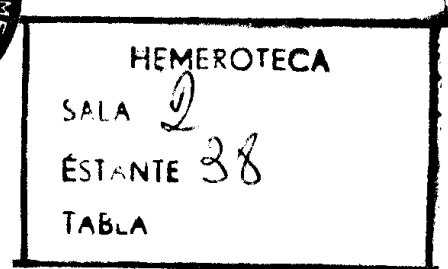
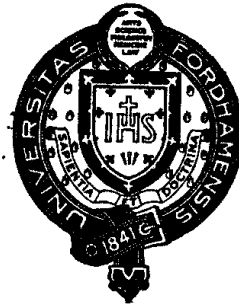


# FORDHAM LAW REVIEW



## ARTICLES

IN DEFENSE OF CAPITAL GAINS ..... *Constantine N. Katsoris*

CABLE TELEVISION AND THE PROMISE OF  
PROGRAMMING DIVERSITY ..... *D. Bruce LaPierre*

**CONTENTS**

**ARTICLES**

IN DEFENSE OF CAPITAL GAINS ..... *Constantine N. Katsoris* 1  
CABLE TELEVISION AND THE PROMISE OF PROGRAMMING DIVERSITY .. *D. Bruce LaPierre* 25

**COMMENTS**

THE EFFECT OF NEW YORK INSURANCE LAW SECTION 167(3) UPON CLAIMS FOR CONTRIBUTION AND INDEMNITY ..... 125  
VIOLENCE AND OBSCENITY—*Chaplinsky* REVISITED ..... 141  
THE HATCH ACT REAFFIRMED: DEMISE OF OVERBREADTH REVIEW? ..... 161  
SUBSTANTIVE RULEMAKING AND THE FTC ..... 178

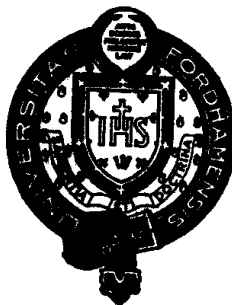
**CASE NOTES**

CONSTITUTIONAL LAW—SELF-INCRIMINATION—PRODUCTION OF CLIENT'S WORK PAPERS IN POSSESSION OF ATTORNEY MAY BE COMPELLED WHEN CLIENT HAS NEVER BEEN IN PHYSICAL POSSESSION (*United States v. White*, 477 F.2d 757 (5th Cir. 1973)) ..... 197  
SECURITIES—NON-FIDUCIARY TIPPEES HELD LIABLE UNDER STATE COMMON LAW FOR INSIDE INFORMATION TRADING PROFITS: *Diamond Cuts Deeper* (*Schein v. Chasen*, 478 F.2d 817 (2d Cir. 1973)) ..... 211

BOOKS RECEIVED ..... 225

**FORDHAM LAW REVIEW**

Volume XLII, Number 1



October 1973

**EDITORIAL AND GENERAL OFFICES**

Lincoln Center, 140 West 62nd Street, New York, N.Y. 10023

Published four times a year—October, December, March and May. Member, National Conference of Law Reviews. Printed by the Heffernan Press Inc., Worcester, Massachusetts. Second class postage paid at New York, N.Y. and at additional mailing offices.

SUBSCRIPTION PRICE \$10.00, SINGLE ISSUE \$3.50. Make checks payable to FORDHAM LAW REVIEW. Subscription renewed automatically unless notified to contrary.