

Volume 49 | Issue 4

1999

Volume 49 Issue 4 (1999)

Case Western Reserve University Law Review

Follow this and additional works at: <https://scholarlycommons.law.case.edu/caselrev>



Part of the [Law Commons](#)

Recommended Citation

Case Western Reserve University Law Review, *Volume 49 Issue 4 (1999)*, 49(4) Case W. Res. L. Rev. Front Matter (1999)
Available at: <https://scholarlycommons.law.case.edu/caselrev/vol49/iss4/2>

This Front Matter is brought to you for free and open access by the Student Journals at Case Western Reserve University School of Law Scholarly Commons. It has been accepted for inclusion in Case Western Reserve Law Review by an authorized administrator of Case Western Reserve University School of Law Scholarly Commons.

K
3
.A76
c.2
STACKS

CASE WESTERN RESERVE LAW REVIEW

VOLUME 49

SUMMER 1999

NUMBER 4

ARTICLE

THE APPARENT MANUFACTURER DOCTRINE,
TRADEMARK LICENSORS AND THE THIRD
RESTATEMENT OF TORTS

DAVID J. FRANKLYN

ESSAY

HOW SHOULD WE TALK?

JEAN BETHKE ELSHTAIN

NOTE

EDUCATIONAL VOUCHERS AND THE RELIGION
CLAUSES UNDER *AGOSTINI*: RESURRECTION,
INSURRECTION AND A NEW DIRECTION

KIMBERLY M. DESHANO

COMMENTS

THE EXCEPTION THAT SWALLOWED THE RULE?
WOMEN'S MEDICAL PROFESSIONAL CORPORATION v.
VOINOVICH AND THE MENTAL HEALTH EXCEPTION TO
POST-VIABILITY ABORTION BANS

BRIAN D. WASSOM

THE CONFUSION DEFINED: QUESTIONS AND PROBLEMS
OF PROCESS IN THE AFTERMATH OF THE
CLINTON IMPEACHMENT

MARK R. SLUSAR

**CASE
WESTERN
RESERVE
LAW REVIEW**

Volume 49, Number 4
Summer 1999



CASE WESTERN RESERVE LAW REVIEW

VOLUME 49

SUMMER 1999

NUMBER 4

Managing Editor

MICHAEL R. TUCCI

Editor in Chief

JODY STORM GALE

Publisher

CAROLYN L. REDINGER

Executive Articles Editor

ALAN D. GOLDMAN

Executive Contributing Editor

BRIAN D. WASSOM

Executive Notes Editor

SHAWN M. LARSEN

Articles Editors

JOHN ALTEN

KRISTIN L. ANTALL

JAIME BOUVIER

YELENA BOXER

KIMBERLY DESHANO

GREGORY KRAUSE

MICHAEL MAKOFSKY

Contributing Editors

JONATHAN E. AGIN

JAMES E. BARNETT

SUTTON I. KINTER III

MARK R. SLUSAR

Associate Coordinator

JOHANNA FABRIZIO

Notes Editors

LISA M. KERR

SUSAN LESLIE

ERIC NORTON

LORETTA SCASSERRA

STEPHEN J. SHAPIRO

Associates

MATTHEW ALBERS

BRIAN ALAN BARGMEYER

DAVID S. BURKHOLDER

ANDRAEA CARLSON

PATTI DONZE

DANIEL FORD

SALIM KAFITI

ANTHONY KUHEL

TINA LUZADER

JEFF METZCAR

ANNA MOSCIONI

CHRISTIAN NATIELLO

CHRISTOPHER O'CONNOR

LEIGH O'HARA

SARAH POLLYEA

WILLIAM R. POST

BENJAMIN SASSÉ

STEPHAN SCHLEGELMILCH

TOM SMOLDERS

DIANNA SNYDER

RACHAEL L. URBANSKY

K. ISSAC DEVYVER

GITTE WENDELL

JAMISON WHITE

JANE WOLLIN

Faculty Advisor

ROBERT N. STRASSFELD

Coordinator of Student Publications

CAROLYN L. SPEAKER

CASE WESTERN RESERVE UNIVERSITY
SCHOOL OF LAW FACULTY

Administrative Officers

GERALD KORNGOLD, B.A., J.D., *Dean*

WILBUR C. LEATHERBERRY, A.B., J.D., *Associate Dean for Academic Affairs*

BRYAN L. ADAMSON, Ph.B., B.S., M.A., J.D., *Assistant Dean for Student Services*

BARBARA F. ANDELMAN, B.A., J.D., *Assistant Dean for Admissions, Financial Aid, and Special Projects*

BARBARA C. S. WEINZIERL, B.A., J.D., *Assistant Dean for Career Services*

Professors Emeriti

SIMON L. GOREN, Dip. Law, M.L.S.

EDWARD A. MEARN, JR. B.S., LLB

HUGH A. ROSS, B.S., LL.B., LL.M., S.J.D.

OLIVER C. SCHROEDER, JR., A.B., J.D., *Albert J. Weatherhead III and Richard W. Weatherhead Professor Emeritus*

LOUIS A. TOEPFER, A.B., LL.B., *Dean Emeritus, President Emeritus of the University*

Professors of Law

ARTHUR D. AUSTIN II, B.S., LL.B.

Edgar A. Hahn Professor

LAURA BROWN CHISOLM, B.A., J.D.

RONALD J. COFFEY, A.B., LL.B., LL.M.

GEORGE W. DENT, JR., B.A., J.D., LL.M.

Schott—van den Eynden Professor

MELVYN R. DURCHSLAG, B.S., J.D.

JONATHAN L. ENTIN, A.B., J.D.

Professor of Law and Political Science

LEON GABINET, Ph.B., J.D.

Executive Director, LL.M. Taxation

PETER M. GERHART, B.A., J.D.

PAUL C. GIANNELLI, B.A., M.S.F.S., J.D., LL.M.

Albert J. Weatherhead III and

Richard W. Weatherhead Professor

THOMAS I. HAUSMAN, B.A., J.D., LL.M.

Adjunct Professor and Administrative

Director, LL.M. Taxation

ERIK M. JENSEN, S.B., M.A., J.D.

David L. Brennan Professor

PETER D. JUNGER, A.B., LL.B.

LEWIS R. KATZ, A.B., J.D.

John C. Hutchins Professor and

Director, LL.M. United States Legal Studies

HENRY T. KING, JR., B.A., LL.B.

Adjunct Professor and U.S. Director,

Canada-U.S. Law Institute

GERALD KORNGOLD, B.A., J.D.

Everett D. and Eugenia S. McCurdy Professor

JULIET P. KOSTRITSKY, A.B., J.D.

ROBERT P. LAWRY, B.A., J.D., Dip. Law,

Director, Center for Professional Ethics

WILBUR C. LEATHERBERRY, A.B., J.D.

JUDITH P. LIPTON, B.A., M.S.S.W., J.D.

Interim Codirector, Milton A. Kramer Law Clinic

KENNETH R. MARGOLIS, B.A., J.D.

Interim Codirector, Milton A. Kramer Law Clinic

WILLIAM P. MARSHALL, B.A., J.D.

Galen J. Roush Professor

JAMES W. MCELHANEY, A.B., LL.B.

Joseph C. Hostetler Professor

LOUISE W. MCKINNEY, B.A., J.D.

KEVIN C. MCMUNIGAL, B.A., J.D.

MAXWELL J. MEHLMAN, B.A., J.D.

Arthur E. Petersilge Professor and

Director, Law-Medicine Center

ANDREW P. MORRIS, A.B., M.P.A., J.D., Ph.D.

Professor of Law and Associate Professor of

Economics

SPENCER NETH, A.B., J.D., LL.M.

SIDNEY I. PICKER, JR., A.B., LL.B., LL.M.

MORRIS G. SHANKER, B.S.E.E., M.B.A., J.D.

John Homer Kapp Professor

CALVIN WILLIAM SHARPE, B.A., M.A., J.D.

ROBERT N. STRASSFELD, B.A., M.A., J.D.

Associate Professors of Law

BRYAN L. ADAMSON, Ph.B., B.S., M.A., J.D.

KATHLEEN M. CARRICK, B.A., M.L.S., J.D., *Director of the Library*

HIRAM E. CHODOSH, B.A., J.D. *Director, Frederick K. Cox International Law Center*

KENNETH F. LEDFORD, B.A., J.D., M.A., Ph.D., *Associate Professor of History and Law*

ANN SOUTHWORTH, B.A., J.D.

THEODORE L. STEINBERG, B.A., Ph.D., *Associate Professor of History and Law*

WENDY ELIZABETH WAGNER, B.A., M.S., J.D.

Instructors in Law

DAVID J. CARNEY, B.A., J.D.

PETER B. FRIEDMAN, B.A., J.D.

*Director, Research, Analysis, Writing
and Skills Courses*

JONATHAN GORDON, B.A., J.D.

KATHRYN SORDS MERCER, A.B., M.S.S.W., J.D.

JAMES G. MILLER, B.A., J.D., M.A., M.L.I.S.

The CASE WESTERN RESERVE LAW REVIEW (ISSN 0008-7262), formerly the Western Reserve Law Review, is published quarterly by the students of the Case Western Reserve University School of Law. Editorial and business offices are located at Case Western Reserve University, 11075 East Boulevard, Cleveland, Ohio 44106, telephone (216) 368-3312. The submission of unsolicited manuscripts is invited. Subscriptions are entered for the entire volume for \$25.00 per year. Subscriptions are automatically renewable and any correspondence regarding this should be sent to the Coordinator of Student Publications. The Review's policy requires that unless a claim for nonreceipt of an issue is received within three months after the mailing date, the Review cannot be held responsible for supplying that issue without charge. Single issues of the current volume are available for \$15.00 each. Back issues from earlier volumes are available from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209. Citations conform to *The Bluebook: A Uniform System of Citation* (16th ed. 1996), copyright by the Columbia Law Review, the Harvard Law Review, the University of Pennsylvania Law Review, and the Yale Law Journal. Style conforms generally to *The Chicago Manual of Style* (14th ed. 1993).

The Case Western Reserve Law Review grants permission for each article in this volume to be copied for use by nonprofit educational institutions, provided that (1) copies are distributed at or below cost, (2) the author and the Review are identified, and (3) proper notice of copyright is affixed to each copy. This issue went to press in April 1999.
