ILSA Journal of International and Comparative Law - Volume 17 - 2010-2011

Nathaniel G. Dutt
Reasey Ngoun-Colon
Stephanie A. Fensterscheib
William L. Tucker
Nazarena Celeste Ocon

See next page for additional authors

Follow this and additional works at: https://nsuworks.nova.edu/ilsa_mastheads

Part of the Law Commons
Editorial Board
Nathaniel G. Dutt, Reasey Ngoun-Colon, Stephanie A. Fensterscheib, William L. Tucker, Nazarena Celeste Ocon, Christine M. Whited, Retta Jane Rico, Stephanie M. Taylor, and Corey K. Setterlund
GENERAL INFORMATION

CITE AS: ILSA J. Int'l & Comp. L.

The *ILSA Journal of International & Comparative Law* is housed at Nova Southeastern University's Shepard Broad Law Center in Fort Lauderdale, Florida, and is an International Law Students Association (ILSA) publication. The *ILSA Journal of International & Comparative Law* publishes three editions every year. The first edition is a compilation of notes, comments & essays. The second edition is the International Practitioner's Notebook, which presents the speeches given at the annual International Law Weekend held in New York and sponsored by the American Branch of the International Law Association. The third edition, the Bilingual Edition, is a compilation of notes, comments & essays which tend to focus on the Central and South American Region and is published in Spanish and English.

Opinions expressed in any part of the *ILSA Journal of International & Comparative Law* are those of the individual contributors and are not presented as the views of the *Journal*, its Editors, Nova Southeastern University Shepard Broad Law Center, or the International Law Students Association.

Submissions Policy: The *ILSA Journal of International & Comparative Law* welcomes unsolicited manuscripts on topics of interest to the international law community. All pieces will be evaluated as promptly as possible. The *ILSA Journal of International & Comparative Law* assumes no responsibility for the return of unsolicited manuscripts. Authors should submit manuscripts via email to journal@nsu.law.nova.edu. Manuscripts should be double-spaced word documents. Citations should conform to *The Bluebook: A Uniform System of Citation* (18th ed. 2005).

Subscriptions: The subscription price is $30.00 per volume per year for domestic subscribers and $35.00 per volume per year for foreign subscribers. Subscriptions are renewed automatically unless the subscriber sends a timely notice of termination. All notifications of address changes should include the old and new addresses.

Correspondence: All correspondence, manuscripts and subscription requests should be addressed to:

Editor-in-Chief, *ILSA Journal of International & Comparative Law*
Nova Southeastern University, Shepard Broad Law Center
3305 College Avenue
Ft. Lauderdale, FL 33314
(954) 262-6026 or 6005
Fax (954) 262-3830

Back Issues: William S. Hein & Co., Inc. has purchased the entire back stock and reprint rights of the *ILSA Journal of International & Comparative Law*. Individual issues or entire sets are available from William S. Hein & Co., 1285 Main Street, Buffalo, New York, 15209.

The *ILSA Journal of International & Comparative Law* hereby grants permission for copies of all articles on which it holds copyright to be made and used by nonprofit educational institutions, provided that the copies are distributed at or below cost, the author and the Journal are identified, and proper notice is affixed to each copy. All other rights are reserved to *ILSA Journal*.
Nova Southeastern University  
Shepard Broad Law Center

ADMINISTRATION

Athornia Steele, B.A., J.D., Dean of the Law School & Professor of Law
Leslie Larkin Cooney, B.S., J.D., Associate Dean for Academic Affairs & Professor of Law
Catherine Arcabascio, B.A., J.D., Associate Dean for International, Online and Graduate Programs & Professor of Law
Linda F. Harrison, B.A., J.D., Associate Dean, Critical Skills Program & Associate Professor of Law
Janet Messeri, B.S., J.D., Associate Director for Student Affairs
Paula A. Habib, B.S., Assistant Dean for Administration
Robert Hudson, B.A., M.A., J.D., M.L.S., Interim – Director Law Library & Technology Center, Head of Information Services & Adjunct Professor
Linda Lahey, B.S., M.B.A., Assistant Dean for Publications and Special Events
Lynn Acosta, B.A., M.S., Assistant Dean for Student Services
Beth Hall, B.A., M.S., Assistant Dean for Admissions
Nancy Kelly Sanguigni, B.S., M.B.A., Assistant Dean for Clinical Programs
Jennifer McIntyre, B.S., M.S., Assistant Dean for Online Programs
Robert Levine, B.S., J.D. Assistant Dean of Career Development

FACULTY

John B. Anderson, B.A., J.D., LL.M., Distinguished Visiting Professor of Law
Catherine Arcabascio, B.A., J.D., Professor of Law
Timothy Arcaro, B.S., J.D., Professor of Law
Heather Baxter, B.A., J.D., Assistant Professor of Law
Brion Blackwelder, B.S., J.D., Director, Children & Families Clinic & Associate Professor of Law
Ronald Beaton Brown, B.S.M.E., J.D., LL.M., Professor of Law
Randolph Baccalarghe, B.A., J.D., Professor of Law
Barbara Britzke, M.A.T., J.D., LL.M, Critical Skills Program Instructor
Johnny C. Burris, B.G.S., J.D., LL.M., Professor of Law
Mailyn Cane, B.A., J.D., Professor of Law
Bernadette Carnegie Baugh, B.S., M.S.M.F.T., Administrative Director, Critical Skills Program
Kathy Cerminara, B.S., J.D., LL.M., Professor of Law
Meg Chandelle, B.S., M.B.A., J.D., Director of Advanced Lawyering Skills & Values & Adjunct Professor of Law
Anthony Chase, B.A., J.D., LL.M., Professor of Law
David R. Cleveland, B.A., J.D., Assistant Professor of Law
Phyllis G. Coleman, B.S., M.Ed., J.D., Professor of Law
Leslie Larkin Cooney, B.S., J.D., Professor of Law
Jane Ellen Cross, B.A., J.D., Director of Caribbean Law Programs and Associate Professor of Law
Debra Moss Curtis, B.A., J.D., Associate Professor of Law
Michael J. Dale, B.A., J.D., Professor of Law
Mark Dobson, B.A., J.D., LL.M., Professor of Law
Douglas Lee Donoho, B.A., J.D., LL.M., Professor of Law
Olympia Duhart, B.A., J.D., Assistant Professor of Law
Lynn A. Epstein, B.S., J.D., Professor of Law
Michael Flynn, B.A., J.D., Professor of Law
Angela Gilmore, B.A., J.D., Professor of Law
Pearl Goldman, B.C.L., M. Phil., LL.B., J.D., LL.M., Professor of Law
Colleen Grady, M.S., Ed.D., J.D., Critical Skills Program Instructor
Robert Gregg, J.D., Critical Skills Program Instructor
Joseph M. Grohman, B.A., M.A., J.D., Professor of Law
Richard Grosso, B.S., J.D., Director, Environmental & Land Use Law Clinic and Associate Professor of Law
Gwen Thayer Handelman, B.A., J.D., Scholar in Residence
Joseph D. Harbaugh, B.S., J.D., LL.B., LL.M., Dean Emeritus & Professor of Law
Linda F. Harrison, B.A., J.D., Associate Dean, Critical Skills Program & Associate Professor of Law
David Herwitz, Distinguished Visiting Professor of Law
Joseph Hnyka, B.A., J.D., Assistant Professor of Law
Areti Imoukhuede, B.A., J.D., Assistant Professor of Law
Robert M. Jarvis, B.A., J.D., LL.M., Professor of Law
Alicia Jackson, M.P.A., J.D., Critical Skills Program Instructor
Judith Karp, B.A., M.L.S., J.D., Professor of Law
Shahabudeen Khan, J.D., Critical Skills Program Instructor
Ishaq Kundawala, B.A., J.D., Assistant Professor of Law
P. Camille Lamar, B.A., J.D., Assistant Professor of Law
Elena Langan, B.A., J.D., Assistant Professor of Law
Betsy Levin, A.B., LL.B., LL.D., Visiting Professor of Law
Robert C. Levine, B.S., J.D., Assistant Dean, Career Services & Adjunct Professor of Law
James B. Levy, B.A., J.D., Assistant Professor of Law
Kenneth Lewis, B.A., J.D., Assistant Professor of Law
Ovid C. Lewis, A.B., J.D., LL.M., J.S.D., Professor Emeritus of Law
Donna Litman, A.B., J.D., Professor of Law
Elena Marty-Nelson, B.A., J.D., LL.M., Professor of Law
Michael R. Masinter, B.A., J.D., Professor of Law
Jani E. Maurer, B.A., J.D., Professor of Law
Howard Messing, A.B., J.D., Professor Emeritus of Law
Joel A. Mintz, B.A., J.D., LL.M., J.S.D., Professor of Law
Heddy Muransky, M. Ed., J.D., Critical Skills Program Instructor
Anthony Niedwiczki, B.A., J.D., LL.M., Director of First Year LSV Program & Assistant Professor of Law
Timothy A. O’Brien, B.A., M.A., J.D., Distinguished Visiting Professor of Law
Roma Perez, B.A., J.D., Assistant Professor of Law
Patricia Murphy Propheter, M.A. Ed., J.D., Critical Skills Program Instructor
Rodney Rawls, J.D., LL. M., Critical Skills Program Instructor
Gail Levin Richmond, A.B., M.B.A., J.D., Professor of Law
Michael L. Richmond, A.B., M.S.L.S., J.D., Professor of Law
Eloisa C. Rodriguez-Dod, B.B.A., M.B.A., J.D., Professor of Law
Bruce S. Rogow, B.B.A., J.D., Professor of Law
Marc Rohr, B.A., J.D., Professor of Law
John Sanchez, B.A., J.D., LL.M., Professor of Law
Florence Bih Shu-Acquaye, LL.B., LL.M., J.S.M., J.S.D., Professor of Law
Charlene Smith, B.A., M.A., J.D., LL.M., Professor of Law
Michele Struffolino, M.A Ed., J.D., Assistant Professor of Law
Fran L. Tetunic, B.A., J.D., Director, Alternative Dispute Resolution Clinic & Associate Professor of Law
James D. Wilets, B.A., M.A., J.D., Professor of Law
Tania Williams, B.A., J.D., LL. M., Critical Skills Program Instructor
Steven Wisotsky, B.A., J.D., LL.M., Professor of Law
Carol Yecies, B.A., J.D., Acting Associate Director of Information and Administration & Adjunct Professor of Law

ADJUNCT FACULTY

Scott Atherton, B.S., J.D.
Ross Baer, B.A., J.D.
Steve Ballinger, B.A., J.D.
Roshawn Banks, B.S., J.D.
Lorna Banister, B.S., J.D.
Marylin Batista-McNamara, B.S., J.D.
Leyza Blanco, B.A., J.D.
Gabrielle Bouza, B.S., J.D.
Mark Bromley, B.S., J.D.
Dale A. Bruschi, B.S., J.D.
Robert Campbell, B.A., J.D., M.P.H., Ph.D.
Lydia Cannizzo, B.H.S., J.D.
Meg Chandelle, B.S., M.B.A., J.D.
Michele Chang, B.A., J.D., M.H.A.
Judith Chorlog, B.S., J.D.
Howard Citron, B.S., J.D.
Steven M. Collard, B.A., M.Ed.
Michael Constantino, B.A., J.D.
Christopher Crane, B.S., J.D.
Charles Curtis, B.S., J.D.
Morton A. Diamond, B.A., M.D.
Robert F. Díaz, A.A., B.A., J.D.
Ken S. Direktor, B.A., J.D.
Susan Dubow, B.S.
Rebecca Feinberg, B.A., J.D.
Jane Fishman, B.A., J.D.
Rex J. Ford, B.S., J.D.
Steve Friedland, B.A., J. D., LL. M., J.S.D.
John A. Frusciante, B.A., M.S., J.D
Myrna Galligano, B.A., J.D.
Stuart Gold, B.A., J.D.
Adam S. Goldberg, B.S., J.D., LL.M.
Anthony Gonzalez, B.A., J.D.
Warren Kwavnick, B.C., J.D.
Barbara Landau, B.A., J.D., LL.M.
Steven Leigh, B.S., M.S., J.D., Ph. D.
Allan M. Lerner, B.A., J.D.
Robert Levine, B.S., J.D.
James Lewis, B.A., J.D.
Juan Lopez-Campillo, B.A., J.D., LL.M.
Rochelle Marcus, B.S., M.ED., J.D.
Lisa A. McNeils, B.A., J.D.
Catherine M. Michael, B.A., J.D.
Elena R. Minicucci, B.A., J.D.
Seema Mohapatra Reddy, B.A., M.P.H.
Kenneth Morgan, Jr., B.A., J.D.
Alberto Moris, B.A., J.D.
Gerald Morris, B.A., J.D.
Charles Morton, B.A., J.D.
John Napolitano, B.A., J.D.
Matthew Nelles, B.S., J.D.
Alice Nelson, B.A., M.S.W., J.D.
Paul A. Nidich, B.A., J.D., LL.M.
Mark Nurik, B.A., J.D.
Elizabeth Pendo, B.A., J.D.
Byron Petersen, B.A., J.D.
Laura Pincus, B.A., M.A., J.D.
Gary A. Poliakoff, B.S., J.D.
Ivan Reich, B.A., J.D.
Israel Reyes, A.A., B.S., J.D.
Christine Rickard, B.A., J.D.
H. John Rizvi, B.S., J.D.
Michael Rocque, B.A., J.D.
Jose A. Rodriguez-Dod, B.S., J.D.
Denise Roland, B.A. J.D.
Robert C. Grosz, B.A., M.S., Ed.D.
Gwen Handleman, B.A., J.D.
Tonja Haddad, B.A., J.D.
Ross Hartog, B.S., J.D.
Robert Hartsell, B.A., J.D.
Douglas F. Hoffman, B.S., B.A., J.D.
Alfred Horowitz, B.A., J.D., LL.M.
Julie Hough, B.A., J.D.
Robert Hudson, B.A., M.A., J.D., M.L.S.
Cynthia Imperato, B.S., M.S., J.D.
William Isenberg, B.A., J.D.
Yasmin Jacob, B.A., J.D.
Judith Jarvis, B.A., J.D.
Linnea Johnson, B.A., J.D.
Nick Javanovich, B.S., J.D., LL.M
Norman Kaplan, B.S., J.D., LL.M.
Daniel L. Kaufman, B.S., J.D.
Phyllis Kotey, B.A., J.D., M.A.
Pamela Krauss, B.S., M.S., J.D.
Ira Kurzban, B.S., J.D.
Jon Rosenthal, B.A., J.D.
Diana Santa Maria, B.A., J.D.
Jessica Santiago, B.A., J.D.
Philip G. Schlissel, B.A., J.D.
Carl Schoeppl, B.S., J.D.
Adam Schulman, B.A., M.S., Ph.D.
Robert Schwartz, B.A., J.D.
Neal Shniderman, B.A., J.D.
Jodi Siegel, B.A., J.D.
Samuel Smargon, Ph.D., J.D.
Scott Smiley, B.S., J.D.
Mindy Solomon, B.S., J.D.
Richard Stone, B.A., J.D.
Frank Terzo, B.A., J.D.
Debbie Thaler, B.A., J.D.
Ellen S. Tiiles, B.A., M.S.W., Ed.S., J.D.
Damian Thomas, B.B.A., J.D.
Daniel S. Weinger, B.B.A., J.D.
Camille Worsnop, B.S., J.D., LL.M
Carol Yecies, B.A., J.D.
Bruce Zimet, B.A., J.D.

LIBRARY STAFF

Robert Hudson, B.A., M.A., J.D., M.L.S. Interim – Director Law Library & Technology Center; Head of Information Services & Adjunct Professor
Carol Yecies, B.A., J.D., Associate Law Library Director for Information Services and Administration
Frank Novak, B.A., J.D., Director of Network Services
Mary Paige Smith, B.A., M.L.S., Associate Law Library Director for Technical Services
Donna Struthers, B.A., M.L.S., Assistant Head of Technical Services for Cataloging & Database Management
Stephan Sobchak, B.S., Technology Development Manager
Angie Stramiello, B.A., M.L.S., Reference Librarian
Alison Rosenberg, B.A., J.D., Reference/Electronic Services Librarian
Stephanie Hess, B.A., M.L.I.S., Assistant Head of Technical Services, Acquisitions & Serials