

Denver Law Review

Volume 96
Issue 2 2019

Article 1

March 2024

Vol. 96, no. 2: Table of Contents

Denver Law Review

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

Recommended Citation

Table of Contents, 96 Denv. L. Rev. [i] (2018).

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.

Vol. 96, no. 2: Table of Contents

ARTICLES

Practical Considerations for Rule 21 Proceedings in the Colorado Supreme Court	<i>Brian D. Boatright & Will Hauptman</i>	203
Colorado Marijuana Regulation Five Years Later: Have We Learned Anything at All?	<i>Sam Kamin</i>	221
Call to Action: The Colorado Supreme Court’s Task Force on Lawyer Well-Being	<i>Monica M. Márquez & Jonathan White</i>	247
“Just Win, Baby”: The Tenth Circuit Rejects the “Anything Goes” Tactics of the Hail-Litigation Gold Rush	<i>Evan Stephenson & Kayla Scroggins-Uptigrove</i>	267
Uncovering Juror Racial Bias	<i>Christian B. Sundquist</i>	309
Wait Then Reassess: Antitrust Risks of Vertical Integration in Healthcare Remain an Open Question	<i>Kathleen Snow Sutton</i>	353
An Unjust Burden: The Tenth Circuit’s Misapplication of the Categorical Approach in <i>Lucio-Rayos v. Sessions</i>	<i>Tanika Vigil</i>	369

Denver Law Review (ISSN 2469-6463)

Winter 2019

The *Denver Law Review* is published quarterly by the University of Denver Sturm College of Law through the Denver Law Review Association.

Denver Law Review
2255 East Evans Avenue, Suite 425
Denver, Colorado 80208
(303) 871-6172

Cite as: 96 DENV. L. REV. ____ (2019).

Subscriptions: Subscriptions to the *Denver Law Review* are \$40.00 per volume (add \$5.00 for mailing addresses outside the United States). All subscriptions will be renewed automatically unless the subscriber provides timely notice of cancellation.

Single and Back Issues: Single issues of the current volume are available from the Association at \$15.00 per issue. All previous volumes and issues of the *Denver Law Review* are available exclusively from William S. Hein & Co., Inc., 2350 North Forest Road, Getzville, NY 14068, (800) 828-7571, www.heinonline.org.

Copyright: All articles copyright © 2018 by their respective authors. The University of Denver (Colorado Seminary) Sturm College of Law holds perpetual, unlimited, and nonexclusive rights to reproduce, distribute, and display all articles contained in this issue. The *Denver Law Review* holds the exclusive right to be the first to publish these articles in a law journal. Please contact the *Denver Law Review* for permissions.

Form: The *Denver Law Review* generally conforms to *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds., 20th ed. 2015) and to *The Chicago Manual of Style* (16th ed. 2010). It is the general policy of the *Denver Law Review* not to keep unpublished sources used in articles, notes, or comments beyond their use for verification of citations. Inquiries as to the location of an unpublished source should be directed to the author of the article, note, or comment in which it is cited.

Manuscripts: Please address manuscripts to the Senior Articles Editor, *Denver Law Review*, 2255 East Evans Avenue, Suite 425, Denver, Colorado 80208. Manuscripts should be double-spaced and cannot be returned unless accompanied by a self-addressed, postage-paid envelope. Manuscripts may also be submitted electronically in Word format via e-mail to lawrev@law.du.edu.

Previous Nomenclature: Published as the *Denver Bar Association Record* from 1923 to 1928, *Dicta* from 1928 to 1965, *Denver Law Journal* from 1966 to 1984, and *Denver University Law Review* from 1985 to 2015.

Postmaster: Please send all address changes to *Denver Law Review*, 2255 East Evans Avenue, Suite 425, Denver, Colorado 80208.

Denver Law Review Online: Recent *Denver Law Review* articles and additional *Denver Law Review* content, including information on past and upcoming *Denver Law Review* symposia, may be accessed online at <http://www.denverlawreview.org/>.

DENVER LAW REVIEW

96 Years of Excellence

VOLUME 96 BOARD OF EDITORS

2018–2019

EXECUTIVE BOARD

Editor in Chief

BRIDGET DUPEY

Managing Editor

ANGELA HYGH

Senior Online Editor

AUSTIN JENSEN

Senior Articles Editor

ZACH LASS

Production Editors

SEAN CUFF

KATHERINE MADDEN

LAURA MARTINEZ

Online Editor

MITCHOL DUNHAM

Articles Editors

ALEXANDRA BERGER

BRYSTON GALLEGOS

ALISON HEINEN

Case Note and Comment Editors

CHELSEA MARX

NATALIE SPIESS

Outreach Editor

MARIHAM YAFT

Symposium Editor

ZOE VERHOEVEN

ASSOCIATE EDITORS

JILL BEATHARD

KAYLA GEHRINGER

OLIVIA KOHRS

HEATHER OLIN

AMANDA BLISS

MEGAN HERR

JOHN KYED

ALEXANDRA PARROTT

ALLISON CRENNEN-DUNLAP

RACHEL KENNEDY

SUSIE LLOYD

SARAH SCHULTE

MARK FEERO

JOSEPH KMETZ

J. KIRK MCGILL

SHANNON WARREN

STAFF EDITORS

JENNA BRAGAGNOLO

SARAH DEWAR

JONATHAN FENIAK

AMY JONES

PARYA MAHMOUDI

COLE POKARD

NATALIE SANDERS

REBECCA WALKER

MARIE ZIMMERMAN

MATTHEW BRANAUGH

ANNA DYKEMA

JOSEPH FRYDENLUND

CHELSEA KELLEHER

EMILY MENDOZA

DALEN PORTER

TANNER SLEDGE

KELSI WHITE

SARAH COLLINS

ELENA ENGEL

KRISTEN GEARY

EDWIN LAMAIR

DESIREE PALOMARES

JENNIFER REGIER

MAEVE SULLIVAN

TYLER WHITNEY

JAYCEY DEHOYOS

KELSEY FAIRHOLM

MATTHEW GROSSI

ELIZABETH LeBUHN

KASIA PARECKI

J. SCOTT ROSENBACH

CLAIRE SWEETMAN

CAITLIN WIGHTMAN

ADVISORS AND SUPPORT STAFF

PROF. NANCY LEONG

PROF. MICHAEL G. MASSEY

PROF. IAN FARRELL

PROF. JUSTIN MARCEAU

DEAN VIVA MOFFAT

PROF. ELI WALD

**UNIVERSITY OF DENVER
STURM COLLEGE OF LAW**

ADMINISTRATIVE OFFICERS

Rebecca Chopp, Ph.D., *Chancellor*
Gregg Kvistad, B.A., M.A., Ph.D., *Provost and Executive Vice Chancellor*
Craig Woody, B.B.A., M.Acc., *Vice Chancellor for Business & Financial Affairs*
Renell Wynn, B.A., *Vice Chancellor of Communications & Marketing*
Paul H. Chan, B.A., J.D., *University Counsel*
Bruce P. Smith, B.A., M.A., J.D., Ph.D., *Dean of the Sturm College of Law*
Viva Moffat, B.A., M.A., J.D., *Associate Dean of Academic Affairs and Professor of Law*
Rebecca Aviel, B.A., J.D., *Associate Dean of Faculty Scholarship and Associate Professor of Law*
Catherine E. Smith, B.A., M.A., J.D., *Associate Dean for Institutional Diversity and Inclusiveness and Professor of Law*
Eric Bono, B.A., J.D., *Assistant Dean for Career Opportunities*
Jessica Boynton, B.S., J.D., *Assistant Dean for Student Affairs*
Iain Davis, M.S., *Assistant Dean of Student Financial Management and Admissions*

FACULTY

Robert Anderson, B.A., J.D., *Professor of the Practice*
Rachel S. Arnow-Richman, B.A., J.D., LL.M., *Director, Workplace Law Program and Chauncey Wilson Memorial Research Professor*
Debra Austin, B.M.E., J.D., Ph.D., *Professor of the Practice*
Tanya Bartholomew, B.A., J.D., *Associate Professor of the Practice*
Jerome Borison, B.S., J.D., LL.M., *Associate Professor of Law*
Stacey Bowers, B.S., J.D., MLIS, Ph.D., *Associate Professor of the Practice*
J. Robert Brown, Jr., B.A., M.A., Ph.D., J.D., *Director, Business & Commercial Law Program and Professor of Law*
Phoenix Cai, B.A., J.D., *Associate Professor of Law*
John Campbell, B.A., J.D., *Assistant Professor of the Practice*
Bernard Chao, B.S., J.D., *Associate Professor of Law*
Alan K. Chen, B.A., J.D., *Professor of Law*
Roberto L. Corrada, B.A., J.D., *Mulligan Burselson Chair in Modern Learning and Professor of Law*
Patience Crowder, B.A., J.D., *Associate Professor of Law*
Susan D. Daggett, B.A., J.D., *Executive Director, Rocky Mountain Land Use Institute and Assistant Professor of the Practice*
K.K. DuVivier, B.A., J.D., *Professor of Law*
Nancy S. Ehrenreich, B.A., J.D., LL.M., *Professor of Law*
Ian Farrell, L.L.B., LL.M., *Associate Professor of Law*
Alexi Freeman, B.A., J.D., *Director, Externships and Public Interest Initiatives and Associate Professor of the Practice*
Samantha Galvin, B.A., J.D., LL.M., *Assistant Professor of the Practice of Taxation*
César Cuauhtémoc García Hernández, A.B., J.D., *Associate Professor of Law*
Rashmi Goel, B.A., LL.B., J.S.M., J.S.D candidate, *Associate Professor of Law*
Robert M. Hardaway, B.A., J.D., *Professor of Law*
Gregory J. Hobbs, Jr., B.A., J.D., *Co-Director, Environmental and National Resources Law Program and*

Distinguished Jurist in Residence

Mark Hughes, A.B., J.D., *Assistant Teaching Professor*
Danielle Jefferis, B.A., J.D., *Visiting Assistant Professor of the Practice*
Scott Johns, B.A., J.D., *Director, Bar Passage Program and Professor of the Practice*
José Roberto Juárez, Jr., A.B., J.D., *Professor of Law*
Sam Kamin, B.A., J.D., Ph.D., *Vicente Sederberg Professor of Marijuana Law and Policy*
Martin Katz, A.B., J.D., *University Chief Innovation Office and Senior Advisor for Academic Innovation and Design and Professor of Law*
Tamara L. Kuennen, B.A., J.D., LL.M., *Professor of Law*
Margaret Kwoka, B.A., J.D., *Associate Professor of Law*
Jan G. Laitos, B.A., J.D., S.J.D., *John A. Carver, Jr. Professor of Law*
Christopher Lasch, B.A., J.D., *Associate Professor of Law*
Nancy Leong, B.A., B.Mus., J.D., *Professor of Law*
Isaac Lodico, B.A., J.D., LL.M., *Assistant Professor of the Practice of Taxation*
Kevin Lynch, B.A., J.D., *Assistant Professor of Law*
Justin Marceau, B.A., J.D., *Animal Legal Defense Fund Professor of Law*
Lucy A. Marsh, B.A., J.D., *Professor of Law*
G. Kristian McDaniel-Miccio, B.A., M.A., J.D., LL.M., J.S.D., *Professor of Law*
Viva Moffat, B.A., M.A., J.D., *Associate Dean of Academic Affairs and Professor of Law*
Suzanna Moran, B.A., M.S., J.D., *Hartje & Reese LP Chair and Associate Professor of the Practice*
Ved P. Nanda, B.A., M.A., LL.B., LL.M., *Thompson G. Marsh Professor of Law*
Stephen L. Pepper, A.B., J.D., *Professor of Law*
Justin Pidot, B.A., J.D., *Associate Professor of Law*
Edward J. Roche, Jr., B.B.A., J.D., *Professor of Law*
Tom I. Romero, II, B.A., J.D., Ph.D., *Assistant Provost of IE Research and Curriculum Initiatives and Associate Professor of Law*
Laura L. Rovner, B.A., J.D., LL.M., *Ronald V. Yegge Clinical Director and Professor of Law*
Nantiya Ruan, B.A., J.D., *Professor of the Practice of Law*
Thomas Russell, B.A., M.A., J.D., Ph.D., *Professor of Law*
David Schott, B.S., J.D., *Director, Trial Advocacy Program and Professor of the Practice*
Michael Siebecker, B.A., J.D., LL.M., M.Phil., Ph.D., *Professor of Law*
Catherine E. Smith, B.A., M.A., J.D., *Associate Dean for Institutional Diversity and Inclusiveness and Professor of Law*
Don C. Smith, B.S., J.D., LL.M., *Associate Professor of the Practice*
Michael Sousa, B.A., J.D., *Associate Professor of Law*
Erin Stearns, B.A., M.P.H., J.D., LL.M., *Assistant Professor of the Practice of Taxation*
Kathryn Stoker, B.A., J.D., *Associate Professor of the Practice*
Celia R. Taylor, B.A., J.D., *Director, International Legal Studies Program, Professor of Law and Nanda Chair*
David I. C. Thomson, B.A., J.D., *Professor of the Practice and John C. Dwan Professor for Online Learning*
Ann Vessels, B.A., J.D., *Director, Veterans Advocacy Project and Professor of the Practice*
Robin Walker Sterling, B.A., J.D., LL.M., *Associate Professor of Law*
Eli Wald, B.A., LL.B., LL.M., S.J.D., *Charles W. Delaney, Jr. Professor of Law*
Lindsey Webb, B.A., J.D., LL.M., *Assistant Professor of Law*
Annecoos Wiersema, B.A., LL.B., LL.M., S.J.D., *Professor of Law*
John R. Wilson, B.S., J.D., *Director, Graduate Tax Program and Professor of the Practice of Taxation*