

# Law and Business Review of the Americas

---

Volume 8 | Number 1

Article 1

---

2002

## Front Matter

---

### Recommended Citation

*Front Matter*, 8 LAW & BUS. REV. AM. i (2002)  
<https://scholar.smu.edu/lbra/vol8/iss1/1>

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 Law and Business Review of the Americas by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.



# Law and Business Review of the Americas



American Bar Association



Section of International  
Law and Practice



SMU DEDMAN  
SCHOOL OF LAW



*A journal of law,  
business and policy,  
co-sponsored by the  
ABA Section of Inter-  
national Law and  
Practice, Southern  
Methodist University  
Dedman School of Law  
(and Law Institute of  
the Americas), with the  
SMU School of Business,  
the SMU Departments of  
Economics and Political  
Science, and the Centre  
for Commercial Law  
Studies (Queen Mary  
College, University of  
London).*

Winter/Spring 2002 ISSN 1381-4605 CODEN NAFT Vol. VIII, No. 1 & 2

## ***In This Issue:***

### **A Tribute to Sir Joseph Gold**

Picture and Biography ..... 5

Gold in His Time ..... 9

*Robert C. Effros*

The European Monetary Union as a Catalyst for the Integration

of Financial Markets in Europe ..... 37

*Antonio Sáinz De Vicuña*

Sovereign Debtors, Private Creditors, and the IMF ..... 49

*Shean Hagan*

## **Articles**

The Search for Intercreditor Parity ..... 73

*Lee C. Buchheit*

U.S. Securities Regulation and the Use of the Internet

in Registered Offerings ..... 81

*Joseph J. Norton and Hansjörg J. O. Heppe*

The United States' Prohibition on Foreign Direct Investment

in Cuba—Enough Already!? ..... 111

*J. Michael Taylor*

Mexico's Emerging E-Government Program: The Role of the

Internet in Promoting Economic Development, Democratic

Governance, and the Rule of Law ..... 141

*Robert M. Kossick, Jr.*

## **NAFTA/FTAA Implementation**

Have Public Interests Been Forgotten in NAFTA Chapter 11 Foreign

Investor/Host State Arbitration? Some Conclusions from the

Judgement of the Supreme Court of British Columbia on the

Case of Mexico v. Metalclad ..... 189

*Hector Olasolo*

## **Recent Developments**

Trends and Developments in the Canadian ABS Market ..... 211

*Martin Fingerhut*

An Examination of Investor-State Dispute Resolution under the

MERCOSUR and NAFTA Regimes ..... 217

*Michael Cornell Dypski*

Canada Adopts Major Revisions to its Financial Institution Legislation ..... 237

*Blair W. Keefe and Stéphane J. Fournier*

## **Practitioner's Note**

Legal and Practical Issues Involved With *Maquiladora* Financing ..... 253

*Sandra L. Shippey and Patrick W. Martin*

## **Comments**

The Cross-Border NAFTA Truck Debate ..... 279

*Casey Burgess*

## **Documents and Commentary**

The Act of Carabobo ..... 309

The FTAA that We Want and Need ..... 319

*Otto Boye*

Latin American Economic Association (SELA)—The Andean Community

vis-à-vis FTAA: Implications and Opportunities ..... 325

*Julio César Gil*



**KLUWER LAW  
INTERNATIONAL**

## Editorial and Submission Policies:

This journal is a quarterly publication produced by Kluwer Law International in association with the Section of International Law and Practice of the American Bar Association and Southern Methodist University Dedman School of Law (and its Law Institute of the Americas). The journal relies on the ongoing cooperation of the SMU School of Business, the SMU Departments of Economics and Political Science, and the Centre for Commercial Law Studies and its London Institute of International Banking, Finance and Development Law at Queen Mary College at the University of London.

### Aims and Publication Policy:

This journal addresses the legal, business, economic, political and social dimensions of Western Hemispheric integration efforts (e.g., NAFTA, FTAA, MERCOSUR, etc.), their implementation, their future evolution and expansion and their overall impact on doing business in the Americas. The journal will combine practical and policy implications of these integration processes. As such it will cover not only matters of immediate concern and interest, but also matters respecting reform of legal, business, economic, political and social structures within the various countries in the Western Hemisphere. Subject matter concerning other regional integration efforts in the world and various other comparative topics in the international trade and investment areas will also be addressed, from time to time.

However, topics of *particular concern* to the journal will include: (1) free trade, direct investment, licensing, finance, taxation, litigation and dispute resolution and organizational aspects of NAFTA and other specific integration efforts and their specific implementation. For practical reasons, English is used as the language of communication; (2) subject matter involving economic, legal, political and social integration and reform effects in Latin and Central America and in the Caribbean Basin; and (3) FTAA implications.

### Article Submission:

The editors will consider for publication manuscripts by contributors from any country. Articles will be subjected to a professional review procedure. Authors should ensure that the significance of a contribution would be apparent to

readers outside the specific expertise. Special terms and abbreviations should be clearly defined in the text or notes.

Accepted manuscripts will be edited, if necessary, to improve the journal's effectiveness of communication. If editing should be extensive, with a consequential danger of altering the meaning, the manuscript will be returned to the author for approval before type is set. Alternatively, the manuscript may be returned to the author to address the deficiencies. In all events, the editors reserve the right, after discussion with the author, to change its acceptance decision or to move a publication from one issue to a later or earlier issue. The editors will not accept unsolicited student-written submissions, nor will they consider articles or reports that have been or are to be published elsewhere or materials prepared for one's clients or business promotion.

Manuscripts, along with a corresponding computer diskette, should be submitted in duplicate, with a cover letter summarizing the contents to:

Editor-in-Chief  
*Law and Business Review of the Americas*  
Southern Methodist University  
Dedman School of Law  
P.O. Box 750116  
Dallas, TX 75275-0116

At the time the manuscript is submitted, written assurance must be given that the article has not been published, submitted, or accepted elsewhere. The author normally will be notified of acceptance, rejection, or need for revision within 8-12 weeks.

Manuscripts may range from 6,000 to 10,000 words (approximately 20-30 pages in length). However, longer articles are accepted based upon topic, quality and space availability. The title of the article should begin with a word useful in indexing and information retrieval. Text and endnotes should be double-spaced. All endnotes should be numbered in sequential order, as cited in the text. Unless for good reason acceptable to the editors, endnotes for legal articles should conform to *The Bluebook, A Uniform System of Citation* (17th ed., 2000). For non-legal articles, the citations should be internally consistent within the given article. Authors should submit short biographical data, including his or her affiliation.