



---

January 2005

## Front Matter

---

### Recommended Citation

*Front Matter*, 58 SMU L. REV. i (2005)

<https://scholar.smu.edu/smulr/vol58/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 SMU Law Review by an authorized administrator of SMU Scholar. For more information, please visit <http://digitalrepository.smu.edu>.

# SMU Law Review

---

---

VOLUME 58

WINTER 2005

NUMBER 1

---

---

© 2005 by Southern Methodist University

## TABLE OF CONTENTS

### ARTICLES

- The (F)Utility of Rules:  
Regulating Attorney Conduct  
in Federal Court Practice ..... *Judith A. McMorrow* 3
- Recoupment: Apples, Oranges and  
Fruit Basket Turnover ..... *David G. Epstein* 51  
*and Jonathan A. Nockels*
- Statutory Rape in a Post  
*Lawrence v. Texas* World ..... *Arnold H. Loewy* 77
- Recapturing Summary Adjudication  
Principles in Disparate  
Treatment Cases ..... *Henry L. Chambers, Jr.* 103
- Consanguinity, Sibling Relationships, and  
the Default Rules of Inheritance Law:  
Reshaping Half-blood Statutes to  
Reflect the Evolving Family ..... *Ralph C. Brashier* 137
- Sovereign Immunity for Nuisance and  
Takings Claims in Texas after  
*City of Dallas v. Jennings* ..... *Eliot Shavin* 195  
*and Chad Baruch*

### CASENOTE

- Trademarks—Internet Pop-Up Advertisement  
Triggered by Competitor’s Trademarks  
Is Not Infringing “Use in Commerce”  
of the Marks ..... *Leanne Stendell* 215

