

TULANE LAW REVIEW

VOLUME 82

DECEMBER 2007

No. 2

CONTENTS

ARTICLES

- DEFERENCE AND DOUBT:
THE INTERACTION OF
AEDPA § 2254(D)(2) AND (E)(1) *Justin F. Marceau* 385
- AEDPA’S WRECKS: COMITY,
FINALITY, AND FEDERALISM..... *Lee Kovarsky* 443
- PRECONSTITUTIONAL
FEDERAL POWER *Matthew L.M. Fletcher* 509
- LIBERTY, SUBSTANTIVE
DUE PROCESS, AND
PERSONAL JURISDICTION *Charles W. “Rocky” Rhodes* 567
- DISENTANGLING EMTALA
FROM MEDICAL MALPRACTICE:
REVISING EMTALA’S
SCREENING STANDARD TO
DIFFERENTIATE BETWEEN
ORDINARY NEGLIGENCE AND
DISCRIMINATORY DENIALS OF CARE..... *Beverly Cohen* 645
- TIMELINESS, EQUITY, AND
FEDERAL APPELLATE JURISDICTION:
RECLAIMING THE “UNIQUE
CIRCUMSTANCES” DOCTRINE *Philip A. Pucillo* 693

COMMENTS

LAND VERSUS SEA; CARMACK
VERSUS COGSA: WHY THE
CARMACK AMENDMENT SHOULD
NOT APPLY TO INLAND PORTIONS
OF MULTIMODAL SHIPMENTS *William C. Baldwin* 731

TOWARDS A CORPORATE “LAW
OF NATIONS”: MULTINATIONAL
ENTERPRISES’ CONTRIBUTIONS TO
CUSTOMARY INTERNATIONAL LAW *Gregory T. Euteneier* 757