

Denver Law Review

Volume 60
Issue 2 *Tenth Circuit Surveys*

Article 1

February 2021

Vol. 60, no. 2: Table of Contents

Denver Law Journal

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

Recommended Citation

60 Denv. L.J. v (1982).

This Front Matter is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.

Published by the
University of Denver
College of Law

DENVER LAW JOURNAL

1982 Volume 60 Issue 2

FOREWORD	ix
<i>Judge James K. Logan</i>	
THE JUDGES OF THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT	xi
TABLE OF CASES	xv
THE POLITICAL AND ADMINISTRATIVE HISTORY OF THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT	119
ADMINISTRATIVE LAW	149
I. SCOPE OF REVIEW	149
II. SOVEREIGN IMMUNITY	163
III. JUSTICIABILITY	164
IV. RULEMAKING PROVISIONS OF THE ADMINISTRA- TIVE PROCEDURE ACT	172
V. THE FREEDOM OF INFORMATION AND THE PRIVACY ACTS	174
ANTITRUST	177
I. THE "EFFECTS TEST" OF INTERSTATE COM- MERCE AND THE HEALTH CARE INDUSTRY	177
II. NEW APPLICATION FOR <i>ILLINOIS BRICK</i>	185
III. THE STATE ACTION EXEMPTION	190
IV. CONTRIBUTION AMONG ANTITRUST VIOLATORS	193
V. CASE DIGESTS	195
COMMERCIAL LAW	199
I. UNIFORM COMMERCIAL CODE	199
II. LIMITATION OF FEDERAL HOME LOAN BANK BOARD AUTHORITY	204

III. BANKRUPTCY	211
IV. CASE DIGESTS	216
CONSTITUTIONAL LAW AND CIVIL RIGHTS	221
I. SECTION 1983 OF THE CIVIL RIGHTS ACT OF 1871	221
II. CIVIL RIGHTS CLAIMS UNDER TITLE VII	234
III. FIRST AMENDMENT RIGHTS	236
IV. CASE DIGESTS	241
CRIMINAL LAW AND PROCEDURE	249
I. FOURTH AMENDMENT	249
II. FIFTH AMENDMENT	252
III. SIXTH AMENDMENT	257
IV. CRIMINAL LAW AND STATUTORY INTERPRETATION	261
FEDERAL PRACTICE AND PROCEDURE	273
I. JURISDICTION	273
II. VENUE	279
III. CLAIMS AND CLAIMANTS	280
IV. DISCOVERY AND PRETRIAL	284
V. APPEALS	288
Comment	
<i>Silkwood v. Kerr-McGee Corp.</i> : Workers' Compensation and Federal Preemption Rescue the Nuclear Tortfeasor	291
LABOR LAW	307
I. NATIONAL LABOR RELATIONS ACT—LABOR MANAGEMENT RELATIONS ACT	307
II. FAIR LABOR STANDARDS ACT	326
III. OCCUPATIONAL SAFETY AND HEALTH ACT	328
IV. RAILWAY LABOR ACT	329
V. FEDERAL COAL MINE HEALTH AND SAFETY ACT	330
LANDS AND NATURAL RESOURCES	333
I. OIL AND GAS	333
II. MINING LAW	344
III. PUBLIC LANDS	347
IV. INDIAN LANDS	349
V. ENVIRONMENTAL LAW	355

VI. WATER LAW	363
PATENTS	367
I. THE <i>JOHNS-MANVILLE</i> CASE	368
II. THE <i>SWIFT</i> CASE	371
SECURITIES	373
I. RECKLESS BEHAVIOR SATISFIES SCIENTER RE- QUIREMENT OF RULE 10B-5	373
II. SCIENTER AND SEC INJUNCTIVE ACTIONS	380
III. DUE DILIGENCE AND THE STATUTE OF LIMITATIONS	382
IV. BENEFIT-OF-THE-BARGAIN DAMAGES	384
V. CONCLUSION	385
TAXATION	387
I. ENFORCEMENT OF CIVIL SUMMONS	387
II. EMPLOYEE PROFIT SHARING PLANS	396
III. BASIS OF PARTNER'S PARTNERSHIP INTEREST	397
IV. SECTION 337 LIQUIDATIONS	399
V. CAPITAL VERSUS ORDINARY LOSS—COMMOD- ITY FUTURES TRANSACTIONS	402
VI. DISMISSAL UNDER TAX COURT RULE 123(B)	403
VII. DETERMINATION OF INCOME	404
VIII. AVAILABILITY OF DEDUCTIONS	404
IX. CRIMINAL CONVICTIONS	407
UNITED STATES SUPREME COURT REVIEW OF TENTH CIRCUIT DECISIONS	411
SUPREME COURT AFFIRMANCES	411

