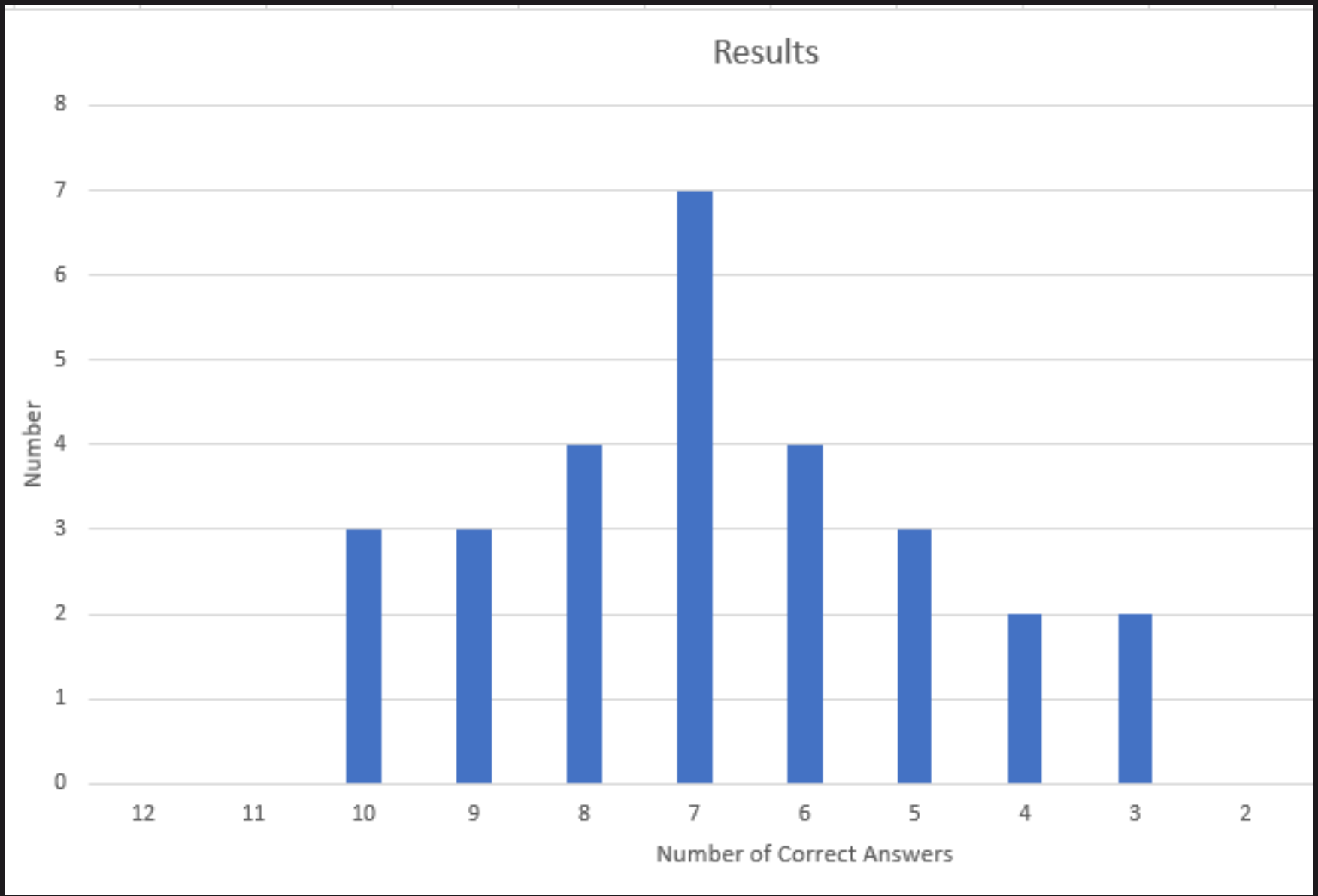


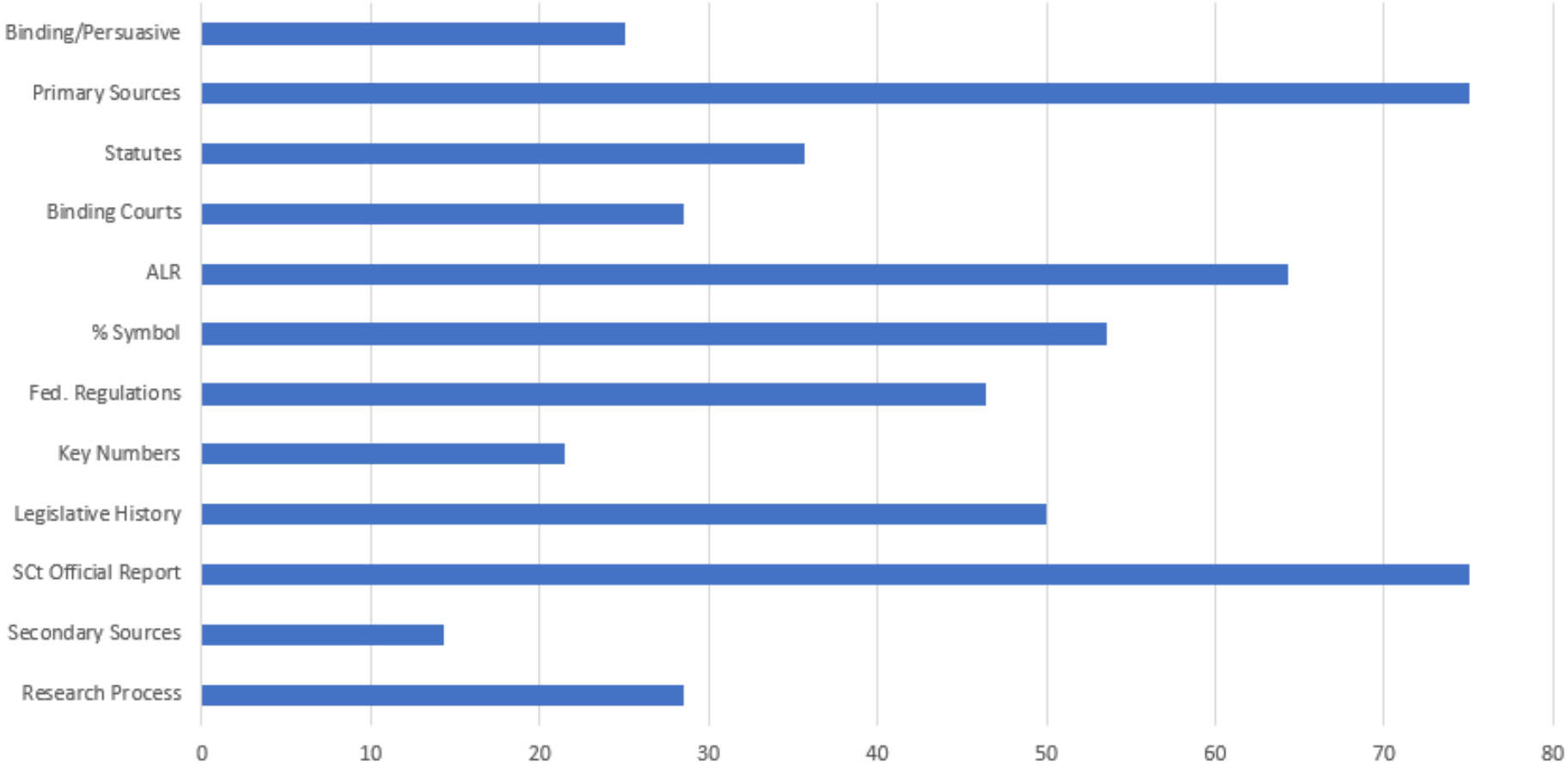


Techniques for Efficient Online Searching



First Day Quiz Results

Percentage of Wrong Answers



Best Tools



GIGO

Information Retrieval Scale

Precision

Recall





Searching

- Use the language of the documents you are searching
 - Explore any advanced search options
 - Remember most legal documents are based on their print originals.
-

Documents

Parts:

That same Conference may perform the identical function for the intrastate carriage of carpeting from Rome to Macon, Georgia, approximately the same distance. This has been done for three decades prior to the filing of this action in 1976. It is patently unfair at this late date to declare that these defendants violated the antitrust act when following identical procedures that are not violative of the antitrust act when done in interstate commerce.

present live controversy after university's board of trustees adopted policy by which society would no longer be permitted to resume discriminatory practices on campus, even though Department then considered issue moot, and (2) where discriminatory practices of society, by their nature and in light of intertwined histories of society and university, infected entire academic mission of university, thus rendering each and every federal program at university necessarily discriminatory as result of society's relationship to university, federal regulation under which university was threatened with termination of federal funds for giving substantial assistance to society was valid both on its face and as applied.

Affirmed.

Roney, Circuit Judge, dissented and filed an opinion.



**IRON ARROW HONOR SOCIETY, a
"tap" or recognition association for
men, et al., Plaintiffs-Appellants,**

v.

**Margaret M. HECKLER, Secretary of the
Department of Health and Human Services,
et al., Defendants-Appellees.**

No. 80-5663.

United States Court of Appeals,
Fifth Circuit.*
Unit B

April 11, 1983.

All-male university honorary-recognition society brought action seeking to enjoin Secretary of Department of Health and Human Services from terminating federal funding to university for giving "substantial assistance" to society. On remand, after previous appeal, 597 F.2d 590, the United States District Court for the Southern District of Florida, Eugene P. Spellman, J., 499 F.Supp. 496, entered judgment from which society appealed. The Court of Appeals, 652 F.2d 445, affirmed. On writ of certiorari, the Supreme Court, 102 S.Ct. 3475, vacated and remanded. On remand, the Court of Appeals, Tuttle, Senior Circuit Judge, held that: (1) action continued to

1. Federal Courts ⇌13

In determining whether action brought by all-male university honorary-recognition society to enjoin Secretary of the Department of Health and Human Services from terminating federal funding to university still presented justiciable Article III case or controversy after university's board of trustees adopted policy by which society would no longer be permitted to resume discriminatory practices on campus, Court of Appeals had to assess whether it could effectively render relief requested by society. U.S.C.A. Const. Art. 3, § 2, cl. 1.

2. Federal Courts ⇌13

Action brought by all-male university honorary-recognition society seeking to enjoin Department of Health and Human Services from terminating federal funding to university under Title IX in order to deter university from allowing society to conduct certain functions on university campus continued to present live controversy after university's board of trustees adopted policy by which society would no longer be permitted to resume discriminatory practices on campus, even though De-

* Former Fifth Circuit case, section 9(1) of Public

Documents

Parts:

§ 44

FLORIDA JURISPRUDENCE 2D

- negligence;
- (2) that he or she has a significantly² increased risk of contracting a serious latent disease as a proximate result of the exposure;
 - (3) that a monitoring procedure exists that makes the early detection of the disease possible;
 - (4) that the prescribed monitoring regime is different from that normally recommended in the absence of the exposure; and
 - (5) that the prescribed monitoring regime is reasonably necessary according to contemporary scientific principles.

◆ **Observation:** The “injury” in a medical monitoring class action case is defined as the quantifiable costs of periodic medical examinations necessary to detect the onset of physical harm, and it is preferable that plaintiffs recover these costs through a court supervised and administered trust fund instead of through a lump sum damage award because a trust fund compensates the plaintiff only for the monitoring costs actually incurred, limiting the defendants’ liability.³

§ 45 Aggravation of preexisting condition

Research References

West’s Key Number Digest, Damages ⇨33

Am. Jur. Pleading and Practice Forms, Damages §§ 148, 149 (Elements of damage that may be considered—Aggravation of preexisting physical condition), 181 to 187 (Instructions to jury—Aggravation of injuries or preexisting condition)

In a personal injury action, the injured person is entitled to recover full compensation for all damage proximately resulting from the defendant’s act, even though the injured person is, at the time of receiving the injuries, suffering from some disease or illness that tends to aggravate the injuries.¹ Where the injuries received aggravate an existing ailment or develop a latent one, the defendant is required to respond in damages for the results of the disease as well as for the

³Wyeth, Inc. v. Gottlieb, 930 So. 2d 635 (Fla. Dist. Ct. App. 3d Dist. 2006).

[Section 45]

¹Atlantic Coast Line R. Co. v.

Documents

90% 5 of 2240

Legal Periodicals & Books



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Title: *Climate change: government, private property, and individual action*

Personal Author: [Babie, Paul](#)

Journal Name: [Sustainable Development Law & Policy](#)

Source: [Sustainable Development Law & Policy v. 11 no. 2 \(Winter 2011\)](#) p. 19-21, 77-8

Publication Year: 2011

Subject(s): [Global warming](#); [Emissions trading](#); [Property](#); [Commodification](#); [Liberalism](#); [Administrative law](#); [Framework Convention on Climate Change/Kyoto Protocol](#)

Peer Reviewed Journal:

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