

UNIVERSITY OF
Miami

LAW REVIEW

2

31

ARTICLE

The Third Branch of
Liberty

JUSTICE JOHN PAUL STEVENS

CASE COMMENT

McCleskey v. Kemp:
Constitutional Tolerance
for Racially Disparate
Capital Sentencing

CASENOTES

FDIC v. Philadelphia Gear:
A Standby Letter of
Credit Backed by a
Contingent Promissory
Note Is Not a Deposit—
The Supreme Court
Changes *Gear*

Monfort of Colorado, Inc. v.
Cargill, Inc.: Standing
to Enjoin Horizontal
Mergers by Competing
Companies

SPECIAL ISSUES AND TOPICS

American Indian Tribal
Death—A Centennial
Remembrance

DANIEL L. ROTENBERG

University of Miami Law Review

VOLUME 41

DECEMBER 1995

NUMBER 2

ARTICLE

THE THIRD BRANCH OF LIBERTY *Justice John Paul Stevens* 277

CASE COMMENT

McCleskey v. Kemp:

CONSTITUTIONAL TOLERANCE FOR
RACIALLY DISPARATE

CAPITAL SENTENCING *Fredric J. Bendremer,* 295

*Gale Bramnick,
Joseph C. Jones III,
and Steven N. Lippman*

CASENOTES

FDIC v. Philadelphia Gear:

A STANDBY LETTER OF CREDIT BACKED BY A
CONTINGENT PROMISSORY NOTE IS NOT A
DEPOSIT—THE SUPREME COURT

CHANGES *Gear* *Brett Paul* 357

and Andrew Peretz

Monfort of Colorado, Inc. v.

Cargill, Inc.: STANDING TO
ENJOIN HORIZONTAL MERGERS BY

COMPETING COMPANIES *Michelle Cuervo Dunaj* 385

SPECIAL ISSUES AND TOPICS

AMERICAN INDIAN TRIBAL DEATH—A

CENTENNIAL REMEMBRANCE *Daniel L. Rotenberg* 409

75.953
2-37