

Subject Index (v. 59)

Repository Citation

Subject Index (v. 59), 59 Wm. & Mary L. Rev. 2667 (2018), <http://scholarship.law.wm.edu/wmlr/vol59/iss6/9>

SUBJECT INDEX

ADMINISTRATIVE LAW

AUSTIN, Perry F.
Note, Motion to Dismiss for
Failure to Succeed on the
Merits: The EEOC and
Rule 12(b)(6) 1097

BARKOW, Rachel E.
OSLER, Mark
Designed to Fail: The President's
Deference to the Department
of Justice in Advancing
Criminal Justice Reform . . 387

BLADOW, Laura E.
Note, Worth the Click: Why
Greater FTC Enforcement
Is Needed to Curtail
Deceptive Practices in
Influencer Marketing 1123

JACOBS, Sharon B.
Administrative Dissents 541

ANTITRUST LAW & POLICY

CHIANG, Tun-Jen
The Information-Forcing
Dilemma in Damages
Law 81

HYLTON, Keith N.
Whom Should We Punish, and
How? Rational Incentives
and Criminal Justice
Reform. 2513

BANKRUPTCY

HARNER, Michelle M.
Rethinking Preemption and
Constitutional Parameters
in Bankruptcy 147

CIVIL PROCEDURE

AUSTIN, Perry F.
Note, Motion to Dismiss for
Failure to Succeed on the
Merits: The EEOC and
Rule 12(b)(6) 1097

BAYEFSKY, Rachel
Constitutional Injury and
Tangibility 2285

BRADT, Andrew D.
The Long Arm of Multidistrict
Litigation 1165

MILAM, Andrew L.
Note, Pleading Patent
Infringement: Res Ipsa
Loquitur as a Guide 301

PREIS, John F.
Jurisdictional Idealism and
Positivism 1413

CIVIL RIGHTS

AUSTIN, Perry F.
Note, Motion to Dismiss for
Failure to Succeed on the
Merits: The EEOC and
Rule 12(b)(6) 1097

SIEGEL, Reva B.
Pregnancy as a Normal
Condition of Employment:
Comparative and
Role-Based Accounts of
Discrimination 969

TOLSON, Franita
Election Law "Federalism"
and the Limits of the
Antidiscrimination
Framework 2211

COMPARATIVE LAW

- BARNA, Andrew G.
 Note, The Early Eight and the
 Future of Consumer Legal
 Activism to Fight Modern-
 Day Slavery in Corporate
 Supply Chains. 1449

CONSTITUTIONAL LAW

- ELMENDORF, Christopher S.
 From Educational Adequacy
 to Representational
 Adequacy: A New Template
 for Legal Attacks on
 Partisan Gerrymanders . . 1601

- HARNER, Michelle M.
 Rethinking Preemption and
 Constitutional Parameters
 in Bankruptcy. 147

- HO, Dale E.
 Something Old, Something New,
 or Something *Really Old*?
 Second Generation Racial
 Gerrymandering Litigation
 as Intentional Racial
 Discrimination Cases 1887

- HULSEBOSCH, Daniel J.
 Being Seen Like a State: How
 Americans (and Britons)
 Built the Constitutional
 Infrastructure of a
 Developing Nation 1239

- LEVITT, Justin
 Intent Is Enough: Invidious
 Partisanship in
 Redistricting 1993

- McGINNIS, John O.
 RAPPAPORT, Michael B.
 The Constitution and the
 Language of the Law 1321

- TOLSON, Franita
 Election Law "Federalism"
 and the Limits of the
 Antidiscrimination
 Framework 2211

CONSUMER PROTECTION

- BARNA, Andrew G.
 Note, The Early Eight and the
 Future of Consumer Legal
 Activism to Fight Modern-
 Day Slavery in Corporate
 Supply Chains. 1449

- HORTON, David
 Borrowing in the Shadow of
 Death: Another Look at
 Probate Lending 2447

- LEWIS, W. Logan
Campbell-Ewald Co. v. Gomez:
 Diminishing the Derivative
 Sovereign Immunity
 Doctrine and the Social
 Costs of Increasing Liability
 to Government
 Contractors 1491

CONTRACT LAW

- BUCCAFUSCO, Christopher
 BECHTOLD, Stefan
 SPRIGMAN, Christopher Jon
 The Nature of Sequential
 Innovation. 1

- CHIANG, Tun-Jen
 The Information-Forcing
 Dilemma in Damages
 Law 81

- HOLLANDER-BLUMOFF, Rebecca
 Social Value Orientation
 and the Law 475

- HORTON, David
 Borrowing in the Shadow of
 Death: Another Look at
 Probate Lending 2447

- LEWIS, W. Logan
Campbell-Ewald Co. v. Gomez:
 Diminishing the Derivative
 Sovereign Immunity
 Doctrine and the Social
 Costs of Increasing Liability
 to Government
 Contractors 1491
- CORPORATE LAW**
- BARNA, Andrew G.
 Note, The Early Eight and the
 Future of Consumer Legal
 Activism to Fight Modern-
 Day Slavery in Corporate
 Supply Chains. 1449
- HOLLANDER-BLUMOFF, Rebecca
 Social Value Orientation
 and the Law 475
- CRIMINAL JUSTICE &
 CRIMINAL LAW**
- BARKOW, Rachel E.
 OSLER, Mark
 Designed to Fail: The President's
 Deference to the Department
 of Justice in Advancing
 Criminal Justice Reform . . 387
- HYLTON, Keith N.
 Whom Should We Punish, and
 How? Rational Incentives
 and Criminal Justice
 Reform. 2513
- DEMOCRATIC
 REPRESENTATION**
- CAIN, Bruce E.
 CHO, Wendy K. Tam
 LIU, Yan Y.
 ZHANG, Emily R.
 A Reasonable Bias Approach
 to Gerrymandering: Using
 Automated Plan Generation
 to Evaluate Redistricting
 Proposals. 1521
- CASCINO, Julie A.
 Note, Following Oregon's
 Trail: Implementing
 Automatic Voter
 Registration to Provide
 for Improved Jury
 Representation in the
 United States 2575
- ELMENDORF, Christopher S.
 From Educational Adequacy
 to Representational
 Adequacy: A New Template
 for Legal Attacks on
 Partisan Gerrymanders . . 1601
- FISHKIN, Joseph
 Taking Virtual Representation
 Seriously 1681
- HASEN, Richard L.
 Race or Party, Race as Party,
 or Party All the Time:
 Three Uneasy Approaches
 to Conjoined Polarization
 in Redistricting and Voting
 Cases 1837
- HO, Dale E.
 Something Old, Something New,
 or Something *Really Old*?
 Second Generation Racial
 Gerrymandering Litigation
 as Intentional Racial
 Discrimination Cases 1887
- LEVITT, Justin
 Intent Is Enough: Invidious
 Partisanship in
 Redistricting 1993
- MAY, Hillary
 Note, The Last Frontier of
 Disenfranchisement: A
 Fundamental Right for
 Individuals with Cognitive
 Disabilities 693

- TOLSON, Franita
Election Law “Federalism”
and the Limits of the
Antidiscrimination
Framework 2211
- DISABILITY RIGHTS LAW**
- MAY, Hillary
Note, The Last Frontier of
Disenfranchisement: A
Fundamental Right for
Individuals with Cognitive
Disabilities 693
- EDUCATION LAW**
- ELMENDORF, Christopher S.
From Educational Adequacy
to Representational
Adequacy: A New Template
for Legal Attacks on
Partisan Gerrymanders . . 1601
- WEISHART, Joshua E.
Equal Liberty in Proportion . . 215
- ELECTION LAW**
- CAIN, Bruce E.
CHO, Wendy K. Tam
LIU, Yan Y.
ZHANG, Emily R.
A Reasonable Bias Approach
to Gerrymandering: Using
Automated Plan Generation
to Evaluate Redistricting
Proposals. 1521
- CHARLES, Guy-Uriel E.
FUENTES-ROHWER, Luis
Race and Representation
Revisited: The New Racial
Gerrymandering Cases and
Section 2 of the VRA. . . . 1559
- ELMENDORF, Christopher S.
From Educational Adequacy
to Representational
Adequacy: A New Template
for Legal Attacks on
Partisan Gerrymanders . . 1601
- FISHKIN, Joseph
Taking Virtual Representation
Seriously 1681
- FOLEY, Edward B.
The Gerrymander and the
Constitution: Two
Advenues of Analysis and
the Quest for a Durable
Precedent 1729
- GREEN, Rebecca
Redistricting Transparency . 1787
- HASEN, Richard L.
Race or Party, Race as Party,
or Party All the Time:
Three Uneasy Approaches
to Conjoined Polarizataion
in Redistricting and Voting
Cases 1837
- HO, Dale E.
Something Old, Something New,
or Something *Really Old?*
Second Generation Racial
Gerrymandering Litigation
as Intentional Racial
Discrimination Cases . . . 1887
- KARLAN, Pamela S.
Reapportionment,
Nonapportionment, and
Recovering Some Lost
History of One Person,
One Vote 1921
- KATZ, Ellen D.
Section 2 After Section 5:
Voting Rights and the Race
to the Bottom 1961
- LEVITT, Justin
Intent Is Enough: Invidious
Partisanship in
Redistricting 1993

- MAY, Hillary
 Note, The Last Frontier of
 Disenfranchisement: A
 Fundamental Right for
 Individuals with Cognitive
 Disabilities 693
- MORLEY, Michael T.
 Prophylactic Redistricting?
 Congress's Section 5 Power
 and the New Equal
 Protection Right to Vote . . 2053
- STEPHANOPOULOS, Nicholas O.
 The Causes and Consequences
 of Gerrymandering 2115
- TOKAJI, Daniel P.
 Gerrymandering and
 Association 2159
- TOLSON, Franita
 Election Law “Federalism”
 and the Limits of the
 Antidiscrimination
 Framework 2211
- EMPIRICAL LEGAL STUDIES**
- CAIN, Bruce E.
 CHO, Wendy K. Tam
 LIU, Yan Y.
 ZHANG, Emily R.
 A Reasonable Bias Approach
 to Gerrymandering: Using
 Automated Plan Generation
 to Evaluate Redistricting
 Proposals 1521
- COTROPIA, Christopher A.
 PETHERBRIDGE, Lee
 Gender Disparity in Law
 Review Citation Rates 771
- JACOBS, Sharon B.
 Administrative Dissents 541
- SCHWARTZ, David S.
 SOBER, Elliott
 The Conjunction Problem
 and the Logic of Jury
 Findings 619
- STEPHANOPOULOS, Nicholas O.
 The Causes and Consequences
 of Gerrymandering 2115
- EMPLOYEE BENEFITS LAW**
- WIEDENBECK, Peter J.
 Untrustworthy: ERISA's
 Eroded Fiduciary Law . . . 1007
- EMPLOYMENT LAW**
- AUSTIN, Perry F.
 Note, Motion to Dismiss for
 Failure to Succeed on the
 Merits: The EEOC and
 Rule 12(b)(6) 1097
- SIEGEL, Reva B.
 Pregnancy as a Normal
 Condition of Employment:
 Comparative and
 Role-Based Accounts of
 Discrimination 969
- EVIDENCE**
- RICHTER, Liesa L.
 Goldilocks and the Rule 803
 Hearsay Exceptions 897
- FAMILY LAW**
- HOLLANDER-BLUMOFF, Rebecca
 Social Value Orientation
 and the Law 475
- FEDERALISM**
- HARNER, Michelle M.
 Rethinking Preemption and
 Constitutional Parameters
 in Bankruptcy 147
- TOLSON, Franita
 Election Law “Federalism”
 and the Limits of the
 Antidiscrimination
 Framework 2211

FIDUCIARY LAW

- WIEDENBECK, Peter J.
Untrustworthy: ERISA's
Eroded Fiduciary Law . . . 1007

FIRST AMENDMENT

- LEVITT, Justin
Intent Is Enough: Invidious
Partisanship in
Redistricting 1993

- TOKAJI, Daniel P.
Gerrymandering and
Association 2159

GENDER AND THE LAW

- COTROPIA, Christopher A.
PETHERBRIDGE, Lee
Gender Disparity in Law
Review Citation Rates 771

- SIEGEL, Reva B.
Pregnancy as a Normal
Condition of Employment:
Comparative and
Role-Based Accounts of
Discrimination 969

IMMIGRATION LAW

- KAI, Lauri
Note, Embracing the Chinese
Exclusion Case: An
International Law Approach
to Racial Exclusion 2617

INTELLECTUAL PROPERTY

- BUCCAFUSCO, Christopher
BECHTOLD, Stefan
SPRIGMAN, Christopher Jon
The Nature of Sequential
Innovation 1

- MILAM, Andrew L.
Note, Pleading Patent
Infringement: Res Ipsa
Loquitur as a Guide 301

JUDICIARY

- BAYEFSKY, Rachel
Constitutional Injury and
Tangibility 2285

- BRADT, Andrew D.
The Long Arm of Multidistrict
Litigation 1165

- PREIS, John F.
Jurisdictional Idealism and
Positivism 1413

JURIES

- CASCINO, Julie A.
Note, Following Oregon's
Trail: Implementing
Automatic Voter
Registration to Provide
for Improved Jury
Representation in the
United States 2575

- SCHWARTZ, David S.
SOBER, Elliott
The Conjunction Problem
and the Logic of Jury
Findings 619

LAW & ECONOMICS

- BUCCAFUSCO, Christopher
BECHTOLD, Stefan
SPRIGMAN, Christopher Jon
The Nature of Sequential
Innovation 1

- HOLLANDER-BLUMOFF, Rebecca
Social Value Orientation
and the Law 475

- HYLTON, Keith N.
Whom Should We Punish, and
How? Rational Incentives
and Criminal Justice
Reform 2513

LEGAL HISTORY

HULSEBOSCH, Daniel J.
 Being Seen Like a State: How
 Americans (and Britons)
 Built the Constitutional
 Infrastructure of a
 Developing Nation 1239

KARLAN, Pamela S.
 Reapportionment,
 Nonapportionment, and
 Recovering Some Lost
 History of One Person,
 One Vote 1921

MILITARY LAW

DEHN, John C.
 Why a President Cannot
 Authorize the Military
 to Violate (Most of) the
 Law of War 813

MUNICIPAL LAW

ROSENDAHL, Matthew
 Note, iTenant: How the Law
 Should Treat Rental
 Relationships in the Sharing
 Economy 731

VIGNALI, Emma Brandt
 Note, Historic Districts:
 Preserving the Old with the
 Compatible New 345

NATIONAL SECURITY

DEHN, John C.
 Why a President Cannot
 Authorize the Military
 to Violate (Most of) the
 Law of War 813

PATENT LAW

BUCCAFUSCO, Christopher
 BECHTOLD, Stefan
 SPRIGMAN, Christopher Jon
 The Nature of Sequential
 Innovation 1

CHIANG, Tun-Jen
 The Information-Forcing
 Dilemma in Damages
 Law 81

MILAM, Andrew L.
 Note, Pleading Patent
 Infringement: Res Ipsa
 Loquitur as a Guide 301

PHILOSOPHY OF LAW

HOLLANDER-BLUMOFF, Rebecca
 Social Value Orientation
 and the Law 475

PROPERTY LAW

FENNELL, Lee Anne
 Accidents and Aggregates . . 2371

HORTON, David
 Borrowing in the Shadow of
 Death: Another Look at
 Probate Lending 2447

ROSENDAHL, Matthew
 Note, iTenant: How the Law
 Should Treat Rental
 Relationships in the Sharing
 Economy 731

VIGNALI, Emma Brandt
 Note, Historic Districts:
 Preserving the Old with the
 Compatible New 345

WIEDENBECK, Peter J.
 Untrustworthy: ERISA's
 Eroded Fiduciary Law . . . 1007

STATUTORY INTERPRETATION

McGINNIS, John O.
 RAPPAPORT, Michael B.
 The Constitution and the
 Language of the Law 1321

TECHNOLOGY & LAW

BLADOW, Laura E.
 Note, Worth the Click: Why
 Greater FTC Enforcement
 Is Needed to Curtail
 Deceptive Practices in
 Influencer Marketing 1123

BUCCAFUSCO, Christopher
 BECHTOLD, Stefan
 SPRIGMAN, Christopher Jon
 The Nature of Sequential
 Innovation 1

TORT LAW

CHIANG, Tun-Jen
 The Information-Forcing
 Dilemma in Damages
 Law 81

FENNELL, Lee Anne
 Accidents and Aggregates . . 2371

LEWIS, W. Logan
Campbell-Ewald Co. v. Gomez:
 Diminishing the Derivative
 Sovereign Immunity
 Doctrine and the Social
 Costs of Increasing Liability
 to Government
 Contractors 1491

ROSENDAHL, Matthew
 Note, iTenant: How the Law
 Should Treat Rental
 Relationships in the Sharing
 Economy 731

TRUSTS

HORTON, David
 Borrowing in the Shadow of
 Death: Another Look at
 Probate Lending 2447

WIEDENBECK, Peter J.
 Untrustworthy: ERISA's
 Eroded Fiduciary Law . . . 1007