

Volume 24 | Issue 2

1973

Volume 24 Issue 2 (1973)

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 24 Issue 2 (1973)*, 24(2) Case W. Res. L. Rev. Front Matter (1973)
Available at: <https://scholarlycommons.law.case.edu/caselrev/vol24/iss2/17>

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.

CASE WESTERN RESERVE LAW REVIEW

**THE UNIFORM PROBATE CODE AND
THE VETERANS' ADMINISTRATION**

William F. Fratcher

**THE PUBLIC INTEREST DERIVATIVE SUIT:
A PROPOSAL FOR ENFORCING CORPORATE
RESPONSIBILITY**

Howard M. Friedman

**TAX DEDUCTIBILITY OF INSIDER PROFIT
REPAYMENTS: RESOLVING AN APPARENT CONFLICT**

Robert M. Nelson

**NOTE: THE NATURE AND SCOPE OF THE RELIANCE
REQUIREMENT IN PRIVATE ACTIONS UNDER
SEC RULE 10b-5**

VOLUME 24, NUMBER 2, WINTER 1973

CASE WESTERN RESERVE UNIVERSITY
LAW SCHOOL FACULTY 1972-73

Administrative Officers

LINDSEY COWEN, B.A., J.D., LL.M., *Dean and Professor of Law*
JOANNE WHARTON, B.A., J.D., *Associate Dean and Associate Professor of Law*
DANIEL T. CLANCY, B.S., LL.B., *Assistant Dean*

Dean Emeritus

FLETCHER ANDREWS, A.B., LL.B., J.S.D.

Professors of Law

ARTHUR D. AUSTIN, II, B.S., LL.B.	LEWIS R. KATZ, A.B., J.D.
MAURICE S. CULP, A.B., A.M., LL.B., S.J.D.	OVID C. LEWIS, A.B., J.D., LL.M., S.J.D.
RONALD J. COFFEY, A.B., LL.B., LL.M.	SIDNEY I. PICKER, JR., A.B., LL.B., LL.M.
LEON GABINET, PH.B., J.D.	HUGH A. ROSS, B.S., LL.B., LL.M., S.J.D.
PAUL G. HASKELL, A.B., LL.B.	OLIVER C. SCHROEDER, JR., A.B., LL.B.
SIDNEY B. JACOBY, JUR.D., LL.B.	MORRIS G. SHANKER, B.S.E.E., M.B.A., J.D.

Associate Professors of Law

KENNETH S. COHEN, B.S., LL.B.	JOSEPH D. HOWE, B.A., LL.B., LL.M.
MELVYN R. DURSCHLAG, B.S., J.D.	PETER D. JUNGER, A.B., LL.B.
SIMON GOREN, DIP. LAW, M.L.S., <i>Librarian</i>	EARL M. LEIKEN, A.B., LL.B.
SPENCER NETH, B.A., LL.B., LL.M.	

Assistant Professors of Law

JOHN T. GAUBATZ, S.B., J.D.	PETER S. GREENBERG, B.A., LL.B.
-----------------------------	---------------------------------

Instructor

GALE SIEGEL, B.S., LL.B., *Assistant Director of Legal Clinic*

CASE WESTERN RESERVE LAW REVIEW

Volume 24

Winter 1973

Number 2

Copyright © 1973 by Case Western Reserve University.

CONTENTS

ARTICLES

- THE UNIFORM PROBATE CODE AND THE
VETERANS' ADMINISTRATION
WILLIAM F. FRATCHER 261
- THE PUBLIC INTEREST DERIVATIVE SUIT: A PROPOSAL
FOR ENFORCING CORPORATE RESPONSIBILITY
HOWARD FRIEDMAN 294
- TAX DEDUCTIBILITY OF INSIDER PROFIT PAYMENTS:
RESOLVING AN APPARENT CONFLICT
ROBERT M. NELSON 330

NOTE

- THE NATURE AND SCOPE OF THE RELIANCE
REQUIREMENT IN PRIVATE ACTIONS UNDER
SEC RULE 10b-5 363

RECENT RULING

- SECURITIES REGULATION — MARGIN REQUIREMENTS —
INSTALLMENT PURCHASE OF TAX-SHELTERED PROGRAMS
[37 *Fed. Reg.* 6568 (1972)] 391

RECENT CASE

- CONSTITUTIONAL LAW — SEVENTH AMENDMENT — RIGHT TO
JURY TRIAL IN SECTION 1983 DAMAGE ACTIONS [*Lawton v.*
Nightingale, 345 F. Supp. 683 (N.D. Ohio 1972)]. 406

BOOK REVIEW

CONSTITUTIONAL LAW: A TEXTBOOK, BY
BERNARD SCHWARTZ

PAUL G. HASKELL ----- 422

BOOKS RECEIVED ----- 425

The CASE WESTERN RESERVE LAW REVIEW, formerly the Western Reserve Law Review, is published quarterly by the students of Case Western Reserve School of Law. Second Class postage paid at Cleveland, Ohio 44101 and at additional mailing offices.

Subscription: \$9.00 per year, domestic; \$10.00, foreign. If subscription is to be discontinued at expiration, notice should be sent to the Business Manager; otherwise it will be renewed as usual.

Single issues of the current volume are available for \$3.00 from the Law Review. Back issues are available from Dennis & Co., Inc., 251 Main Street, Buffalo, New York 14203.

Address correspondence to Case Western Reserve Law Review, Case Western Reserve University, Cleveland, Ohio 44106. Telephone: (216) 368-3312.

CASE WESTERN RESERVE LAW REVIEW

Editor-in-Chief

Geoffrey K. Barnes

Executive Editors

Jeffrey S. Leavitt
Stephen P. H. Rachlis

Research Editor

Randall A. Cole

Article Editors

Edgar H. Boles
Anthony O. Brown
Gordon S. Kaiser, Jr.
Dennis M. Race
Alan A. Rudnick

Managing Editor

Lee W. McClelland

Note Editors

Joel M. Cockrell
Michael J. Hurley
F. Barry Keefe
Charles R. McDonald

Editorial Board

Alan Baden
William Compton
Don Klingenberg
Lawrence Newton

Michael Peterman
Eric Schmalz
William Schmidt
Robert Stotter

Staff

Robert G. Adams
Steven N. Bulloch
Stuart Chiron
Kenneth B. Davis
Jeffrey Dorman
Thomas F. Dowd
Mitchell B. Dubick
Brian W. FitzSimons
Frank J. Hariton
Stephen A. Hill
Douglas M. Johnson
Stephen Kalette

David H. Kessler
Timothy J. Kincaid
Alan Kleiman
Jane Kober
Jeffrey Kossak
Joanne Landfair
James McElroy
John Mulligan
David O'Loughlin
David Parham
Douglas J. Paul
Alan M. Petrov
Judy Perlman

Richard Perlman
Glenn T. Piercy
Julie L. Portnoy
Arthur J. Rowbotham
David A. Schaefer
Jeffrey D. Sherwin
Edward F. Siegel
E. Roman Staudt
R. Byron Wallace
Saundra Wallack
Fred Wendel, III
William G. West

Secretary

Carolyn A. Moore