

# Washington University Law Review

---

Volume 88 | Issue 2

---

2010

## Table of Contents

Follow this and additional works at: [https://openscholarship.wustl.edu/law\\_lawreview](https://openscholarship.wustl.edu/law_lawreview)

---

### Recommended Citation

*Table of Contents*, 88 WASH. U. L. REV. (2010).

Available at: [https://openscholarship.wustl.edu/law\\_lawreview/vol88/iss2/9](https://openscholarship.wustl.edu/law_lawreview/vol88/iss2/9)

This Table of Contents is brought to you for free and open access by the Law School at Washington University Open Scholarship. It has been accepted for inclusion in Washington University Law Review by an authorized administrator of Washington University Open Scholarship. For more information, please contact [digital@wumail.wustl.edu](mailto:digital@wumail.wustl.edu).

# Washington University Law Review

---

---

VOLUME 88

NUMBER 2

2010

---

---

© 2010 by Washington University

## CONTENTS

### ARTICLES

- THE POLITICAL FOURTH  
AMENDMENT .....*Thomas P. Crocker* 303
- JUST NEGOTIATION .....*Rebecca Hollander-Blumoff* 381
- ERISA & UNCERTAINTY ..... *Brendan S. Maher* 433  
*Peter K. Stris*

### NOTES

- KIMBROUGH, SPEARS, AND CATEGORICAL  
REJECTION: THE LATEST ADDITIONS  
TO THE FAMILY OF FEDERAL  
SENTENCING POLICY CASES* .....*Sophia A. Vandergrift* 475
- THE SCOPE OF “PLAINTIFFS’ HARM” IN  
ENVIRONMENTAL PRELIMINARY  
INJUNCTIONS .....*Amber R. Woodward* 507

### COMMENTARIES

- WHAT ELENA KAGAN COULD HAVE AND  
SHOULD HAVE SAID (AND STILL HAVE  
BEEN CONFIRMED) .....*Eric J. Segall* 535
- ELENA KAGAN CAN’T SAY THAT: THE  
SORRY STATE OF PUBLIC DISCOURSE  
REGARDING CONSTITUTIONAL  
INTERPRETATION .....*Neil J. Kinkopf* 543

- A REPLY .....*Eric J. Segall* 553