SUBJECT INDEX

ACTIONS & DEFENSES

ADMINISTRATIVE LAW
Administrative Procedure: Annual Survey of Virginia Law .................. 431
Environmental Law: Annual Survey of Virginia Law ....................... 625

ANTITRUST
Antitrust Law: Annual Survey of Virginia Law ................... 455

BANKRUPTCY
Creditors' Rights: Annual Survey of Virginia Law ...................... 561
Environmental Liens and Title Insurance ......................... 305

BOOK REVIEWS
A Guide to Legal Research in Virginia Edited by
John D. Eure .................................................. 297
Handbook on Virginia Civil Procedure By
W. Hamilton Bryson .......................................... 293

BUSINESS LAW
Business and Corporate Law: Annual Survey of Virginia Law .......... 491

CIVIL PROCEDURE
Civil Procedure & Practice: Annual Survey of Virginia Law ............ 511
Handbook on Virginia Civil Procedure By
W. Hamilton Bryson .......................................... 293
The General District Courts of Virginia: Our Own
Rules of Court ............................................. 809'
Sanctioning Defendants’ Non-Willful Delay:
The Failure of Rule 55 and a Proposal
for its Reform ............................................. 203

CONSTITUTIONAL LAW
Does Garcia Preclude an Eleventh Amendment
Affirmative Limitation on the Congress’s
Commerce Clause Power? .................................. 1
Firing Employees for Refusing to Submit to Urinalysis:
The Case for a Uniform Standard of Reasonable
Individualized Suspicion .................................. 75

889
Invalidation of Residency Requirements for Admission to the Bar: Opportunities for General Reform ........................................ 231

CONSUMER LAW
Tobacco Suits Today: Are Cigarette Plaintiffs Just Blowing Smoke? .................................................. 257
What's Current in Asbestos Regulations ........................................ 375

CONTRACTS
Construction: Annual Survey of Virginia Law ........................................ 541
Employment Law: Annual Survey of Virginia Law ........................................ 607
Firing Employees for Refusing to Submit to Urinalysis: The Case for a Uniform Standard of Reasonable Individualized Suspicion ........................................ 75

Health Care Law:
Annual Survey of Virginia Law ........................................ 663

Property Law: Annual Survey of Virginia Law ........................................ 773

CONSTRUCTION LAW
Construction Law: Annual Survey of Virginia Law ........................................ 541
What's Current in Asbestos Regulations ........................................ 375

CORPORATIONS
Business and Corporate Law: Annual Survey of Virginia Law ........................................ 491

COURTS
Advisory Opinions: Cautions About Non-Judicial Undertakings ........................................ 173
Evidence: Annual Survey of Virginia Law ........................................ 647
The Rules of Court for the General District Courts of Virginia ........................................ 809
Handbook on Virginia Civil Procedure By W. Hamilton Bryson ........................................ 293
Sanctioning Defendants' Non-Willful Delay: The Failure of Rule 55 and a Proposal for its Reform ........................................ 203

CREDITORS' RIGHTS
Commercial Law: Annual Survey of Virginia Law ........................................ 523
Creditors' Rights: Annual Survey of Virginia Law ........................................ 561
The Letter of Credit as Security for Completion of Streets, Sidewalks, and other Bonded Municipal Improvements ........................................ 161
# AUTHOR INDEX

<table>
<thead>
<tr>
<th>Author(s)</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Billingsley, Robert T., Boyette, Keith D., Reaves, Randal M., and Paul A. Simpson</td>
<td>Employment Law: Annual Survey of Virginia Law</td>
<td>607</td>
</tr>
<tr>
<td>Boyette, Keith D., Billingsley, Robert T., Reaves, Randal M. and Paul A. Simpson</td>
<td>Employment Law: Annual Survey of Virginia Law</td>
<td>607</td>
</tr>
<tr>
<td>Bozarth, Robert S.</td>
<td>Environmental Liens and Title Insurance</td>
<td>305</td>
</tr>
<tr>
<td>Bryson, W. Hamilton</td>
<td>Civil Procedure and Practice: Annual Survey of Virginia Law</td>
<td>511</td>
</tr>
<tr>
<td>Carpenter, Julie M.</td>
<td>Appellate Delay as a Catalyst for Change in Virginia</td>
<td>141</td>
</tr>
<tr>
<td>Davis, Carle E.</td>
<td>Taxation: Annual Survey of Virginia Law</td>
<td>839</td>
</tr>
<tr>
<td>Diehl, Lawrence D.</td>
<td>Domestic Relations: Annual Survey of Virginia Law</td>
<td>581</td>
</tr>
<tr>
<td>Dinkin, William J. and Timothy G. Hayes</td>
<td>Environmental Liability in Real Property Transactions</td>
<td>349</td>
</tr>
<tr>
<td>Downey, James P.</td>
<td>The Letter of Credit as Security for Completion of Streets, Sidewalks, and other Bonded Municipal Improvements</td>
<td>161</td>
</tr>
<tr>
<td>Fitch, Daniel L.</td>
<td>Construction Law: Annual Survey of Virginia Law</td>
<td>541</td>
</tr>
<tr>
<td>Freye, Gloria L.</td>
<td>Firing Employees for Refusing to Submit to Urinalysis: The Case for a Uniform Standard of Reasonable Individualized Suspicion</td>
<td>75</td>
</tr>
<tr>
<td>Friend, Charles E.</td>
<td>Evidence: Annual Survey of Virginia Law</td>
<td>647</td>
</tr>
<tr>
<td>Gill, Paul G.</td>
<td>Invalidation of Residency Requirements for Admission to the Bar: Opportunities for General Reform</td>
<td>231</td>
</tr>
<tr>
<td>Hayes, Timothy G. and William J. Dinkin</td>
<td>Environmental Liability in Real Property Transactions</td>
<td>349</td>
</tr>
<tr>
<td>Heath, Jr., Leonard C.</td>
<td>A Hospital's Dilemma: The Legal Implications of Promulgating Guidelines Concerning Human Immunodeficiency Virus</td>
<td>39</td>
</tr>
<tr>
<td>Herbert, Michael J.</td>
<td>Commercial Law: Annual Survey of Virginia Law</td>
<td>523</td>
</tr>
<tr>
<td>Author</td>
<td>Title</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Hinckley, Steven D.</td>
<td>A Guide to Legal Research in Virginia Edited by John D. Eure</td>
<td>297</td>
</tr>
<tr>
<td>Jablonski, Jr., Joseph John</td>
<td>Does García Prelude An Eleventh Amendment Affirmative Limitation on the Congress’s Commerce Clause Power?</td>
<td>1</td>
</tr>
<tr>
<td>Johnson, J. Rodney</td>
<td>Wills, Trusts, and Estates: Annual Survey of Virginia Law</td>
<td>869</td>
</tr>
<tr>
<td>Kennedy, Robert H.</td>
<td>Advisory Opinions: Cautions About Non-Judicial Undertakings</td>
<td>173</td>
</tr>
<tr>
<td>King, Donald E.</td>
<td>Business and Corporate Law: Annual Survey of Virginia Law</td>
<td>491</td>
</tr>
<tr>
<td>Kingsley, Theodore R.</td>
<td>Environmental Law: Annual Survey of Virginia Law</td>
<td>625</td>
</tr>
<tr>
<td>Kirkland, Janis L.</td>
<td>What’s Current in Asbestos Regulations</td>
<td>375</td>
</tr>
<tr>
<td>Marshall, Gail Starling</td>
<td>Handbook on Virginia Civil Procedure By W. Hamilton Bryson</td>
<td>293</td>
</tr>
<tr>
<td>McCarthy, Milby Amott</td>
<td>Tobacco Suits Today: Are Cigarette Plaintiffs Just Blowing Smoke?</td>
<td>257</td>
</tr>
<tr>
<td>McConnell, Virginia Epes</td>
<td>Virginia’s Historic District Enabling Legislation: Preservation at the Local Level</td>
<td>97</td>
</tr>
<tr>
<td>McDavid, Diana L.</td>
<td>Liabilities of the Innocent Current Owner of Toxic Property Under CERCLA</td>
<td>403</td>
</tr>
<tr>
<td>Reaves, Randal M., Billingsley, Robert T., Boyette, Keith D. and Paul A. Simpson</td>
<td>Employment Law: Annual Survey of Virginia Law</td>
<td>607</td>
</tr>
<tr>
<td>Ryan, James E., Jr. and Renata Mazzo Scruggs</td>
<td>Administrative Prodecure: Annual Survey of Virginia Law</td>
<td>431</td>
</tr>
<tr>
<td>Scruggs, Renata Mazzo and James E. Ryan, Jr.</td>
<td>Administrative Procedure: Annual Survey of Virginia Law</td>
<td>431</td>
</tr>
<tr>
<td>Schultz, Carl B.</td>
<td>Sanctioning Defendants’ Non-Willful Delay: The Failure of Rule 55 and a Proposal for its Reform</td>
<td>203</td>
</tr>
<tr>
<td>Shepherd, Jr., Robert E.</td>
<td>Legal Issues Involving Children: Annual Survey of Virginia Law</td>
<td>705</td>
</tr>
<tr>
<td>Simpson, Paul A., Billingsley, Robert T., Boyette, Keith D. and Randal M. Reaves</td>
<td>Employment Law: Annual Survey of Virginia Law</td>
<td>607</td>
</tr>
<tr>
<td>Spielberg, Susan B.</td>
<td>Professional Responsibility: Annual Survey of Virginia Law</td>
<td>751</td>
</tr>
<tr>
<td>Stone, Phillip C. and Charles F. Hilton</td>
<td>Medical Malpractice: Annual Survey of Virginia Law</td>
<td>731</td>
</tr>
</tbody>
</table>
Sweeney, M. Grey
Aids, Health-Care Workers, and Workers' Compensation in Virginia ......... 121

Rothenberg, Charles H. and James W. Theobald
Property Law: Annual Survey of Virginia Law ..................................... 773

Theobald, James W. and Charles H. Rothenberg
Property Law: Annual Survey of Virginia Law ..................................... 773

Ulrich, Joseph E.
Creditors' Rights: Annual Survey of Virginia Law ................................ 561

Urbanski, Michael F.
Antitrust Law: Annual Survey of Virginia Law ..................................... 455

Wall, Charles E.
Grand Jury Reform: A Proposal for Change in Virginia .......................... 279

Zepkin, The Honorable J. R.
The General District Courts of Virginia: Our Own Rules of Court ............. 809
TITLE INDEX

Administrative Procedure: Annual Survey of Virginia ........................................... 431
Advisory Opinions: Cautions About Non-Judicial Undertakings ............................... 173
Aids, Health-Care Workers, and Workers' Compensation in Virginia ........................... 121
Antitrust Law: Annual Survey of Virginia Law .................................................... 455
Appellate Delay as a Catalyst for Change in Virginia .............................................. 141
Business and Corporate Law: Annual Survey of Virginia Law .................................. 491
Civil Procedure and Practice: Annual Survey of Virginia Law ................................ 511
Commercial Law: Annual Survey of Virginia Law ................................................... 523
Construction Law: Annual Survey of Virginia Law .................................................. 541
Creditors' Rights: Annual Survey of Virginia Law ................................................... 561
Does Garcia Preclude An Eleventh Amendment Affirmative Limitation on the
  Congress's Commerce Clause Power? ................................................................. 1
Domestic Relations: Annual Survey of Virginia Law ................................................. 581
Employment Law: Annual Survey of Virginia Law ................................................... 607
Environmental Law: Annual Survey of Virginia Law ................................................. 625
Environmental Liability in Real Property Transactions ............................................ 349
Environmental Liens and Title Insurance ............................................................... 305
Evidence: Annual Survey of Virginia Law ............................................................. 647
Firing Employees for Refusing to Submit to Urinalysis:
  The Case for a Uniform Standard of Reasonable Individualized Suspicion .............. 75
The Rules of Court of the General District Courts of Virginia .................................... 279
Grand Jury Reform: A Proposal for Change in Virginia ............................................ 297
A Guide to Legal Research in Virginia Edited by
  John D. Eure .................................................................................................. 297
Handbook on Virginia Civil Procedure By W. Hamilton Bryson .................................. 293
Health Care Law: Annual Survey of Virginia Law ................................................... 663
A Hospital's Dilemma: The Legal Implications of Promulgating Guidelines
  Concerning Human Immunodeficiency Virus ...................................................... 39
Invalidation of Residency Requirements for Admission to the Bar: Opportunities for
  General Reform ............................................................................................................. 231
Legal Issues Involving Children: Annual Survey of Virginia Law ............................... 705
The Letter of Credit as Security for Completion of Streets, Sidewalks, and other
  Bonded Municipal Improvements ............................................................................. 161

901
<table>
<thead>
<tr>
<th>Topic</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liabilities of the Innocent Current Owner of Toxic Property Under CERCLA</td>
<td>403</td>
</tr>
<tr>
<td>Medical Malpractice: Annual Survey of Virginia</td>
<td>731</td>
</tr>
<tr>
<td>Professional Responsibility: Annual Survey of Virginia Law</td>
<td>751</td>
</tr>
<tr>
<td>Property Law: Annual Survey of Virginia Law</td>
<td>773</td>
</tr>
<tr>
<td>Sanctioning Defendant's Non-Willful Delay: The Failure of Rule 55 and a Proposal for its Reform</td>
<td>203</td>
</tr>
<tr>
<td>Taxation: Annual Survey of Virginia Law</td>
<td>893</td>
</tr>
<tr>
<td>Tobacco Suits Today: Are Cigarette Plaintiffs Just Blowing Smoke?</td>
<td>257</td>
</tr>
<tr>
<td>Virginia's Historic District Enabling Legislation: Preservation at the Local Level</td>
<td>97</td>
</tr>
<tr>
<td>What's Current in Asbestos Regulations</td>
<td>375</td>
</tr>
<tr>
<td>Wills, Trusts, and Estates: Annual Survey of Virginia Law</td>
<td>869</td>
</tr>
</tbody>
</table>
CASE INDEX

Acree v. Acree .......................... 604, 614
Addison v. Amalgamated Clothing & Textile
Workers Union ........................... 617, 627
Advanced Health Care Services, Inc v. Giles
Memorial Hospital ........................ 476, 706
Advanced Health Care Services, Inc v. Radford Community
Hospital ................................. 476, 696, 705, 706
Advanced Health Care Services, Ltd v. Twin County
Community Hospital ...................... 476
Ake v. Oklahoma ............................ 647, 648, 657, 658
Alford v. Alford ............................. 783
Allen v. Wilson ............................. 213
Allied Corp v. Ace Solvents Reclaiming, Inc. ........................ 425
American Surety Co v. Plant & Whitsett, Inc. ............................. 554
Anderson v. Van Ladingham .................. 604, 614
Andrews v. American Health and Life Insurance Co. ................. 887
Appalachian Power Co v. Commonwealth ......................... 643, 653
Appell v. Reiner ............................. 235, 236
Arnold v. Kyrus .............................. 577, 589
Arnold v. Moran ............................. 491
Artesian Water Co v. New Castle County ......................... 413
Astor v. Gross ............................... 590, 593, 600, 603
Aspen Highlands Skiing Corp v. Aspen Skiing Co. ..................... 477
Atascadero State Hospital v. Scalon ...................... 2, 3, 5, 9, 11, 15,
16, 23, 32
Avins v. Virginia Council .................... 457
Ayildiz v. Kidd .............................. 664, 580
Azalea Drive-In Theatre, Inc v. Sargoy .............................. 483
Bain v. Bain ................................. 807
Baker, Watts & Co v. Miles & Stockbridge ................. 497
Baker v. Linsey .............................. 892
Basic Inc v. Levinson ........................ 499
Bass v. Smith ................................. 790
Bates v. State Bar of Arizona .................. 771, 772
Baum v. Lunsford ............................ 807
Beach v. Virginia National Bank .................. 790
Bennett v. Commonwealth ..................... 652, 662
Bennett & Miller v. Commonwealth .................. 721, 731
Berger v. Simsarian .......................... 518
Bersani v. Robichaud .......................... 366
Birdsong Peanut Co v. Cowling .................. 724, 734
Bieganeck v. Taylor ......................... 218, 223
Blackwell v. Department of Motor Vehicles .................. 452
Blake v. Hercules, Inc ........................ 94, 95
Blake Construction, Inc v. Alley .................. 555
Board of Supervisors v. King Land Corp .................. 446, 632, 642
Board of Supervisors v. Rove ...................... 116
Board of Supervisors v. Sampson .................. 550
Boone v. Commonwealth ....................... 777
Booth v. Booth ............................... 590, 600
Boykin v. Hermitage Realty ..................... 787
Bowman v. State Bank ........................ 619, 629
Boyd v. Bulala ............................... 754, 756, 757, 758
Brady v. Maryland ............................ 846
Brock v. Wendell’s Woodwork, Inc. .................. 728, 738
Brown Shoe Co v. United States .................. 475
Brumback v. Horng ............................ 745
Bruce’s Juices, Inc v. American Can Co ... 483
Brunswick Corp v. Pueblo Bowl-O-Mat, Inc .................. 473, 475
Bryant v. Winnebago Industries, Inc ............... 523
Burlington Northern Railroad Co v. Dant & Russell, Inc .................. 309, 326
Business Electronics Corp v. Sharp Electronics Corp ............... 469
C & E Partnership v. Donnelly .................. 797
C-Z Farm, Inc v. American Horse Shows Association ................ 472
California Retail Liquor Dealers Association v. Midal 456
Aluminum, Inc. ................................ 512
Campbell v. Vaughn ........................... 681, 691
Central Railroad Co v. Pennsylvania .................. 864
Champion International Corp v. EPA .................. 642, 652
Chantilly Construction Corporation v. Department of Highways and Transportation ........................ 547, 548
Chicago Title Insurance Co v. Kumar .................. 334, 335
Child v. Spillane ............................. 726, 736
Chisholm v. Georgia ........................... 19
Cho v. Lee .................................. 539
Chosar Corp. v. Owens .......................... 801
Cincinnati Insurance Co. v. Milliken & Co. ... 637, 647
City Council v. Harrell .......................... 807
Cippollone v. Liggett Group, Inc. .............. 257, 258, 268, 270, 271, 272, 276, 277, 278
City of Dallas v. Stanglin .......................... 728, 738
Clarke Associates v. County of Arlington ...... 785
Clark Oil Co. v. Texaco, Inc. ....................... 482
Cleveland Board of Education v. Loudermill .... 87
Clinebell v. Commonwealth ...................... 654, 655, 664, 665
Cohens v. Virginia .............................. 18
Colorado National Bank v. Board of County Commissioners ........ 166
Commonwealth v. American Booksellers Association, Inc. 729, 739
Commonwealth v. Epps ......................... 484
Commonwealth v. Faigen .......................... 484
Commonwealth v. General Electric Co. ............ 862
Commonwealth v. Johnson ...................... 724, 734
Commonwealth v. Lotz Realty Co. ............... 449
Cooper v. Forsyth County Hospital Authority, Inc. 473, 689, 690, 699, 700
Cooper v. Occoquan Land Development Corp. 451
Cordle v. General Hugh Mercer Corp. .......... 33
Cousins v. Cousins ............................ 803
Crosby v. Holsinger ............................ 727, 737
Croteau v. Fair ................................ 727
Cullum v. Faith Mission Home ..................... 727, 737
CTS Corp. v. Dynamics Corp. of America ........... 504
C.W. Jackson Hauling, Inc. v. Southern Eagle 539
Curtis v. Lee Land Trust .......................... 527, 801
Danburg v. Keil ................................ 786
Davis v. Davis .................................. 599, 609
Davis v. Michigan Department of Treasury .......... 850, 851
Dean v. Dean .................................. 895
Deep v. Rose .................................. 794
Delk v. Virginia State Bar ........................ 769
Dellmuth v. Muth ................................ 725, 735
Derby v. Derby ................................. 597, 602, 607, 612
DeRosa v. Meloni ................................ 748
DeShaney v. Winnebago County Social Services 719, 720, 729, 730
DeVries v. Spillane ............................ 726, 736
Dexter v. Dexter ............................... 598, 602, 608, 612
Dillingham v. Hall ................................ 797
Dixie-Narco, Inc. v. Steeley ...................... 464
Dominick v. Vassar .............................. 501
Dominion Leasing Corp. v. Thompson ............. 517
Donohoe Construction Co. v. Mount Vernon Associates .................. 557, 561, 565, 581, 804
Duggin v. Adams ................................ 790
DuPont v. Shackleford ........................... 889
Duran v. Commonwealth .......................... 656, 666
Durrett v. Washington Nat'l Ins. Co. .............. 580, 590
East Girard Savings Association v. Citizens National Bank and Trust Co. 165
Edelman v. Jordan ............................ 9, 14, 15, 25, 32, 33, 35
Edwards v. City of Portsmouth .................. 747, 749
El-Meswari v. Washington Gas Light Co. .......... 758
Ellington v. Ellington .......................... 586, 587, 596, 597
Employees of the Department of Public Health & Welfare v. Missouri .................. 12, 13, 14, 15, 16, 19, 22, 23
Environmental Instruments, Inc. v. Sutron Co. .................. 479
Etheridge v. Medical Center Hospitals ...... 754, 755, 756
Everett v. Napper ................................ 87
Farish v. Carion Industries ...................... 526
Farley v. Danaceau ................................ 748
Fenton v. Goode ................................ 748
Fitchett v. Fitchett ............................... 593, 603
Fitzpatrick v. Bitzer ............................. 15
Ford Motor Co. v. Courtesy Motors ............... 448
Francis v. McEntee ............................. 746, 751
Fraternal Order of Police v. City of Newark 85
Frazier v. Colonial Williamsburg Foundation 621, 631
Fredericksburg v. FERC ........................ 643
Frye v. United States .......................... 658
Funderburk v. Commonwealth ..................... 657, 658
Gant v. Gant .................................. 894
Garcia v. San Antonio Metropolitan Transit Authority .......... 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35
Gargiulo v. Ohar ............................... 750
Garland v. Commonwealth ....................... 719, 729
Garment District, Inc. v. Belk Stores Services, Inc. .................. 470
Gobble v. AT&T Information Systems, Inc. 619, 629
Goetz v. Goetz ............................... 601, 611
Hedgepeth v. Commonwealth .......................... 716, 717, 718
Golganoff v. Golganoff ............................. 594, 604
Goodpasture v. Goodpasture ......................... 603, 613
Gordon v. Committee on Character & Fitness .... 232, 235, 236
Green v. American Tobacco Co. ..................... 260, 261
Green v. American Tobacco Co. ..................... 804
Groggs v. Commonwealth ................................ 621, 631
Hale v. Commonwealth ................................ 707, 708, 717, 718
Hal Commodity Cycles Management Co. v. Kirsh . 215
Hampton Roads Sanitation District v. McDonnell . 798
Hawkins v. Superior Court ........................... 291
Hedgepeth v. Jesudian ................................ 751
G. Heileman Brewing Co. v. Stroh Brewing Co. . 471
Henning v. Thomas .................................... 653, 663
Hersel Corp. v. Canney ................................ 523
Heublein, Inc. v. Department of Alcoholic Beverage Control .............. 441
Hicklen v. Orbeck .................................... 236, 237
Hillman Flying Service, Inc. v. City of Roanoke . 457, 461, 463
Hirschkopf & Grad, P.C. v. Robinson ............... 216
Hixon v. Credit Alliance Corp. ....................... 594
Hollard v. Virginia Islands Bar Association ...... 779
Hollowell v. Hollowell ................................ 600, 610
Holding v. Duling ..................................... 517
Holmes v. Holmes .................................... 599, 599
Horn v. Abernathy .................................... 743
Hruits v. Woma Corp. ................................ 216
Hubs & Wheels, Inc. v. Goodyear Tire & Rubber Co. ......................... 471
Hudson v. R.J. Reynolds Tobacco Co. ................ 259, 260
Hughes v. Moore ...................................... 757
Hurtado v. California ................................ 281, 288
Hutcherson v. Commonwealth ......................... 707, 708, 717, 718
In re Brown .......................................... 578, 589
In re Cole ............................................ 579, 590
In re Freedlander .................................... 572, 585, 586
In re Grand Jury Subpoena .......................... 488
In re Griffiths ........................................ 238
In re Himmel .......................................... 769, 770
In re Hood ............................................. 580, 590
In re Jenkins Landscaping & Excavating, Inc. .... 567, 568, 569, 570, 582, 584
In re Larch ............................................ 121, 732
In re Lewis ............................................. 576, 577, 588
In re McVey Trucking, Inc. ......................... 3, 6
In re Peel ............................................. 775
In re Pubis, Inc. of Champaign ....................... 530
In re Q.T. Inc. ....................................... 529, 530, 531
In re R.M.J. .......................................... 772
In re Sensabaugh .................................... 579, 590
In re Snow ............................................. 561, 573, 574, 587
In re West ............................................. 575, 576, 587, 588
In re West Coast Food Sales, Inc. ................... 530
J. v. Victory Tabernacle Baptist Church ............. 607, 609, 610, 612, 614, 617, 619, 620, 622, 624
J.W. Creech, Inc. v. Norfolk Air Conditioning Corp. .................. 554
James v. Jane ........................................ 750
Jones v. Dokos Enterprises, Inc. .................... 803
Jones v. Kirsch ...................................... 571, 585
Justice v. Natrig ...................................... 749
Kaufman v. Kaufman ................................... 588, 591, 598, 601, 611
Kenyon Peck, Inc. v. Kennedy ......................... 116
Kern v. Commonwealth ................................ 657, 658, 667
Kerr v. Keyser ........................................ 591, 601
Kerr v. Kerr ........................................... 597, 607
Khoury v. Community Medical Hospital, Inc. .... 684, 694
Kitchen v. Department of Highways .................. 519
Kleinfeld v. Veruki .................................... 595, 605
Klingbein Management Group Co. v. Vito ........... 802
L.J. v. Massinga ...................................... 720, 730
Lake Monticello Service Co. v. Board of Supervisors .......... 864
Lambert v. Lambert ................................... 587, 597
Langley v. Meredith .................................. 806
Lartigue v. R.J. Reynolds Tobacco Co. ............... 259, 266
Lathrop v. Donohue ................................... 780
Leake v. Casati ....................................... 805
Lentz v. Morris ...................................... 727, 737
Leslie v. Alexander ................................... 781
Levine v. Hefferman .................................. 779
MacKenzie v. Commonwealth ........................ 719, 727
McDevitt & Street Co. v. Marriott Corp. .......... 551, 562
McDonnell v. Hunter .................................. 80, 81, 83
McMerit Construction Co. v. Knightsbridge Development Co. .......... 803
McMunn v. Tatum ..................................... 762
Maddy v. First District Commission of the
Virginia State Bar .................................. 769
Mallard v. United States District Court for the Southern District of Iowa .................. 776
Mallery-Sayre v. Mallery ............................. 600, 610
Marriott v. Harris ................................... 785, 796
Massachusetts v. Oakes ............................... 720, 730
Martin v. Bales ...................................... 600, 610
Martin v. Phillips ................................... 791, 887
Matsushita Electric Industrial Co. v. Zenith Radio Corp. ........................................ 469, 471, 688, 698
Meadows v. Dominican Republic ........................ 215
Medical Center Hospitals v. Terzis ..................... 684, 694
Melrose Distillers, Inc. v. United States ................ 487
Michael H. v. Gerald D. ............................... 725, 735
Midlantic National Bank v. New Jersey Department of Environmental Protection ................ 324, 325, 326
Miller v. SEVAMP, Inc. ................................ 617, 627
Mills v. Miller Harness Co. ............................ 568, 669, 583
Mississippi Band of Choctaw Indians v. Hollyfild .................................................. 723, 733
Monsanto v. Spray-Rite Service Corp. ................ 469
Moore v. Jefferson Hosp. ............................... 756
Morris v. United Virginia Bank, Executor ............ 885
Mullins v. Commonwealth ................................ 285
Mullins v. Simmons ................................... 800
Murphy v. Holland .................................... 724, 724, 883
Naccash v. Burger ..................................... 757, 758
Nan Ya Plastics Corp. U.S.A. v. DeSantis .......... 620, 630
National Marine Electronic Distributors, Inc. v. Raytheon Co. ................................ 470
National Wildlife Federation v. Hanson ............... 642, 652
National League of Cities v. Usery ..................... 2, 8, 9, 19, 29, 34
Nelms v. Nelms ....................................... 885
Nelson v. Commonwealth ................................ 549, 550
New York v. Shore Realty Corp. ....................... 407, 408, 412, 416
Newcome v. Esrey ..................................... 500
Newman v. Prior ...................................... 500, 501
Norfolk S. Ry. v. Harris ............................... 617, 627, 628
Northwest Wholesale Stationers, Inc. v. Pacific Stationery ........................................ and Printer Co. ........................................ 723
O'Dell v. Commonwealth ................................ 647, 650, 657, 659
Oden v. Salch .......................................... 891
Ohio v. Kovacs ........................................ 325, 326
Ohralk v. Ohio State Bar Association ................ 772, 773, 774
Oksanen v. Page Memorial Hospital ................... 475, 478, 685, 687, 690, 95, 697, 700
Oliver v. United States ................................ 656, 666
Papuchis v. Papuchis ................................... 590, 600
Paramount Termite Control Co. v. Nector ............ 614, 615, 616, 617, 624, 625, 626
Parden v. Terminal Railway Co. ........................ 12, 13, 14, 15, 16, 17, 21, 22, 23, 24, 28
Parker v. Brown ........................................ 456, 457
Parr Excellence, Inc. v. Anderson ..................... 516
Patrick v. Burget ...................................... 459, 460
Patrick v. Summers .................................... 787
Pendleton Construction Corp. v. Rockbridge County, Virginia .................................. 458, 464
Penny v. Commonwealth ................................ 660, 670
People v. Duncan ...................................... 290
Petty v. Tennessee-Missouri Bridge Commission ........ 24
Philadelphia v. Stephan Chemical Co. ................. 417
Picot v. Picot .......................................... 893
Piland Corporation v. REA Construction Co. .......... 553
Pledger v. Pledger .................................... 589, 599
Pommerenke v. Pommerenke ............................ 591, 696, 601, 606
Pope v. Commonwealth ................................ 659, 669
Presbuck v. Brenner .................................... 797
Pritchard v. Liggett & Myers Tobacco Co. ............. 260, 265
R.J. Reynolds Tobacco Co. v. Hudson ................ 265
Read v. Virginia State Bar ............................. 763
Reagan v. Bucur ....................................... 753
Reid v. Reid .......................................... 592, 598, 602, 608
Reynolds Metals Co. v. Commonwealth Gas Services, Inc. ................................ 455, 480
Reynolds Metals Co. v. County of Henrico .......... 865
Richmond Medical Supply Co. v. Clifton .............. 802
Riordan v. Fairfax Hospital System, Inc. ............. 751
Roanoke Eng'g Sales Co. v. Rosenbaum ................ 617, 627
Rock v. Rock ......................................... 595, 605
<table>
<thead>
<tr>
<th>Case Title</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ross v. Philip Morris &amp; Co.</td>
<td>259, 260, 265</td>
</tr>
<tr>
<td>Rosser v. Cole</td>
<td>557</td>
</tr>
<tr>
<td>Rothstein v. Wyman</td>
<td>35</td>
</tr>
<tr>
<td>Roysdon v. R.J. Reynolds Tobacco Co.</td>
<td>265</td>
</tr>
<tr>
<td>Rushton v. Nebraska Public Power District</td>
<td>84, 86, 87, 88, 89</td>
</tr>
<tr>
<td>Ruth v. Fletcher</td>
<td>724, 734</td>
</tr>
<tr>
<td>Samms v. Eccles</td>
<td>757</td>
</tr>
<tr>
<td>Sandcrest Outpatient Services v. Cumberland County Hospital</td>
<td>461</td>
</tr>
<tr>
<td>Sartin v. Mazur</td>
<td>618, 623</td>
</tr>
<tr>
<td>Satterfield v. Lockheed Missiles &amp; Space Co.</td>
<td>91</td>
</tr>
<tr>
<td>Sawyer v. Sawyer</td>
<td>589, 599</td>
</tr>
<tr>
<td>Scarpa v. Melziq</td>
<td>747</td>
</tr>
<tr>
<td>Schickling v. Aspinall</td>
<td>785</td>
</tr>
<tr>
<td>Schmerber v. California</td>
<td>88</td>
</tr>
<tr>
<td>School District No. 13, Sherman County v. Lovejoy</td>
<td>213</td>
</tr>
<tr>
<td>School Board of Nassau County v. Arline</td>
<td>58, 60, 61</td>
</tr>
<tr>
<td>School Board of Campbell County v. Beasley</td>
<td>726, 736, 737</td>
</tr>
<tr>
<td>Scott v. Commonwealth</td>
<td>653, 663, 713</td>
</tr>
<tr>
<td>Sea-Land Serv. Inc. v. O'Neal</td>
<td>618, 628</td>
</tr>
<tr>
<td>Seehorn v. Seehorn</td>
<td>588, 608</td>
</tr>
<tr>
<td>Sensenbrenner v. Rust, Oring, Neal Architects, Inc.</td>
<td>566</td>
</tr>
<tr>
<td>Shapero v. Kentucky Bar Association</td>
<td>772</td>
</tr>
<tr>
<td>Sharpe v. Robertson</td>
<td>152, 153</td>
</tr>
<tr>
<td>Shea v. Virginia State Bar</td>
<td>787</td>
</tr>
<tr>
<td>Shepard Claims Service v. William Darrah &amp; Associates</td>
<td>217</td>
</tr>
<tr>
<td>Shoemaker v. Handel</td>
<td>81, 82, 83, 84, 85, 89</td>
</tr>
<tr>
<td>Sibley v. Lutheran Hospital of Maryland, Inc.</td>
<td>692, 702</td>
</tr>
<tr>
<td>Silverman v. Bernot</td>
<td>620, 621, 630</td>
</tr>
<tr>
<td>Simpson v. Commonwealth</td>
<td>657, 667</td>
</tr>
<tr>
<td>Smith v. American Cast Iron Pipe Co.</td>
<td>92, 93</td>
</tr>
<tr>
<td>Smith v. Board of Supervisors</td>
<td>784</td>
</tr>
<tr>
<td>Smith v. Commonwealth</td>
<td>710, 720</td>
</tr>
<tr>
<td>Smith v. Credico Industrial Loan Co.</td>
<td>793</td>
</tr>
<tr>
<td>Smith v. McGregor</td>
<td>786</td>
</tr>
<tr>
<td>Smith v. Woodlawn Construction Co.</td>
<td>660, 661, 670, 805</td>
</tr>
<tr>
<td>Smith Kline Corp. v. Eli Lilly</td>
<td>477</td>
</tr>
<tr>
<td>Smith Land &amp; Improvement Corp. v. Celotex Corp.</td>
<td>362</td>
</tr>
<tr>
<td>Smithy Braedon Co. v. Hadid</td>
<td>805</td>
</tr>
<tr>
<td>Smoot v. Smoot</td>
<td>587, 597</td>
</tr>
<tr>
<td>South Carolina v. Baker</td>
<td>5</td>
</tr>
<tr>
<td>South Shore Bank v. Stewart Title Guaranty Co.</td>
<td>338</td>
</tr>
<tr>
<td>Southward Builders, Inc. v. Peerless Insurance Co.</td>
<td>553</td>
</tr>
<tr>
<td>Speet v. Baca</td>
<td>752</td>
</tr>
<tr>
<td>Spence v. Griffin</td>
<td>792</td>
</tr>
<tr>
<td>Spielberg v. Henrico County Public Schools</td>
<td>726, 736</td>
</tr>
<tr>
<td>Stanford v. Kentucky</td>
<td>714, 724</td>
</tr>
<tr>
<td>Stanley v. Birkbeck</td>
<td>517</td>
</tr>
<tr>
<td>State Highway &amp; Transportation Commissioner v. Lanier Farm, Inc.</td>
<td>799</td>
</tr>
<tr>
<td>State Highway &amp; Transportation Commissioner v. Goodrich</td>
<td>800</td>
</tr>
<tr>
<td>Stephen Jay Photograph, Ltd. v. Olan Mills, Inc.</td>
<td>477, 482</td>
</tr>
<tr>
<td>Stephen v. American Brands, Inc.</td>
<td>266</td>
</tr>
<tr>
<td>Steuer &amp; Latham, P.A. v. National Medical Enterprises, Inc.</td>
<td>467, 468, 475</td>
</tr>
<tr>
<td>Story v. Hargrave</td>
<td>890</td>
</tr>
<tr>
<td>Supreme Court of Virginia v. Friedman</td>
<td>240, 778</td>
</tr>
<tr>
<td>Supreme Court of New Hampshire v. Piper</td>
<td>237, 240, 241, 242, 243, 244, 249</td>
</tr>
<tr>
<td>Tabb Lakes, Ltd. v. United States</td>
<td>643, 653</td>
</tr>
<tr>
<td>Tanglewood East Homeowners v. Charles-Thomas, Inc.</td>
<td>411</td>
</tr>
<tr>
<td>Taylor v. Commonwealth</td>
<td>95</td>
</tr>
<tr>
<td>Taylor v. First Union Corp. of South Carolina</td>
<td>498</td>
</tr>
<tr>
<td>Taylor v. Roeder</td>
<td>795</td>
</tr>
<tr>
<td>Teed v. Powell</td>
<td>890</td>
</tr>
<tr>
<td>Terry's Floor Fashions, Inc. v. Burlington Industries</td>
<td>470</td>
</tr>
<tr>
<td>Thompson v. Oklahoma</td>
<td>714, 715, 724, 725</td>
</tr>
<tr>
<td>Thompson v. Thompson</td>
<td>696, 606</td>
</tr>
<tr>
<td>Thompson v. Wise General Hospital</td>
<td>466, 467, 474, 683, 684, 691, 693, 694, 701</td>
</tr>
<tr>
<td>Topper Acquisition Corp. v. Emhart Corp.</td>
<td>504</td>
</tr>
<tr>
<td>Trivett v. Trivett</td>
<td>588, 598</td>
</tr>
<tr>
<td>Tulldge v. Augusta County Supervisor</td>
<td></td>
</tr>
<tr>
<td>Turner v. Commonwealth</td>
<td>592, 602</td>
</tr>
<tr>
<td>United Masonry Inc. v. Riggs Nat'l Bank</td>
<td></td>
</tr>
<tr>
<td>United States v. 312.50 Acres, Prince William County, Virginia</td>
<td>799</td>
</tr>
<tr>
<td>United States v. A &amp; F Materials Co.</td>
<td>419</td>
</tr>
<tr>
<td>United States v. Allegheny Bottling Co.</td>
<td>486</td>
</tr>
<tr>
<td>United States v. Carilion Health System</td>
<td>468, 502, 503</td>
</tr>
</tbody>
</table>
United States v. Chem-Dyne Corp. .......... 418, 419, 420, 424, 425, 426

United States v. Dart Industries, Inc. .......... 636, 646

United States v. Dionsio ................. 288

United States v. Fleet Factors Corp. ........... 360, 361

United States v. Geppert Brothers .......... 387

United States v. Griffith .................. 477

United States v. McAffee .................. 765

United States v. Maryland Bank & Trust Co. ........ 325, 328, 359, 360, 361, 409

United States v. Mirabile .................. 313, 358, 359, 361

United States v. Monsanto .................. 666, 635, 635

United States v. Moore .................... 637, 647

United States v. Orkin Exterminating Co. ........ 646, 656

United States v. Union Gas Co. .............. 3, 4, 6, 10, 17, 25, 28, 31, 37

United States v. United States Gypsum Co. .......... 488

V.P.I. v. Frye . .......................... 548

Vaughan v. Commonwealth .............. 718, 728

Virginia Beach Beautification Commission v. Board of Zoning Appeals .......... 444

Virginia State Bar ex rel. Second District Committee v. Gay .......... 768

Ward v. Harper ......................... 798

Welch v. Texas Department of Highways & Public Transportation ...... 2, 5

7, 16, 24, 28, 29, 30, 31, 32, 34

Wenker v. Commonwealth .................. 519

White v. Rockingham Radiologists, Ltd. ........ 473, 474, 689, 699

Windsor & West Railroad Co. v. SCC ........ 863

Windsor v. Aegis Services Ltd. ................ 621, 622, 631, 632

Wisely v. U.S. .......................... 896

Womack v. Eldridge ...................... 756, 757

Yaffe v. Heritage Savings & Loan Association ........ 794

Zauderer v. Office of Disciplinary Counsel of The Supreme Court of Ohio ........ 772

Zieg v. United States ........................ 535