

OHIO STATE LAW JOURNAL

Volume 34

1973

Number 3

CONTENTS

Articles

ANTITRUST SYMPOSIUM

INTRODUCTION 463

ALTERNATIVE COURSES OF ACTION AVAILABLE TO
INJURED PERSONS UNDER THE ANTITRUST LAWS

Murray S. Monroe 465

PREPARING THE PLAINTIFF'S ANTITRUST CASE

Alan Arnold 476

THE EFFECT OF JUSTICE DEPARTMENT AND FTC CASES
ON PRIVATE ANTITRUST LITIGATION

Carl L. Steinhouse 490

ORGANIZING THE DEFENSE OF THE PRIVATE
ANTITRUST CLASS ACTION

John F. McClatchey 498

Copyright © 1973 by The Ohio State University.

Published quarterly at Columbus. Second-class postage paid at Columbus, Ohio and at additional mailing places. Address all correspondence to:

Ohio State Law Journal
1659 North High Street
Columbus, Ohio 43210

Subscriptions: \$8.00 per year; \$3.00 per copy (in advance).

Unless notice of discontinuance is received by the JOURNAL at the expiration of a subscription, it will be assumed that a renewal is desired.

Change of Address: Send your change of address to the JOURNAL at least 30 days before the date of issue with which it is to take effect. The Post Office will not forward copies unless you provide extra postage.

SMORGASBORD OF REMEDIES

Walter A. Bates ----- 505

SETTLEMENT OF PRIVATE ANTITRUST LITIGATION
INCLUDING CLASS TYPE ACTIONS AND MULTIPLE
DEFENDANT LAWSUITS

Robert F. Dobbin ----- 513

A MODEST PROPOSAL TO AMEND OHIO'S POST-
CONVICTION COMMITMENT LAW

Michael E. Geltner ----- 527

Comment

TOWARD A LEGAL THEORY OF THE RIGHT TO
EDUCATION OF THE MENTALLY RETARDED

554

Notes

SENTENCE CREDITING FOR THE STATE CRIMINAL
DEFENDANT—A CONSTITUTIONAL REQUIREMENT ..

586

THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970:
STATE PLANS AND THE GENERAL DUTY CLAUSE ...

599

EQUAL PROTECTION AND THE PREGNANCY LEAVE CASE

628

DENIAL OF DEFICIENCY: A PROBLEM OF REASONABLE
NOTICE UNDER UCC § 9-504(3) -----

657

THE PROPER STANDARD OF FAULT FOR IMPOSING PER-
SONAL LIABILITY ON CORPORATE DIRECTORS FOR
FALSE OR MISLEADING STATEMENTS IN PROXY SO-
LICITATIONS UNDER SECTION 14(a) OF THE SECURI-
TIES EXCHANGE ACT OF 1934 AND SEC RULE 14a-9 ...

670

Case Notes

CIVIL RIGHTS—Delimiting and Implementing the Supervisory
Powers Under § 1983—*Littleton v. Berbling*, 468 F.2d 389 (7th
Cir. 1972) -----

691

CONSTITUTIONAL LAW—State Tax Exemptions to Racially Ex-
clusive Fraternal Organizations Which Engage in Charitable
Activities Violates the Equal Protection Clause of the Four-
teenth Amendment—*Falkenstein v. Department of Revenue*, 350
F. Supp. 887 (D. Ore. 1972) -----

700

CONSTITUTIONAL LAW—Impeachment by Unconstitutionally
Obtained Evidence—The Erosion of the Exclusionary Rule—
People v. Taylor, 8 Cal. 3d 174, 501 P.2d 918, 104 Cal. Rptr.
350 (1972), *petition for cert. filed*, 41 U.S.L.W. 3411 (U.S.
Jan. 23, 1973) (No. 72-1002) ----- 706

CITE AS 34 OHIO ST. L.J.—(1973)

NOW AVAILABLE

VOLUME 23:4

SYMPOSIUM: Abortion and the Law

The Evolving Law of Abortion, by *B. James George, Jr.*

The Genesis of Liberalized Abortion in New York: A Personal Insight, by *Alan F. Guttmacher*

Abortion and the Rights of Minors, by *Harriet F. Pilpel* and *Ruth J. Zuckerman*

Abortion Counselling: Shall Women be Permitted to Know?, by *Gerald A. Messerman*

Abortion on Request: The Psychiatric Implications, by *Richard A. Schwartz*

Abortion Practices in the United States: A Medical Viewpoint, by *Kenneth R. Niswander*

Note: Public Land Banking: A New Praxis for Urban Growth

VOLUME 24:1

Repossession of Consumer Goods: Due Process for the Consumer; What's Due for the Creditor, by *Spencer Neth*

The Municipal Bond Interest Exemption: Comments on a Running Battle, by *Leon Gabinet*

A New Look at Rail Employee Merger Protection, Norfolk & Western R.R. v. Nemitz: An Assessment, by *Thomas J. Murray, Jr.*

Comment: Roadblocks to Remedy in Consumer Fraud Litigation, by *Richard A. Givens*

Note: Personal Rights as an Emerging Approach to Equal Protection: Automobile Financial Responsibility Laws and the Right to Drive

Note: Joinder of Liability Insurers as Parties—Defendant—An Old Issue Reconsidered Under Ohio's Civil Rules

Single Issues Containing the Above Articles are Available From
CASE WESTERN RESERVE LAW REVIEW
At \$3.00 Each

Annual subscriptions are \$9.00 per volume.

ORDER FROM

CASE WESTERN RESERVE LAW REVIEW
CASE WESTERN RESERVE SCHOOL OF LAW
Cleveland, Ohio 44106