

1976

Front Matter

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

Recommended Citation

Front Matter, 42 J. Air L. & Com. i (1976)
<https://scholar.smu.edu/jalc/vol42/iss3/1>

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 Journal of Air Law and Commerce by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

The Journal of Air Law and Commerce

VOLUME 42 ISSUE 3

SUMMER 1976

TABLE OF CONTENTS

THE SPECIAL AIR TRANSPORT CONFERENCE OF ICAO	<i>Dr. H. A. Wassenbergh</i>	501
THE ROLE OF THE TRIAL ATTORNEY IN MASS AIR DISASTER LITIGATION	<i>F. Lee Bailey, Aaron J. Broder</i>	519
MIAMI-LOS ANGELES AND NEPA: THE USE OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 AS AN ANTICOMPETITIVE WEAPON	<i>James M. Burger</i>	529
NEGLIGENCE OF FEDERAL AVIATION ADMINISTRATION DELEGATES UNDER THE FEDERAL TORT CLAIMS ACT	<i>Andrew J. Dilk</i>	575
BREAKING THE LIMIT—LIABILITY FOR WILFUL MISCONDUCT UNDER THE GUATEMALA PROTOCOL	<i>William J. Hickey, Jr.</i>	603

CASENOTES

REMEDIES—IMPLIED PRIVATE ACTION—An Implied Private Action Exists for a Violation of the Safety Reg- ulation Promulgated by the Federal Aviation Admin- istration Pursuant to the Authority Contained in 49 U.S.C.A. Section 1421. <i>Rauch v. United Instruments, Inc.</i> , 405 F. Supp. 435 (E.D. Pa. 1975).	625
AIR CARRIERS—RECOVERY OF RATES—Any Right to Relief From Air Passenger Rates Collected by Airlines Under Rates Found to Have Been Unlawfully Deter- mined Does Not Include Right of Recovery of Amounts in Excess of the Last Lawfully Established Rates When Airlines Have Not Received Any Unjust Enrichment. <i>Moss v. C.A.B.</i> , 521 F.2d 298 (D.C. Cir. 1975), <i>cert. denied</i> , 44 U.S.L.W. 3526 (U.S. March 23, 1976).	639

Lennart V. Larson, S.J.D., *Professor of Law*
Maxine T. McConnell, LL.B., *Director of Legal Clinic*
James W. McElhaney, LL.B., *Professor of Law*
Joseph W. McKnight, LL.M., *Professor of Law*
Charles J. Morris, LL.B., *Professor of Law*
Joe Scott Morris, LL.M., *Professor of Law*
Roark M. Reed, J.D., *Assistant Professor of Law and Director of Criminal Justice Clinic*
Osborne M. Reynolds, Jr., LL.M., *Visiting Professor of Law*
Peter W. Schroth, M.C.L., *Assistant Professor of Law*
Ellen Solender, J.D., *Assistant Professor of Law and Director of Legal Writing Program*
Walter W. Steele, Jr., LL.M., *Professor of Law*
William P. Streng, J.D., *Professor of Law*
Howard J. Taubefeld, Ph.D., *Professor of Law*
A. J. Thomas, Jr., S.J.D., *William Hawley Atwell Professor of Constitutional Law*
Cliff F. Thompson, J.D., *Professor of Law*
Vincent S. Walkowiak, J.D., *Visiting Associate Professor of Law*
Harvey Wingo, J.D., *Professor of Law*
Peter Winship, LL.M., *Assistant Professor of Law*

AIRPORT DEVELOPMENT—MUNICIPAL ZONING ORDINANCE—The Authority of a Municipality to Enact an Ordinance Banning the Take-Off and Landing of Aircraft within the Municipality Has Not Been Pre-empted by Federal or State Control of Airspace. *Garden State Farms, Inc. v. Boublis*, 136 N. J. Super. 1, 343 A.2d 832 (1975). 651

CURRENT LITERATURE

BOOK REVIEW

THE CIVIL AERONAUTICS BOARD, BY
ROBERT BURKHARDT . . . *Lucile Sheppard Keyes* 673

Subscription prices: United States, \$14.00 per year, \$39.00 for three years; foreign, \$17.00 per year, \$48.00 for three years. Replacement copies are sent to subscribers upon prompt notification of non-receipt or defective copies.

Subscriptions are renewed automatically upon expiration unless the subscriber sends timely notice of termination. All notifications of change of address should include old address, including zip code, and new address, including zip code. Please notify one month in advance to insure prompt delivery.

Address inquiries to *The Journal of Air Law and Commerce*, School of Law, Southern Methodist University, Dallas, Texas 75275.

Published four times a year by Southern Methodist University Law students.

© Copyright 1977 by the School of Law, Southern Methodist University

Second-class postage paid at Dallas, Texas

ADVISORS

Richard J. Barber
President, Richard J. Barber
Associates, Inc.
Economic Counsel
Washington, D.C.

Andreas F. Lowenfeld
School of Law
New York University
New York City, New York

The Honorable James R. Browning
Circuit Judge
United States Court of Appeals for
the Ninth Circuit
San Francisco, California

Paul B. Larsen
Department of Transportation
Washington, D.C.

Harold Caplan
International Insurance
Services
London, England

Eugene Jericho
Attorney at Law
Dallas, Texas

The Honorable
J. Braxton Craven, Jr.
Circuit Judge
United States Court of Appeals
for the Fourth Circuit
Asheville, North Carolina

R. H. Mankiewicz
Faculte de Droit
University of Paris
Paris, France

The Honorable Floyd R. Gibson
Circuit Judge
United States Court of Appeals
for the Eighth Circuit
Kansas City, Missouri

The Honorable
Charles M. Merrill
Circuit Judge
United States Court of Appeals
for the Ninth Circuit
San Francisco, California

The Honorable Irving L. Goldberg
Circuit Judge
United States Court of Appeals
for the Fifth Circuit
Dallas, Texas

The Honorable John W. Peck
Circuit Judge
United States Court of Appeals
for the Sixth Circuit
Cincinnati, Ohio

Lucile S. Keyes
Economist
Washington, D.C.

The Honorable
Sterry R. Waterman
Circuit Judge
United States Court of Appeals
for the Second Circuit
St. Johnsbury, Vermont