

# Private International Law Bibliography 2008-09: U.S. and Foreign Sources in English

Compiled by

**Symeon C. Symeonides\***

[To be Published in 58 *American Journal of Comparative Law* (2010)]

## I. BOOKS

- AHERN, J. & BINCHY, W. (eds.) *The Rome II Regulation on the Law Applicable to Non-contractual Obligations: A New International Litigation Regime* (2009).
- BETHLEHEM, D., MCRAE, D., NEUFELD R. & VAN DAMMEET, I. (eds), *The Oxford Handbook of International Trade Law* (2009).
- BLACKABY, N. & PARTASIDES, C., *Redfern & Hunter on International Arbitration* (2009).
- BLAIR, D.M., WEINER, M.H., STARK, B. & MALDONADO, S., *Family Law in the World Community: Cases, Materials, and Problems in Comparative and International Family Law* (2009).
- BORN, G.B., *International Commercial Arbitration* (2009).
- BORTOLOTTI, F., *Drafting and Negotiating International Commercial Contracts* (2009).
- BOSS A.H. & KILIAN, W., *The United Nations Convention on the Use of Electronic Communications in International Contracts* (2008).
- BREKOULAKIS, S. & MISTELIS, L. *Arbitrability: International and Comparative Perspectives* (2009).
- BRETON, A., DES ORMEAUX, A., PISTOR, K. & SALMON, P. (eds), *Multijuralism: Manifestations, Causes, and Consequences* (2009).
- CALLIESS, G. (ed.), *The Rome Regulations: Commentary on the EC Regulations on Conflict Laws* (2010).
- CARLA CRIFÒ, *Cross Border Enforcement of Debts in the European Union, Default Judgments, Summary Judgments and Orders for Payment* (2008).
- CHAN HO, L., *Cross-Border Insolvency: A Commentary on the UNCITRAL Model* (2d ed. 2009).
- DE BRUIN, M.S., *Transnational Litigation Jurisdiction and Procedure* (2008).
- DELVOLVE, J-L., POINTON, G. & ROUCHE, J., *French Arbitration Law and Practice: A Dynamic Civil Law Approach to International Arbitration* (2d ed. 2009).
- DICKINSON, A., *The Rome II Regulation: A Commentary* (2009).
- DOUGLAS, Z., *The International Law of Investment Claims* (2009).
- EINHORN, T., *Private International Law in Israel* (2009).
- FENTIMAN, R., *International Commercial Litigation* (2010).
- FERRARI, F. & LEIBLE, S., *Rome I Regulation: The Law Applicable to Contractual Obligations in Europe* (2009).
- FONTAINE, M. & DE LY, F., *Drafting International Contracts: An Analysis of Contract Clauses* (2009).
- FOTT, M., *Trade Marks vs Free Competition and Free Movement of Goods in EC Law: Legal Aspects of Two Conflicts on the Internal Market Concerning Trade Marks* (2009).
- FOX, H., *The Law of State Immunity* (2008).
- GARB, L. & WOOD, J., *International Succession* (3d ed. 2009).
- GERSTMANN, E., *Same-Sex Marriage and the Constitution* (2d ed. 2008).
- HARTLEY, T., *International Commercial Litigation: Text, Cases, and Materials on Private International Law* (2009).
- HAY, P., WEINTRAUB, R. & BORCHERS, P., *Conflict of Laws, Cases and Materials* (13th ed. 2009).
- HAY, P., WEINTRAUB, R. & BORCHERS, P., *Comparative Conflict of Laws: Conventions, Regulations and Codes* (2009).
- HESS, B., PFEIFFER, T. & SCHLOSSER, P., *Brussels I-Regulation (EC) No 44/2001: The Heidelberg Report on the Application of Regulation Brussels I in 25 Member States* (2008).

---

\* Dean and Alex L. Parks Distinguished Professor of Law, Willamette University College of Law.

- HOFFHEIMER, M., *Conflicts: Examples & Explanations* (2009).
- JAMES, M., *Litigation with a Foreign Aspect* (2009).
- KLABBERS, J., *Treaty Conflict and the European Union* (2009).
- KOZIOL, H. & WILCOX, V., *Punitive Damages: Common Law and Civil Law Perspectives* (2009).
- LOOKOFSKY, J.M. & HERTZ, K., *EU-PIL: European Union Private International Law in Contract and Tort* (2009).
- LOOKOFSKY, J. M., *Understanding the CISG: A Compact Guide to the 1980 United Nations Convention on Contracts for International Sale of Goods* (3d ed. 2008).
- LOWENFELD, A.F., *International Economic Law* (2d ed. 2008).
- MAGNUS, U. & MANKOWSKI, P., *Rome I Regulation* (2009).
- MANHEIM, F.T., *The Conflict over Environmental Regulation in the United States: Origins, Outcomes, and Comparisons with the EU and Other Regions* (2009).
- MARTINEZ-FRAGA, P.J., *The American Influence on International Commercial Arbitration: Doctrinal Developments and Discovery Methods* (2009).
- MCCLEAN, D. & BEEVERS, K., *Morris [on] the Conflict of Laws* (7th ed. 2009).
- MCLACHLAN, C., *Lis Pendens in International Litigation* (2009).
- MCLACHLAN, C., SHORE, L. & WEINIGER, M., *International Investment Arbitration: Substantive Principles* (2008).
- MERRYMAN, J.H., *Thinking About the Elgin Marbles: Critical Essays on Cultural Property, Art and Law* (2d ed. 2009).
- MILLS, A., *The Confluence of Public and Private International Law: Justice, Pluralism and Subsidiarity in the International Constitutional Ordering of Private Law* (2009).
- MOSES, M. L., *The Principles and Practice of International Commercial Arbitration* (2008).
- NWABUEZE, R., *The History and Sources of Conflict of Laws in Nigeria: With Comparisons to Canada* (2009).
- O'HARA, E. & RIBSTEIN, L., *The Law Market* (2009).
- PAUWELYN, J., *Conflict of Norms in Public International Law: How WTO Law Relates to other Rules of International Law* (2009).
- PLENDER, P. & WILDERSPIN, M., *The European Private International Law of Obligations* (3d ed. 2009).
- RAMOS-MUNOZ, D. & INGRAM, K., *The Law of Transnational Securitization* (2010).
- RAUSTIALA, K., *Does the Constitution Follow the Flag?: The Evolution of Territoriality in American Law* (2009).
- REILEY, E.H., *International Sales Contracts: The UN Convention and Related Transnational Law* (2008).
- ROE, M., *Public and Private Enforcement of Securities Laws: Resource-Based Evidence* (2009).
- ROOSEVELT, K., *Conflict of Laws* (2009).
- ROVINE, A.W., *Contemporary Issues in International Arbitration and Mediation: The Fordham Papers 2007* (2008).
- RYNGAERT, C., *Jurisdiction in International Law* (2008).
- SCHNEIDERMAN, D., *Constitutionalizing Economic Globalization* (2008).
- SLOSS, D. (ed), *Role of Domestic Courts in Treaty Enforcement: A Comparative Study* (2009).
- SPARKA, F., *Jurisdiction and Arbitration Clauses in Maritime Transport Documents: A Comparative Analysis* (2010).
- STONE, P., *EU Private International Law: Harmonization of Laws* (2008).
- STORSKRUBB, E., *Civil Procedure and EU Law: A Policy Area Uncovered* (2008).
- SURHONE, L., TIMPLEDON, M. & MARSEKEN, S., *Peremptory Norm: International Law, Norm, Public International Law, Conflict of Laws, Supranational Law, Jus Gentium* (2010).
- TANG, Z., BEAUMONT, P. & HARRIS J., *Electronic Consumer Contracts in the Conflict of Laws* (2009).
- TORRES PEREZ, A., *Conflicts of Rights in the European Union: A Theory of Supranational Adjudication* (2009).
- U.S. CONGRESS, *Libel Tourism: Hearing Before the Subcommittee on Commercial and Administrative Law of the Committee on the Judiciary, House of Representatives, 111th Congress, 1st Session, Feb. 12, 2009* (2009).
- VAN LITH, H., *International Jurisdiction and Commercial Litigation: Uniform Rules for Contract Disputes* (2009).
- VOGENAUER, S. & KLEINHEISTERKAMP, J. (eds), *Com-*

mentary on the UNIDROIT Principles of International Commercial Contracts (PICC) (2009).

WARNE, J., *International Commercial Dispute Resolution* (2009).

WILSON, D., *International Patent Litigation: Developing an Effective Strategy* (2009).

WOOD, P., *Conflict of Laws and International Finance* (2009).

XUE, H., *Transboundary Damage in International Law* (2009).

## II. ARTICLES

AABY, B. J., Understanding the Uniform Child Custody Jurisdiction Enforcement Act, 23 *Am. J. Fam. L.* 11 (2009).

ÁLVAREZ GONZÁLEZ, S., The New International Adoption System in Spain, 10 *Ybk. Priv. Int'l L.* 409 (2008).

ALVAREZ, J.E., The Internationalization of U.S. Law, 47 *Colum. J. Transnat'l L.* 537 (2009).

ANCEL, M-E., The Rome I Regulation and Distribution Contracts, 10 *Ybk. Priv. Int'l L.* 221 (2008).

ARZANDEH, A. & HILL, J., Ascertaining the Proper Law of an Arbitration Clause Under English Law, 5 *J. Priv. Int'l L.* 425 (2009).

BALES, R.A. & IRELAND, J., Federal Question Jurisdiction and the Federal Arbitration Act, 80 *U. Colo. L. Rev.* 89 (2009).

BANG, H.S., Port State Jurisdiction and Article 218 of the UN Convention on the Law of Sea, 40 *J. Mar. L. & Com.* 291 (2009).

BANK, H., Port State Jurisdiction and Article 218 of the UN Convention on the Law of the Sea, 40 *J. Mar. L. & Com.* 291 (2009).

BAUMGARTNER, S.P., How Well Do U.S. Judgments Fare in Europe?, 40 *Geo. Wash. Int'l L. Rev.* 173 (2008).

BEAUMONT, P., Hague Choice of Court Agreements Convention 2005: Background, Negotiations, Analysis and Current Status, 5 *J. Priv. Int'l L.* 125 (2009).

BELL, M.K., The Extraterritorial Application of Title VII: An Argument for an Informal Foreign Compulsion Defense, 13 *Jones L. Rev.* 79 (2009).

BERMANN, G.A., Ascertaining the Parties' Intentions in Arbitral Design, 113 *Penn St. L. Rev.* 1013 (2009).

BJORKLUND, A.K., The Emerging Civilization of Investment Arbitration, 113 *Penn St. L. Rev.* 1269

(2009).

BLOM, J., Concurrent Judicial Jurisdiction and Forum non Conveniens - What Is to Be Done?, 47 *Can. Bus. L.J.* 166 (2009).

BLOOD, O., Shipyard Workers and Asbestos Tort Claims: The Supreme Court's Post-*Grubart* Silence Creates Jurisdictional Uncertainty, 33 *Tul. Mar. L.J.* 313 (2008).

BLOOM, F.M., Jurisdiction's Noble Lie, 61 *Stan. L. Rev.* 971 (2009).

BOBEK, M., Quantity or Quality? Reassessing the Role of Supreme Jurisdictions in Central Europe, 57 *Am. J. Comp. L.* 33 (2009).

BOELE-WOELKI, K., To Be, or Not to Be: Enhanced Cooperation in International Divorce Law Within the European Union, 39 *Victoria U. Wellington L. Rev.* 779 (2009).

BOGDAN BOBEL, R., Current Status of International Arbitration in Romania, 10 *Ybk. Priv. Int'l L.* 473 (2008).

BONOMI, A., Overriding Mandatory Provisions in the Rome I Regulation on the Law Applicable to Contracts, 10 *Ybk. Priv. Int'l L.* 285 (2008).

BONOMI, A., The Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations, 10 *Ybk. Priv. Int'l L.* 333 (2008).

BONOMI, A., The Rome I Regulation on the Law Applicable to Contractual Obligations: Some General Remarks, 10 *Ybk. Priv. Int'l L.* 165 (2008).

BORCHERS, P.J., The Conflict of Laws and *Boumediene v. Bush*, 42 *Creighton L. Rev.* 1 (2008).

BOUTIN, G., The Panamanian Business Company and the Conflict of Laws, 10 *Ybk. Priv. Int'l L.* 523 (2008).

BRAND, R.A., The European Magnet and the U.S. Centrifuge: Ten Selected Private International Law Developments of 2008, 15 *ILSA J. Int'l & Comp. L.* 367 (2009).

BRIZA, P., Choice-of-Court Agreements: Could the Hague Choice of Court Agreements Convention and the Reform of the Brussels I Regulation be the Way Out of the *Gasser-Owusu* Disillusion?, 5 *J. Priv. Int'l L.* 537 (2009).

BURMAN, H., Private International Law, 43 *Int'l Law.* 741 (2009).

BUXBAUM, H.L., Territory, Territoriality, and the Resolution of Jurisdictional Conflict, 57 *Am. J. Comp. L.* 631 (2009).

- CABRANES, J.A., Our Imperial Criminal Procedure: Problems in the Extraterritorial Application of U.S. Constitutional Law, 118 *Yale L.J.* 1660 (2009).
- CABRASER, E.J., Just Choose: The Jurisprudential Necessity to Select a Single Governing Law for Mass Claims Arising from Nationally Marketed Consumer Goods and Services, 14 *Roger Williams U. L. Rev.* 29 (2009).
- CACHIA, P., Consumer Contracts in European Private International Law: The Sphere of Operation of the Consumer Contract Rules in the Brussels I and Rome I Regulations, 34 *Eur. L. Rev.* 476 (2009).
- CAMAROTE, J.R., A Little More Contract Law with My Contracts Please: The Need to Apply Unconscionability Directly to Choice-of-law Clauses, 39 *Seton Hall L. Rev.* 605 (2009).
- CARLSON, M.H., U.S. Participation in Private International Law Negotiations: Why the UNCITRAL Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea is Important to the United States, 44 *Tex. Int'l L.J.* 269 (2009).
- CHOI, S.J. & SILBERMAN L., Transnational Litigation and Global Securities Class-Action Lawsuits, 2009 *Wis. L. Rev.* 465 (2009).
- CHONG, A., Choice of Law for Unjust Enrichment/ Restitution and the Rome II Regulation, 57 *Int'l & Comp. L.Q.* 863 (2008).
- CHUNG, C., Conflict of Law Rules Between China and Taiwan and Their Significance, 27 *St. John's J. Legal Comment.* 559 (2008).
- CLARKSON, C.M.V., Matrimonial Property on Divorce: All Change in Europe, 4 *J. Priv. Int'l L.* 421 (2008).
- COHAN, K.Y., The Need for a Refined Balancing Approach When American Discovery Orders Demand the Violation of Foreign Law, 87 *Tex. L. Rev.* 1009 (2009).
- COHEN, M., Victims' Participation Rights Within the International Criminal Court: A Critical Overview, 37 *Denver J. Int'l L. & Pol'y* 351 (2009).
- COLANGELO, A.J., "De Facto Sovereignty": *Boumediene* and Beyond, 77 *Geo. Wash. L. Rev.* 623 (2009).
- COLANGELO, A.J., Double Jeopardy and Multiple Sovereigns: A Jurisdictional Theory, 86 *Wash. U. L.Rev.* 769 (2009).
- COLANGELO, A.J., Universal Jurisdiction as an International "False Conflict" of Laws, 30 *Mich. J. Int'l L.* 881 (2009).
- COOPER, E.H., Aggregation and Choice of Law, 14 *Roger Williams U. L. Rev.* 12 (2009).
- COTTRELL, E.M., Keeping the Barbarians Outside the Gate: Toward a Comprehensive International Agreement Protecting Cultural Property, 9 *Chi. J. Int'l L.* 627 (2009).
- CRANE, D., Substance, Procedure, and Institutions in the International Harmonization of Competition Policy, 10 *Chi. J. Int'l L.* 143 (2009).
- CUNIBERTI, G., The Law Governing the Modality of Arbitral Awards, 25 *Arb. Int'l* 347 (2009).
- DANNEMANN, G., Accidental Discrimination in the Conflict of Laws: Applying, Considering, and Adjusting Rules from Different Jurisdictions, 10 *Ybk. Priv. Int'l Law* 113 (2008).
- DASGUPTA, R., *Boumediene v. Bush* and the Extraterritorial Habeas Corpus in Wartime, 36 *Hastings Const. L.Q.* 425 (2009).
- DAVIES, M., Choice of Law after the Liability Legislation, 16 *Torts L.J.* 104 (2008).
- DAVIES, M., Choice of Law and U.S. Maritime Liens, 83 *Tul. L. Rev.* 1435 (2009).
- DAVIES, M., Reflections on the Past Decade of Transnational Litigation, 10 *Melb. J. Int'l L.* 46 (2009).
- DAVIS, T.J., Extraterritorial Application of the Writ of Habeas Corpus after *Boumediene*: With Separation of Powers Comes Individual Rights, 57 *U. Kan. L. Rev.* 1199 (2009).
- DE LIMA PINEIRO, Choice of Law on Non-Contractual Obligations Between Communitization and Globalization: A First Assessment of EC Regulation Rome II, *Riv. dir. int. priv. proc.* 5 (2008).
- DE MIGUEL ASENSIO, P., Applicable Law in the Absence of Choice to Contracts Relating to Intellectual or Industrial Property Right, 10 *Ybk. Priv. Int'l L.* 199 (2008).
- DESKOSKI, T., The New Macedonian Private International Law Act of 2007, 10 *Ybk. Priv. Int'l L.* 441 (2008).
- DI SANO, S., COMI: The Sun around Which Cross-Border Insolvency Proceedings Revolve: Part 2, 24 *J. Int'l Banking Reg.* 27 (2009).
- DINWOODIE, G.B., Developing a Private International Intellectual Property Law: The Demise of Territoriality?, 51 *Wm. & Mary L. Rev.* 711 (2009).
- DU, N.B., Cross-Border Recognition and Enforcement of Foreign Judgments in Vietnam, 43 *J. Priv. Int'l L.* 479 (2008).

- DUNCAN, W., The Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance. Comments on its Objectives and Some of its Special Features, 10 *Ybk. Priv. Int'l L.* 313 (2008).
- DUNHAM, C.R., *Zippo*-ing the Wrong Way: How the Internet Has Misdirected the Federal Courts in Their Personal Jurisdiction Analysis, 43 *U.S.F. L. Rev.* 559 (2009).
- ECKERT, A., SMITH, R.T. & VAN EGTEREN, H., Environmental Liability in Transboundary Harms: Law and Forum Choice, 24 *J. L. Econ. & Org.* 434 (2008).
- ELECH, C.A., A Cosmopolitan Approach to Treaty Interpretation: Why Service by Postal Channels Should Be Permitted Under the Hague Convention, 36 *N. Ky. L. Rev.* 163 (2009).
- ENGBAHL, D.E., The Classic Rule of Faith and Credit, 118 *Yale L.J.* 1584 (2009).
- ERSKINE, D.H., Judgments of the United States Supreme Court and the South African Constitutional Court as a Basis for a Universal Method To Resolve Conflicts Between Fundamental Rights, 22 *St. John's J. of Legal Comment.* 595 (2008).
- ESPLUGUES MOTA, C., Arbitration Agreements in International Arbitration: The New Spanish Regulation, 10 *Ybk. Priv. Int'l L.* 93 (2008).
- FEICHTNER, I., The Waiver Power of the WTO: Opening the WTO for Political Debate on the Reconciliation of Competing Interests, 20 *Eur. J. Int'l L.* 615 (2009).
- FERNANDEZ ARROYO, D.P., Current Approaches Towards Harmonization of Consumer Private International Law in the Americas, 58 *Int'l & Comp. L.Q.* 411 (2009).
- FIDELL, E.R., Criminal Prosecution of Civilian Contractors by Military Courts, 50 *S. Tex. L. Rev.* 845 (2009).
- FIELD, T.L., Improving the Federal Circuit's Approach to Choice of Law for Procedural Matters in Patent Cases, 16 *Geo. Mason L. Rev.* 643 (2009).
- FIORINI, A., The Evolution of European Private International Law, 57 *Int'l & Comp. L.Q.* 969 (2008).
- FITCHEN, J., Choice of Law in International Claims Based on Restrictions of Competition: Article 6(3) of the Rome II Regulation, 5 *J. Priv. Int'l L.* 337 (2009).
- FLOREY, K., State Courts, State Territory, State Power: Reflections on the Extraterritoriality Principle in Choice of Law and Legislation, 84 *Notre Dame L. Rev.* 1057 (2009).
- FORCE, R., The Aftermath of *Norfolk Southern Railway v. James N. Kirby Pty. Ltd.*: Jurisdiction and Choice-of-Law Issues, 83 *Tul. L. Rev.* 1393 (2009).
- FORREST, C., The Hague Convention on Choice of Court Agreements: The Maritime Exceptions, 5 *J. Priv. Int'l L.* 491 (2009).
- FRIGO, M., Ethical Rules and Codes of Honor Related to Museum Activities: A Complementary Support to the Private International Law Approach Concerning the Circulation of Cultural Property, 16 *Int'l J. Cultural Prop.* 49 (2009).
- FRITCH, C.R., Drug Smuggling on the High Seas: Using International Legal Principles to Establish Jurisdiction over the Illicit Narcotics Trade and the Ninth Circuit's Unnecessary Nexus Requirement, 8 *Wash. U. Global Stud. L. Rev.* 701 (2009).
- FROHLICH, A., Copyright Infringement in the Internet Age: Prime Time for Harmonized Conflict-of-Laws Rules? 24 *Berkeley Tech. L.J.* 851 (2009).
- FRY, J.D., *Désordre Public International* Under the New York Convention: Wither Truly International Public Policy, 8 *Chinese J. Int'l L.* 81 (2009).
- GABRIEL, H.D., The Advantages of Soft Law in International Commercial Law: The Role of UNIDROIT, UNCITRAL, and The Hague Conference, 34 *Brook. J. Int'l L.* 655 (2009).
- GARCÍA GUTIÉRREZ, L., Franchise Contracts and the Rome I Regulation on the Law Applicable to International Contracts, 10 *Ybk. Priv. Int'l L.* 233 (2008).
- GARCIMARTIN ALFEREZ, F.J., The Rome I Regulation: Exceptions to the Rule on Consumer Contracts and Financial Instruments, 5 *J. Priv. Int'l L.* 85 (2009).
- GARCIMARTIN ALFÉREZ, F.J., New Issues in the Rome I Regulation: The Special Provisions on Financial Market Contracts, 10 *Ybk. Priv. Int'l L.* 245 (2008).
- GARNETT, R. & RICHARDSON, M., Libel Tourism or Just Redress? Reconciling the (English) Right to Reputation with the (American) Right to Free Speech in Cross-Border Libel Cases, 5 *J. Priv. Int'l L.* 471 (2009).
- GARNETT, R., The Hague Choice of Court Convention: Magnum Opus or Much Ado about Nothing?, 5 *J. Priv. Int'l L.* 161 (2009).
- GLANNON, J.W. & TENINBAUM, G., Conflict of Laws in Massachusetts Part I: Current Choice-of-Law Theory, 92 *Mass. L. Rev.* 12 (2009).

- GLYNN, T.P., Delaware's Vantagepoint: The Empire Strikes Back in the Post-Post-Enron Era, 102 *Nw. U. L. Rev.* 91 (2008).
- GREEN, S.B., Interstate Intercourse: How Modern Assisted Reproductive Technologies Challenge the Traditional Realm of Conflicts of Law, 24 *Wis. J.L. Gender & Soc'y* 25 (2009).
- GREENBERG, M., The Forum Non Conveniens Motion and the Death of the Moth: A Defense Perspective in the Post-Sinochem Era, 72 *Alb. L. Rev.* 321 (2009).
- GUTIERREZ, G., Jurisdictional Ambiguities among Sovereigns: The Impact of the Indian Gaming Regulatory Act on Criminal Jurisdiction on Tribal Lands, 26 *Ariz. J. Int'l & Comp. L.* 229 (2009).
- HAMMERLE, K.G., ET. AL., The Extra-Territorial Reach of U.S. Patent Law on Space-Related Activities: Does the "International Shoe" Fit as We Reach for the Stars?, 34 *J. Space L.* 241 (2008).
- HARRIS, J., Understanding the English Response to the Europeanisation of Private International Law, 43 *J. Priv. Int'l L.* 347 (2008).
- HAYS, M.J., Where Equity Meets Expertise: Re-Thinking Appellate Review in Complex Litigation, *U. Mich. J.L. Reform* 421 (2008).
- HAYWARD, B., New Dog, Old Tricks: Solving a Conflict of Laws Problem in CISG Arbitrations, 26 *J. Int'l Arb.* 405 (2009).
- HEALY, J.J., Consumer Protection Choice of Law: European Lessons for the United States, 19 *Duke J. Comp. & Int'l L.* 535 (2009).
- HEISS, H., Insurance Contracts in Rome I: Another Recent Failure of the European Legislature, 10 *Ybk. Priv. Int'l L.* 261 (2008).
- HELLNER, M., Third Country Overriding Mandatory Rules in the Rome I Regulation: Old Wine in New Bottles?, 5 *J. Priv. Int'l L.* 447 (2009).
- HESSICK, F.A., The Common Law of Federal Question Jurisdiction, 60 *Ala. L. Rev.* 895 (2009).
- HILL, M.A., Opening the Door for Bias: The Problem of Applying Transferee Forum Law in Multidistrict Litigation, 85 *Notre Dame L. Rev.* 341 (2009).
- HOLTE, R.T., What Is Really Fair: Internet Sales and the Georgia Long-Arm Statute, 10 *Minn. J. L. Sci. & Tech.* 567 (2009).
- ILLMER, M., Neutrality Matters: Some Thoughts About the Rome Regulations and the So-Called Dichotomy of Substance and Procedure in European Private International Law, 28 *Civ. Just. Q.* 237 (2009).
- JOUBERT, N., Cyber-Torts and Personal Jurisdiction: The Paris Court of Appeal Makes a Stand, 58 *Int'l & Comp. L.Q.* 476 (2009).
- KAHN, J., International Travel and the Constitution, 56 *UCLA L. Rev.* 271 (2008).
- KALECK, W., From Pinochet to Rumsfeld: Universal Jurisdiction in Europe 1998-2008, 30 *Mich. J. Int'l L.* 927 (2009).
- KAPELIUK, D., International Commercial Arbitration. The Israeli Perspective, 10 *Ybk. Priv. Int'l L.* 431 (2008).
- KARABELL, J.R., The Implementation of 'Balanced Diversity' Through the Class Action Fairness Act, 84 *N.Y.U. L. Rev.* 300 (2009).
- KARAYANNI, M.M., Choice of Law Under Occupation: How Israeli Law Came to Serve Palestinian Plaintiffs, 5 *J. Priv. Int'l L.* 1 (2009).
- KASHIWAGI, N., Accession by Japan to the Vienna Sales Convention, 13 *Zeitschrift für Japanisches Recht* 207 (2008).
- KASSIM, P.N.J., Medicine Beyond Borders: The Legal and Ethical Challenges, 28 *Med. & L.* 439 (2009).
- KETCHAM, B.B., Related Contacts for Specific Personal Jurisdiction over Foreign Defendants: Adopting a Two-Part Test, 18 *Transnat'l L. & Contemp. Probs.* 477 (2009).
- KEYES, M., Jurisdiction Under the Hague Choice of Courts Convention: Its Likely Impact on Australian Practice, 5 *J. Priv. Int'l L.* 181 (2009).
- KNOFEL, O.L., Judicial Assistance in the Taking of Evidence Abroad in Aid of Arbitration: A German Perspective, 5 *J. Priv. Int'l L.* 281 (2009).
- KONTOROVICH, E., Beyond the Article 1 Horizon: Congress's Enumerated Powers and Universal Jurisdiction over Drug Crimes, 93 *Minn. L. Rev.* 1191 (2009).
- KONTOROVICH, E., The "Define and Punish" Clause and the Limits of Universal Jurisdiction, 103 *Nw. U. L. Rev.* 149 (2009).
- KOZUKA, S. & NAOE F., Old Ideas Die Hard?: An Analysis of the 2004 Reformation of Secured Transactions Law in Japan and its Impact on Banking Practices, 31 *T. Jefferson L. Rev.* 293 (2009).
- KRASNICKAS, M., Recognition and Enforcement of Foreign Judicial Decisions in the Republic of Lithuania, 10 *Ybk. Priv. Int'l L.* 493 (2008).

- KREBS, T., Harmonization and How Not to Do It: Agency in the UNIDROIT Principles of International Commercial Contracts 2004, 2009 *Lloyd's Mar. & Com. L.Q.* 57 (2009).
- KREDER, J.A., The New Battleground of Museum Ethics and Holocaust-Era Claims: Technicalities Trumping Justice or Responsible Stewardship for the Public Trust?, 88 *Or. L. Rev.* 37 (2009).
- KUMPAN, C., Conflicts of Interest in Securitisation: Adjusting Incentives, 9 *J. Corp. L. Stud.* 261 (2009).
- KUNESH, P.H., Tribal Self-Determination in the Age of Scarcity, 54 *S.D. L. Rev.* 398 (2009).
- LAMONT, R., Evaluating European Values: The EU's Approach to European Private International Law, 5 *J. Priv. Int'l L.* 371 (2009).
- LEAR, E.T., Federalism, Forum Shopping, and the Foreign Injury Paradox, 51 *Wm. & Mary L. Rev.* 87 (2009).
- LEE, M., A Choice of Law Dilemma: The Conflict and Reconciliation of Laws Governing Cross-Border Transfers of Stolen Art, 7 *Cardozo Pub. L. Pol'y & Ethics J.* 719 (2009).
- LEHMANN, M., What's in a Name? *Grunkin-Paul* and Beyond, 10 *Ybk. Priv. Int'l L.* 135 (2008).
- LEIN, E., The New Rome I/Rome II/Brussels I Synergy, 10 *Ybk. Priv. Int'l L.* 177 (2008).
- LOOKOFSKY, J., Desperately Seeking Subsidiarity: Danish Private Law in the Scandinavian, European, and Global Context, 19 *Duke J. Comp. & Int'l L.* 161 (2008).
- LYNCH, J.A., Federal Procedure and *Erie*: Saving State Litigation Reform through Comparative Impairment, 30 *Whittier L. Rev.* 283 (2008).
- MANGAN, J., The Need for Cross-Border Clarity: Recognizing American Class Action Judgments in Canada, 35 *Advoc. Q.* 375 (2009).
- MANKOWSKI, P., Commercial Agents Under European Jurisdiction Rules: The Brussels I Regulation Plus the Procedural Consequences of *Ingmar*, 10 *Ybk. Priv. Int'l L.* 19 (2008).
- MARSHALL, S.K., CARROLL, W.F. & GEORGE, J.P., Conflict of Laws [Texas], 62 *SMU L. Rev.* 1021 (2009).
- MASTERTON, R.P., Court-Martial Jurisdiction Over Civilians in Contingency Operations: A New Twist, 35 *New Eng. J. Crim. & Civ. Confinement* 65 (2009).
- MCCARTHUR, K.S. & ORMACHEA, P., International Investor-State Arbitration: An Empirical Analysis of ICSID Decisions on Jurisdiction, 28 *Rev. Litig.* 559 (2009).
- MCCORMACK, G., Jurisdictional Competition and Forum Shopping in Insolvency Proceedings, 68 *Cambridge L.J.* 169 (2009).
- MEDLEY, A.L., A Sea of Confusion: The Shipowner's Limitation of Liability Act as an Independent Basis for Admiralty Jurisdiction, 108 *Mich. L. Rev.* 229 (2009).
- MERKIN, R., The Rome I Regulation and Reinsurance, 5 *J. Priv. Int'l L.* 69 (2009).
- MERRETT, L., Article 23 of the Brussels I Regulation: A Comprehensive Code for Jurisdiction Agreements?, 58 *Int'l & Comp. L.Q.* 545 (2009).
- MERRETT, L., Choice of Law in Insurance Contracts Under the Rome I Regulation, 5 *J. Priv. Int'l L.* 40 (2009).
- MILLER, G.P. & EISENBERG, T., The Market for Contracts, 30 *Cardozo L. Rev.* 2073 (2009).
- MO, Z., Party Autonomy in Non-Contractual Obligations: Rome II and its Impacts on Choice of Law, 39 *Seton Hall L. Rev.* 861 (2009).
- MOORE, N.J., Choice of Law for Professional Responsibility Issues in Aggregate Litigation, 14 *Roger Williams U. L. Rev.* 73 (2009).
- MORRIS, A.P. & MEINERS, R.E., Borders and the Environment, 39 *Envtl. L.* 141 (2009).
- MORTENSEN, R., The Hague and the Ditch: The Trans-Tasman Judicial Area and the Choice of Court Convention, 5 *J. Priv. Int'l L.* 213 (2009).
- NICHOLLS, C.C., Civil Enforcement in Canadian Securities Law, 9 *J. Corp. L. Stud.* 367 (2009).
- NIELSEN, P. & LANDO, O., The Rome I Regulation, 45 *Common Mkt. L. Rev.* 1687 (2008).
- NOYES, J.E., Judicial and Arbitral Proceedings and the Outer Limits of the Continental Shelf, 42 *Vand. J. Transnat'l L.* 1211 (2009).
- O'BRIEN, M., Choice of Forum in Securities Class Actions: Confronting "Reform" of the Securities Act of 1933, 28 *Rev. Litig.* 845 (2009).
- OKUDA, Y., A Short Look at Rome I on Contract Conflicts from a Japanese Perspective, 10 *Ybk. Priv. Int'l L.* 301 (2008).
- OPPONG, R.F., A Decade of Private International Law in African Courts 1997-2007 (Part II), 10 *Ybk. Priv. Int'l L.* 367 (2008).

- ORFORD, A., Jurisdiction Without Territory: From the Holy Roman Empire to the Responsibility to Protect, *30 Mich. J. Int'l L.* 981 (2009).
- PAPAVIZAS, C.G. & GARDNER, B.E., Is the Jones Act Redundant?, *21 U.S.F. Mar. L.J.* 95 (2008-2009).
- PARRISH, A.L., Comity and Parallel Foreign Proceedings: A Reply to Black and Swan, *47 Can. Bus. L.J.* 209 (2009).
- PARRISH, A.L., Reclaiming International Law from Extraterritoriality, *93 Minn. L. Rev.* 815 (2009).
- PERKINS, N.D., Principled Preemption in an Age of Interest Convergence: Preserving the Distinction Between Pennsylvania's Environmental Regulation and Local Land Use Regulation, *47 Duquesne L. Rev.* 27 (2009).
- PERRIN, J., The Recognition of Trusts and Their Use in Estate Planning Under Continental Laws, *10 Ybk. Priv. Int'l L.* 629 (2008).
- PETERS, M., Jurisdiction and Multimodal Transportation: Bringing Uniformity of Carriage of Goods by Sea to the Shores of the United States, *17 J. Int'l L.* 761 (2009).
- PETERSEN, M.M., The *Erie* Doctrine & *McDonnell Douglas* Framework: Much Ado about Nothing or an Issue Worth Analyzing?, *53 St. Louis U. L.J.* 927 (2009).
- PETRIG, A., Case Referral to National Jurisdictions: A Key Component of the ICTY Completion Strategy, *45 Crim. L. Bull.* 237 (2009).
- PHAM, K., Enforcement of Non-Monetary Foreign Judgments in Australia, *30 Sydney L. Rev.* 663 (2008).
- PINEAU, E.R., Conflict of Laws Comes to the Rescue of Competition Law: The New Rome II Regulation, *5 J. Priv. Int'l L.* 311 (2009).
- PINHEIRO, L. DE L., Competition Between Legal Systems in the European Union and Private International Law, *28 IPrax* 206 (2008).
- POCAR, F., The New Lugano Convention on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, *10 Ybk. Priv. Int'l L.* 1 (2008).
- PRICE, M.E., Satellite Transponders and Free Expression, *27 Cardozo Arts & Ent. L.J.* 1 (2009).
- QUIGLEY, J., The United States' Withdrawal from International Court of Justice Jurisdiction in Consular Cases: Reasons and Consequences, *19 Duke J. Comp. & Int'l L.* 263 (2009).
- RAUTRAY, D., India's Supreme Court Places New Hurdles on Enforcement of Foreign Awards: Venture Global and the Cases Leading Up to It, *64 Disp. Resol. J.* 80 (2009).
- RENSBERGER, J.L., Interstate Pluralism: The Role of Federalism in the Same-Sex Marriage Debate, *2008 BYU L. Rev.* 1703 (2008).
- RICHARDSON, G.S., Class Dismissed, Now What? Exploring the Exercise of CAFA Jurisdiction after the Denial of Class Certification, *39 N.M. L. Rev.* 121 (2009).
- ROGERS, C.A., Lawyers Without Borders, *30 U. Pa. J. Int'l Econ. L.* 1035 (2009).
- ROGERSON, P., International Insolvency: Law Applied to Distribution, *67 Cambridge L.J.* 476 (2008).
- RUSHWORTH, A., Demarcating the Boundary Between the Brussels I Regulation and the Evidence Regulation, *2009 Lloyd's Mar. & Com. L.Q.* 196 (2009).
- RYAN, J.M., Interplay of WTO and U.S. Domestic Judicial Review: When the Same U.S. Administrative Determinations Are Appealed Under the WTO Agreements and Under U.S. Law, Do the Respective Decisions and Available Remedies Coexist or Collide?, *17 Tul. J. Int'l & Comp. L.* 353 (2009).
- SCHOENBAUM, L.J., The Okinawa Dugong and the Creative Application of U.S. Extraterritorial Environmental Law, *44 Tex. Int'l L.J.* 457 (2009).
- SCHULTZ, T., Some Critical Comments on the Juridicity of *Lex Mercatoria*, *10 Ybk. Priv. Int'l L.* 667 (2008).
- SEIN, K., The Development of Private International Law in Estonia, *10 Ybk. Priv. Int'l L.* 459 (2008).
- SHARPE, J.C., Beyond Borders: Disassembling the State-Based Model of Federal Forum Fairness, *30 Cardozo L. Rev.* 2897 (2009).
- SHIH, W-C., Conflicting Jurisdictions over Disputes Arising from the Application of Trade-Related Environmental Measures, *8 Rich. J. Global L. & Bus.* 351 (2009).
- SILBERMAN, L.J., Choice of Law in National Class Actions: Should CAFA Make A Difference?, *14 Roger Williams U. L. Rev.* 54 (2009).
- SILBERMAN, L.J., Some Judgements on Judgements: A View from America, *19 King's L.J.* 235 (2008).
- SILVER, C.E., Procedural Hassles in Multidistrict Litigation: A Call for Reform of 28 U.S.C. S. 1407 and the Lexecon Result, *70 Ohio St. L.J.* 455 (2009).
- SIM, C., Non-Justiciability in Australian Private Inter-



- national Law: A Lack of ‘Judicial Restraint’?, 10 *Melb. J. Int’l L.* 102 (2009).
- SOLENIK, D., Attempting a ‘Judicial Restatement’ of Private International Law in Belarus, 10 *Ybk. Priv. Int’l L.* 505 (2008).
- SONO, H., Japan’s Accession to the CISG: The Asia Factor, 13 *Zeitschrift für Japanisches Recht* 195 (2008).
- STEVELMAN, F., Regulatory Competition, Choice of Forum, and Delaware’s Stake in Corporate Law, 34 *Del. J. Corp. L.* 57 (2009).
- STEWART, D.P., Private International Law: A Dynamic and Developing Field, 30 *U. Pa. J. Int’l Econ. L.* 1121 (2009).
- STURLEY, M.F., Maritime Cases About Train Wrecks: Applying Maritime Law to the Inland Damage of Ocean Cargo, 40 *J. Mar. L. & Com.* 1 (2009).
- SVANTESSON, D.J.B., The Choice of Courts Convention: How Will it Work in Relation to the Internet and E-Commerce?, 5 *J. Priv. Int’l L.* 517 (2009).
- SYMEONIDES, S.C., A New Conflicts Restatement: Why Not?, 5 *J. Priv. Int’l L.* 383 (2009).
- SYMEONIDES, S.C., Choice of Law in Cross-Border Torts: Why Plaintiffs Win and Should, 61 *Hastings L.J.* 337 (2009).
- SYMEONIDES, S.C., The Conflicts Book of the Louisiana Civil Code: Civilian, American, or Original?, 83 *Tul. L. Rev.* 1041 (2009).
- SYMEONIDES, S.C., Choice of Law in the American Courts in 2008: Twenty-Second Annual Survey, 57 *Am. J. Comp. L.* 269 (2009).
- SYMEONIDES, S.C., Private International Law Bibliography 2007-08: U.S. and Foreign Sources in English, 57 *Am. J. Comp. L.* 331 (2009).
- TAKAHASHI, K., Damages for Breach of a Choice-of-Court Agreement, 10 *Ybk. Priv. Int’l L.* 57 (2008).
- TANG, Z.S., Multiple Defendants in the European Jurisdiction Regulation, 34 *Euro. L. Rev.* 80 (2009).
- TAY, C., Enforcement of Arbitral Awards in the People’s Republic of China, 26 *Int’l Construction L. Rev.* 207 (2009).
- TEITZ, L. E., Complexity and Aggregation in Choice of Law: An Introduction to the Landscape, 14 *Roger Williams U. L. Rev.* 1 (2009).
- TERRY, M. E., What’s Fair Is Fair: Tribal Assertions of Jurisdiction over Arbitration Decisions, 2009 *J. Disp. Resol.* 255 (2009).
- TORREMANS, P.L.C., Licences and Assignments of Intellectual Property Rights Under the Rome I Regulation, 4 *J. Priv. Int’l L.* 397 (2008).
- TRIMBLE, M., Cross-Border Injunctions in U.S. Patent Cases and Their Enforcement Abroad, 13 *Marq. Intell. Prop. L. Rev.* 331 (2009).
- TU, G., Finding a Proper Nexus for Constructing Specific (Special) Jurisdiction Regarding Commercial Contract and Tort Cases: A Comparative Study of the U.S. and European Approaches, 5 *J. Priv. Int’l L.* 243 (2009).
- TUINGA, K., Cuban Private International Law: Some Observations, Comparisons, and Suppositions, 40 *U. Miami Inter-Am. L. Rev.* 433 (2009).
- TUINGA, K., Forty-Plus Years of Iowa Choice-of-Law Precedent: The Aftermath of the Restatement (Second) of Conflict of Laws, 43 *Creighton L. Rev.* 205 (2009).
- TUINGA, K., Toward Predictable Choice of Law in Missouri, 65 *J. Mo. Bar* 14 (2009).
- UBERTAZZI, B., The Inapplicability of the Connecting Factor of Nationality to the Negotiating Capacity in International Commerce, 10 *Ybk. Priv. Int’l L.* 711 (2008).
- VAN DETTA, J.A., Dialogue with a Neurosurgeon: Toward a *Dépeçage* Approach to Achieve Tort Reform and Preserve Corrective Justice in Medical Malpractice Cases, 71 *U. Pitt. L. Rev.* 1 (2009).
- VEGA, M.A., The Sarbanes-Oxley Act and the Culture of Bribery: Expanding the Scope of Private Whistleblower Suits to Overseas Employee, 46 *Harv. J. Legis.* 425 (2009).
- VORA, N., Federal Common Law and Alien Tort Statute Litigation: Why Federal Common Law Can (And Should) Provide Aiding and Abetting Liability, 50 *Harv. Int’l L.J.* 195 (2009).
- WAKIM, M., Public Policy Concerns Regarding Enforcement of Foreign International Arbitral Awards in the Middle East, 21 *N.Y. Int’l L. Rev.* 1 (2008).
- WALKER, J., *Teck Cominco* and the Wisdom of Deferring to the Court First Seised, All Things Being Equal, 47 *Can. Bus. L.J.* 192 (2009).
- WANAT, D.E., Copyright Infringement Litigation and the Exercise of Personal Jurisdiction Within Due Process Limits: Judicial Application of Purposeful Availment, Purposeful Direction, or Purposeful Effects Requirements to Finding that a Plaintiff Has Established a Defendant’s Minimum Contacts Within the Forum State, 59 *Mercer L. Rev.* 553

- (2008).
- WANLESS, W. C., Corporate Liability for International Crimes Under Canada's Crimes Against Humanity and War Crimes Act., 7 *J. Int'l Crim. Just.* 201 (2009).
- WARDLE, L.D., From Slavery to Same-Sex Marriage: Comity Versus Public Policy in Inter-Jurisdictional Recognition of Controversial Domestic Relations, 2008 *BYU L. Rev.* 1855 (2008).
- WEE, M.S., A Lost Opportunity Towards Modified Universalism, 2009 *Lloyd's Mar. & Com. L.Q.* 18 (2009).
- WEHLAND, H., Intra-EU Investment Agreements and Arbitration: Is European Community Law an Obstacle?, 58 *Int'l & Comp. L.Q.* 297 (2009).
- WHOMERSLEY, C.A., Foreign States and British Courts, 125 *L. Q. Rev.* 227 (2009).
- WHYTOCK, C.A., Domestic Courts and Global Governance, 84 *Tul. L. Rev.* 67 (2009).
- WHYTOCK, C.A., Myth of Mess? International Choice of Law in Action, 84 *N.Y.U. L. Rev.* 719 (2009).
- WOOLHANDLER, A. & COLLINS, M.G., Federal Question Jurisdiction and Justice Holmes, 84 *Notre Dame L. Rev.* 2151 (2009).
- WORSTER, W.T., Competition and Comity in the Fragmentation of International Law, 34 *Brook. J. Int'l L.* 119 (2008).
- WRIGHT, B., Keepers, Weepers, or No Finders at All: The Effect of International Trends on the Exercise of U.S. Jurisdiction and Substantive Law in the Salvage of Historic Wrecks, 33 *Tul. Mar. L.J.* 285 (2008).
- ZHANG, M., Party Autonomy in Non-Contractual Obligations: Rome II and Its Impacts on Choice of Law, 39 *Seton Hall L. Rev.* 861 (2009).
- ZHANG, X., A New Stage of Regional Judicial Assistance in Civil and Commercial Matters: Implementation of the Mainland Judgments Ordinance and Certain Issues Beyond, 39 *Hong Kong L.J.* 3 (2009).