161</td>
</tr>
</tbody>
</table>
Smith v. Allwright, 321 U.S. 649 (1944) ........................................ 575
Sobel v. Hertz, Warner & Co., 469 F.2d 1211 (2d Cir. 1972) ........................................ 903
Southeastern Community College v. Davis, 442 U.S. 397 (1979) ........................................ 413
State v. Sims, 369 N.E.2d 24 (C.P. 1977) ........................................ 863
State v. Williams, 388 A.2d 500 (Me. 1978) ........................................ 866
Textile Workers Union of America v. Lincoln Mills of Alabama, 353 U.S. 448 (1957) ........................................ 477, 478
Thomas v. Winchester, 6 N.Y. 381 (1852) ........................................ 836, 837
TRAC v. FCC, 801 F.2d 501 (D.C. Cir. 1986) ........................................ 231, 232
United Mine Workers of America v. Red Jacket Consolidated Coal and Coke Co., 18 F.2d 839 (1927) ........................................ 559
United States v. Addison, 498 F.2d 741 (D.C. Cir. 1974) ........................................ 870
United States v. Alexandro, 675 F.2d 34 (1982) ........................................ 931
United States v. Baller, 519 F.2d 463 (4th Cir. 1975) ........................................ 865
United States v. Brewster, 408 U.S. 501 (1972) ........................................ 928
United States v. Butter, 297 U.S. 1 (1936) ........................................ 574
<table>
<thead>
<tr>
<th>Index</th>
<th>967</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States v. Downing, 753 F.2d 1224</td>
<td>868</td>
</tr>
<tr>
<td>(3d Cir. 1985)</td>
<td></td>
</tr>
<tr>
<td>United States v. Franks, 511 F.2d 25 (6th Cir. 1975)</td>
<td>865</td>
</tr>
<tr>
<td>United States v. Helstoskie, 442 U.S. 477 (1979)</td>
<td>927</td>
</tr>
<tr>
<td>United States v. Inadi, 475 U.S. 387 (1986)</td>
<td>40, 41, 42, 44, 47</td>
</tr>
<tr>
<td>United States v. Peskin, 527 F.2d 71 (7th Cir. 1975)</td>
<td>935</td>
</tr>
<tr>
<td>United States v. Stifel, 433 F.2d 431 (6th Cir. 1970)</td>
<td>856, 865</td>
</tr>
<tr>
<td>United States v. Williams, 583 F.2d 1194 (2d Cir. 1978)</td>
<td>867</td>
</tr>
<tr>
<td>Walt Disney Productions v. Air Pirates, 581 F.2d 751 (9th Cir. 1978)</td>
<td>457</td>
</tr>
<tr>
<td>Williamson v. United States, 207 U.S. 425 (1908)</td>
<td>926</td>
</tr>
<tr>
<td>Winterbottom v. Wright, 152 Eng. Rep. 402 (Ex. 1842)</td>
<td>836</td>
</tr>
<tr>
<td>Wright v. Hart, 75 N.E. 404 (N.Y. 1905)</td>
<td>839, 840, 841</td>
</tr>
<tr>
<td>Yome v. Gordon, 152 N.E. 126 (N.Y. 1926)</td>
<td>843, 844</td>
</tr>
</tbody>
</table>