

2011

Front Matter

Follow this and additional works at: <https://scholar.smu.edu/smulr>

Recommended Citation

Front Matter, 64 SMU L. REV. [i] (2011)
<https://scholar.smu.edu/smulr/vol64/iss2/1>

This Front Matter is brought to you for free and open access by the Law Journals at SMU Scholar. It has been accepted for inclusion in SMU Law Review by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

SMU Law Review

VOLUME 64

SPRING 2011

NUMBER 2

© 2011 by Southern Methodist University

TABLE OF CONTENTS

TRIBUTE TO HENRY J. LISCHER, JR.

- Tribute to Henry J. Lischer, Jr. *John B. Attanasio* 637
- A Tribute to Hank Lischer *Linda S. Eads* 639
- Hank Lischer: A Friend, a Leader, and
an “Of Counsel” *Donald J. Malouf, Esq.* 643
- Henry J. Lischer, Jr.: Colleague and Friend *John J. Mylan* 645

ARTICLES

- Twombly* and *Iqbal* Should (Finally!) Put the
Distinction Between Intrinsic and Extrinsic
Fraud Out of Its Misery *Dustin B. Benham* 649
- A Contractual Deterrence Strategy
for User-Generated Copyright
Infringement and Subsequent
Service Provider Litigation *Amanda Harmon Cooley* 691
- The Health Care Reform Act of 2010
and Medical Malpractice Liability:
Worlds in Collision or Ships
Passing in the Night? *Thomas L. Hafemeister* 735
Joshua Hinckley Porter

CASENOTES

- The Americans with Disabilities Act—The Fifth
Circuit’s Narrow Interpretation of “Services”
Creates a Circuit Split and Burdens the
Disabled in *Frame v. City of Arlington* *Thomas Conner* 757
- The Abdication of Free Association—Elevating the
Court Above the Constitution in *Christian Legal
Society Chapter of the University of California,
Hastings College of the Law v. Martinez* *Natalie M. Cooley* 765

Sex Offender Registration and Notification Act— Supreme Court Undermines Congress’s Effort to Crack Down on Sex Offender Registration ..	<i>Andrew Gillman</i>	773
School Law—The Fifth Circuit Prolongs Educational Inequalities in <i>United States</i> <i>v. Texas</i>	<i>Cristin Lee Hedman</i>	779
Employment Law—The Third Circuit’s Holding that Employees’ Unsolicited Internal Complaints Are Not Protected Under ERISA Stops Whistleblowers in their Tracks	<i>Scott W. Thomas</i>	787

The *SMU Law Review* (ISSN 1066-1271) is published four times a year, (1) Winter, (2) Spring, (3) Summer, and (4) Fall, by the SMU Law Review Association, Storey Hall, Dallas, Texas 75275. Domestic subscription price, \$42.00 per year. Foreign subscription price, \$49.00 per year. Single copies: Regular issues, \$18.00, *Survey* issue, \$24.00. Add 8.25% tax on single issue orders within the state of Texas. Tax exempt institutions must include copy of exemption certificate with order. An additional charge will be made for postage and handling of each order of single copies. Prior issues (vols. 1-60) available from William S. Hein & Co., 1285 Main St., Buffalo, New York 14209. Volumes 61-64 are available from *SMU Law Review*, Southern Methodist University Dedman School of Law, Dallas, Texas 75275. POSTMASTER: Send address changes to *SMU Law Review*, Dedman School of Law, Southern Methodist University, Dallas, Texas 75275.

Editorial and business offices: *SMU Law Review*, Southern Methodist University Dedman School of Law, Dallas, Texas 75275. Telephone: (214) 768-2594. Printed by Joe Christensen, Inc., Lincoln, Nebraska 68521.

Periodicals postage paid at Dallas, Texas, and at additional mailing offices.

Citations conform with *The Bluebook: A Uniform System of Citation* (19th ed. 2010) and the *Texas Rules of Form* (12th ed. 2010).

**Tribute to
Henry J. Lischer, Jr.**



HENRY J. LISCHER, JR.