

SOUTHWESTERN LAW REVIEW



VOLUME 52

2024

NUMBER 3

TABLE OF CONTENTS

ESSAYS

CONCLUDING THE RESTATEMENT (THIRD) OF TORTS: AN INTRODUCTION <i>Byron G. Stier and Christopher J. Robinette</i>	351
A BRIEF INTRODUCTION TO THE AMERICAN LAW INSTITUTE AND THE RESTATEMENTS OF TORTS <i>Hon. Goodwin H. Liu</i>	358
THE AMERICAN LAW INSTITUTE AND THE RESTATEMENT (THIRD) OF TORTS: PRESENTATION OF MICHAEL GREEN <i>Michael D. Green</i>	364
TORT THEORY AND THE RESTATEMENT, IN RETROSPECT <i>Keith N. Hylton</i>	369

IS THE THIRD RESTATEMENT OF DESIGN DEFECT A DEFECTIVE PRODUCT? <i>Gregory C. Keating</i>	399
THE ROLE OF TORT THEORY IN THE THIRD RESTATEMENT OF TORTS: AN EXPLANATION AND DEFENSE <i>Kenneth W. Simons</i>	428
TORT THEORY AND THE RESTATEMENTS: PRESENTATION OF CATHERINE SHARKEY <i>Catherine M. Sharkey</i>	444
INFORMED CONSENT IN THE RESTATEMENT OF MEDICAL MALPRACTICE <i>Mark A. Hall</i>	450
MODERNIZING THE MEDICAL MALPRACTICE STANDARD OF CARE <i>Philip G. Peters, Jr.</i>	465
INFORMED CONSENT IN THE NEW RESTATEMENT ON MEDICAL MALPRACTICE: A FRIENDLY CRITIQUE <i>Nina A. Kohn</i>	478
KEYNOTE SYMPOSIUM PRESENTATION OF BRIAN PANISH AND JESSE CREED <i>Brian Panish and Jesse Creed</i>	484
THE EQUITY OF TORT CLAIMS FOR MEDICAL MONITORING <i>Marc A. Geistfeld</i>	493
THE RESTATEMENT (THIRD) OF TORTS PROPOSES ABANDONING TORT LAW'S PRESENT INJURY REQUIREMENT TO ALLOW MEDICAL MONITORING CLAIMS: SHOULD COURTS FOLLOW? <i>Victor E. Schwartz and Christopher E. Appel</i>	512
TRAUMA DAMAGES <i>Martha Chamallas</i>	543
WHY COURTS SHOULD CONTINUE TO REJECT INNOVATOR LIABILITY THEORIES THAT SEEK TO HOLD BRANDED DRUG MANUFACTURERS LIABLE FOR GENERIC DRUG INJURIES <i>Mark A. Behrens and Christopher E. Appel</i>	580
DAMAGES: SYMPOSIUM PRESENTATION OF ANTHONY SEBOK <i>Anthony J. Sebok</i>	607
DAMAGES: SYMPOSIUM PRESENTATION OF IBIERE SECK <i>Ibiere N. Seck</i>	615

DAMAGES AND TRIAL PRACTICE: SYMPOSIUM PRESENTATION OF JUDGE
KEVIN BRAZILE
Hon. Kevin C. Brazile.....618

NOTES AND COMMENTS

“REMAIN IN MEXICO” POLICY AND ITS PROGENY: IS THERE HOPE?
Elena V. Cordonean.....623

DON’T GO DOWN THAT AISLE: CIRCUIT COURTS’ PROBLEMATIC
INTERPRETATION OF SENTENCING ENHANCEMENTS AND THE NEED
FOR CHANGE
Peter S. Demerdjian.....645

HOW CONSERVATORSHIPS ARE “TOXIC” FOR WOMEN’S REPRODUCTIVE
RIGHTS
Kristin A. Strange.....661