Boston College Law Review

Volume 55 Issue 6 *Electronic Supplement*

Article 1

4-9-2014

Front Matter

Boston College Law Review

Follow this and additional works at: http://lawdigitalcommons.bc.edu/bclr

Recommended Citation

Boston College Law Review, *Front Matter*, 55 B.C.L. Rev. (2014), http://lawdigitalcommons.bc.edu/bclr/vol55/iss6/1

This Front Matter is brought to you for free and open access by the Law Journals at Digital Commons @ Boston College Law School. It has been accepted for inclusion in Boston College Law Review by an authorized editor of Digital Commons @ Boston College Law School. For more information, please contact nick.szydlowski@bc.edu.

BOSTON COLLEGE LAW REVIEW

Volume LV 2014 E. Supp.

COMMENTS

ANNUAL SURVEY OF FEDERAL EN BANC AND OTHER SIGNIFICANT CAS	ES
A SIMPLE CONCEPT IN A COMPLICATED WORLD: ACTUAL CAUSATION, MIXED-DRUG DEATHS AND THE EIGHTH CIRCUIT'S OPINION IN <i>United States v. Burrage</i> Benjamin Ernst	1
NAVIGATING THE TURBULENCE: THE FIRST CIRCUIT CLARIFIES THE PREEMPTIVE SCOPE OF THE AIRLINE DEREGULATION ACT IN BROWN v. UNITED AIRLINES Michael Welsh	15
A STEP IN THE WRONG DIRECTION: THE NINTH CIRCUIT REQUIRES REASONABLE SUSPICION FOR FORENSIC EXAMINATIONS OF ELECTRONIC STORAGE DEVICES DURING BORDER SEARCHES IN UNITED STATES v. COTTERMAN Michael Creta	31
THE "STATE" OF FEDERAL BANKRUPTCY LAW: THE NINTH CIRCUIT'S DEBT RECHARACTERIZATION ANALYSIS IN IN RE FITNESS HOLDINGS INTERNATIONAL Bryan C. Curran	47
THE SEARCH FOR A LIMITED SEARCH: THE FIRST CIRCUIT DENIES THE SEARCH OF CELL PHONES INCIDENT TO ARREST IN <i>UNITED</i> STATES v. WURIE Evan O'Connor	.59
CAUDLE V. DISTRICT OF COLUMBIA: THE GOLDEN RULE HAS NO PLACE IN A COURTROOM Craig Randall	.75
AN EXHAUSTING IDEA: THE FIFTH CIRCUIT EXAMINES THE IDEA EXHAUSTION REQUIREMENT IN STEWART v. WACO INDEPENDENT SCHOOL DISTRICT Elizabeth Rodd.	89

A MURKY DOCTRINE GETS A LITTLE PUSHBACK: THE FOURTH CIRCUIT'S REBUFF OF GUILTY PLEAS IN UNITED STATES v. FISHER Eric Hawkins	103
THE ELEVENTH CIRCUIT CREATES UNCERTAINTY BY APPLYING THE RULE OF LENITY IN <i>United States v. Izurieta</i> Catherine DiVita	115
AVOIDING SORROW IN <i>MORROW</i> : A SPECIAL RELATIONSHIP SHOULD EXIST BETWEEN A SCHOOL AND ITS STUDENTS <i>Kelly Schwartz</i>	127
THE FIFTH CIRCUIT LAYS ECONOMIC PROTECTIONISM TO REST IN ST. JOSEPH ABBEY Elizabeth Trafton	141
JUST FOLLOWING ORDERS: THE FIFTH CIRCUIT'S INCOMPLETE ANALYSIS OF CHAPTER 11 BANKRUPTCY CRAMDOWN IN IN RE VILLAGE AT CAMP BOWIE Jordan A. Smith	153
THE REASONING BEHIND A "GOOD REASON" STANDARD: THE SEVENTH CIRCUIT'S ANALYSIS OF SUCCESSOR LIABILITY IN TEED v. THOMAS & BETTS POWER SOLUTIONS, L.L.C. James Long	169
VOTING FOR BALANCE: THE THIRD CIRCUIT SPLITS WITH THE SIXTH CIRCUIT OVER THE PRESS'S RIGHT TO ACCESS POLLING STATIONS IN PG PUBLISHING CO. v. AICHELE	192
NICHOUS 1 0551N	1 × 4

Copyright © 2014 by Boston College Law School

The *Boston College Law Review* (ISSN 0161-6587) is published five times per year: January, March, May, September, and November; the *E. Supp.* is published annually. Both are published by Boston College Law School, 885 Centre Street, Newton Centre, Massachusetts 02459.

Except as otherwise expressly provided, the copyright holder grants permission to those who wish to make copies of Comments published in the *E. Supp.* for educational use, provided that 1) copies are distributed at or below cost, 2) the author and source are identified, and 3) proper notice of copyright is affixed to each copy.

This electronic supplement is to be cited as B.C. L. REV. E. SUPP.

BOSTON COLLEGE LAW REVIEW

Volume LV January 2014 Number 1

David A. Libardoni Editor in Chief

Nicholas Drew Managing Editor

Nicole Fontaine
Executive Articles Editor

Nicholas Macri Executive Notes Editor Emily M. Jennings Managing Editor

Mark E. Woodroffe
Executive Articles Editor

Caitlin Sawyer
Executive Comments Editor

Jacob Merkel

Joshua Neifeld

Ryan Perry

Monica Thoele

Janice Ye

Articles Editors

Tristan Axelrod Kate Barry Evelyn Fanneron Kevin Finnerty Lynndon Groff Matthew Harris Brett M. Jackson Sarah A. Kellogg Nathaniel Koslof Ethan Marks

Senior Editors

Melissa Brenner Christopher J. Cifrino Laura Diss Brandon Dunn Robert Dzialo Mary Hagedorn Thomas James Timothy Kulis
Kelly LeGaye
Daniel Long
Riley Lovendale
Matthew McDonough
Brian McNeil

Yavor Nechev
Andrew Peace
Nicholas Poli
Stefanie Tedesco
Andrew Trombly
Melissa Waite
Rachel Weisblatt

STAFF

Matt Brooks
Eleanor Cashmore
Mark Cloutier
Michael Creta
Bryan Curran
Catherine DiVita
Nathaniel Dolcort-Silver
Sean Donahue
Precious Eboigbe
Benjamin Ernst
Gabriel Gill-Austern
John Goodlander

Samuel Gottstein
Andrew Haile
Harry Hanson
Eric Hawkins
Sam Jones
Nicholas Lessin
James Long
David Martin
Anthony Masero
Diahann McCooey
Evan O'Connor
Mark Potash

Craig Randall
Elizabeth Rodd
Kate Scanlan
Kelly Schwartz
Jordan Smith
John Stern
Elizabeth Trafton
Lee Valentine
Michael Welsh
Andrew Wilson
Ann-Marie Woods
Andrew Zarriello

Brian Galle Faculty Advisor

Nick Szydlowski Webmaster Mary-Rose Papandrea Faculty Advisor

John Gordon

Director. Law Review Publications

David Olson Faculty Advisor

Joan Shear Library Liaison

BOSTON COLLEGE LAW SCHOOL

ADMINISTRATION

WILLIAM P. LEAHY, S.J., B.A., M.A., M.Div., S.T.L., Ph.D., President
PATRICK J. KEATING, B.A., M.P.P., D.Ed., Executive Vice President
JOSEPH F. QUINN, B.A., Ph.D., Interim Provost, Dean of Faculties
VINCENT D. ROUGEAU, A.B., J.D., Dean
MARIS ABBENE, B.A., J.D., Associate Dean for Academic, Career & Student Services
FILIPPA MARULLO ANZALONE, A.B., M.S.L.S., J.D., Associate Dean for Library & Computing Services, FILIPPA MARULLO ANZALONE, A.B., M.S.L.S., J.D., Associate Dean Jor Lidrary & Co. Professor of Law
JESSICA CASHDAN, B.A., M.A., Executive Director of Advancement & Associate Dean JOSEPH P. LIU, B.A., J.D., LL.M, Associate Dean for Faculty, Professor of Law
JOHN P. STACHNIEWICZ, A.B., M.A., Associate Dean for Finance & Administration
TRACEY WEST, B.A., J.D., Associate Dean for External Relations, Diversity & Inclusion
HEATHER HAYES, B.A., J.D., Assistant Dean for Career Services
RITA C. SIMPSON, B.A., Assistant Dean for Admissions & Financial Aid
FREDERICK M. ENMAN, S.J., B.A., J.D., Special Assistant to the Dean for Students
ELIZABETH A. ROSSELOT, B.S., M.S., Registrar
JOHN A. GORDON, B.S., J.D., Director of Law Review Publications
JOAN MANNA, B.A., M.A., Operations Manager

FULL-TIME FACULTY RICHARD ALBERT, B.A., B.C.L., J.D., LL.M., Assistant Professor of Law ALEXIS ANDERSON, B.A., M.A., J.D., Associate Clinical Professor of Law FILIPPA MARULLO ANZALONE, A.B., M.S.L.S., J.D., Professor of Law PAULO BARROZO, LL.B., M.Jur., Ph.D., LL.M., S.J.D., Assistant Professor of Law SHARON BECKMAN, A.B., J.D., Associate Clinical Professor of Law MARY SARAH BILDER, B.A., A.M., J.D., Ph.D., Professor of Law
ROBERT M. BLOOM, B.S., J.D., Professor of Law
E. JOAN BLUM, A.B., J.D., Associate Professor of Legal Reasoning, Research & Writing MARK S. BRODIN, B.A., J.D., Professor of Law GEORGE D. BROWN, A.B., J.D., Robert Drinan, S.J. Professor of Law R. MICHAEL CASSIDY, B.A., J.D., Professor of Law MARY ANN CHIRBA, B.A., M.P.H., Sc.D., J.D., Professor of Legal Reasoning, Research & Writing DANIEL R. COQUILLETTE, A.B., B.A., M.A., J.D., J. Donald Monan, S.J. Professor of Law SCOTT T. FITZGIBBON, B.A., J.D., B.C.L., Professor of Law BRIAN GALLE, A.B., J.D., LL.M., Associate Professor of Law FRANK J. GARCIA, B.A., J.D., Professor and Associate Dean of Global Initiatives
JANE K. GIONFRIDDO, B.A., J.D., Professor and Director of Legal Reasoning, Research &

Writing
KENT GREENFIELD, A.B., J.D., Professor of Law
DEAN M. HASHIMOTO, A.B., M.S., M.P.H.,
M.D., J.D., Associate Professor of Law
FRANK R. HERRMANN, S.J., A.B., M.Div., J.D., Associate Professor of Law INGRID M. HILLINGER, A.B., J.D., Professor of MARY HOLPER, B.A., J.D., Associate Clinical Professor; Director, Immigration Clinic KARI E. HONG, A.B., J.D., Assistant Professor of

Law RENEE M. JONES, A.B., J.D., Associate Professor of Law

GREGORY A. KALSCHEUR, S.J., B.A., J.D., LL.M., M. Div., S.T.L., Associate Professor of

DANIEL KANSTROOM, B.A., J.D., LL.M., Director, International Human Rights Program,

Professor of Law SANFORD N. KATZ, A.B., J.D., Darald & Juliet Libby Professor of Law ELISABETH KELLER, B.A., M.A., J.D., Associate

Professor of Legal Reasoning, Research & Writing

THOMAS C. KOHLER, B.A., J.D., LL.M. Director, Law & Religion Programs, Professor

JOSEPH P. LIU, B.A., J.D., LL.M., Professor of

DANIEL LYONS, A.B., J.D., Assistant Professor of

RAY D. MADOFF, A.B., J.D., LL.M., Professor of

JUDITH A. McMORROW, B.A./B.S., J.D., Professor of Law

ALAN Ď. MINŬSKIN, B.A., J.D., Associate

Clinical Professor of Law DAVID OLSON, B.A., J.D., Associate Professor of

MARY-ROSE PAPANDREA, B.A., J.D., Professor

VLAD PERJU, LL.B., LL.M., S.J.D., Associate

Professor of Law ZYGMUNT J.B. PLATER, B.A., J.D., LL.M.,

S.J.D., *Professor of Law* BRIAN J.M. QUINN, B.S.F.S., M.P.P., J.D., M.L.S., Associate Professor of Law

JAMES R. REPETTI, A.B., M.B.A., J.D., William J. Kenealy, S.J. Professor of Law DIANE RING, A.B., J.D., Professor of Law

JAMES STEVEN ROGERS, A.B., J.D., Professor of Law

EVANGELINE SARDA, B.A., J.D., Associate

Clinical Professor of Law FRANCINE SHERMAN, B.A., J.D., Clinical Associate Professor, Director, Juvenile Rights

Associate Projessor, Director, Juvenile Rights Advocacy Project MARK SPIEGEL, A.B., J.D., Professor of Law JUDITH B. TRACY, B.A., J.D., Associate Professor of Legal Reasoning, Research & Writing PAUL R. TREMBLAY, B.A., J.D., Faculty Director of Experiential Learning, Clinical Professor of

Ľaw

CATHARINE WELLS, B.A., M.A., Ph.D., J.D., Professor of Law

HERBERT P. WILKINS, A.B., LL.B., Huber Distinguished Visiting Professor of Law DAVID A.WIRTH, A.B., A.M., J.D., Professor of

NORAH WYLIE, B.A., M.A., J.D., Visiting Assistant Professor of Legal Reasoning,

Assistant Professor of Legal Reasoning, Research & Writing ALFRED C. YEN, B.S., M.S., J.D., Director, Emerging Enterprises & Business Law Programs, Professor of Law KATHARINE G. YOUNG, B.A., LLB, S.J.D.,

L.L.M., Associate Professor of Law