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[For a discussion of reference to  
State substantive law, see note on  
Federal Incorporation by Reference  
of State Law, Hart & Wechsler, The  
Federal Courts and the Federal  
System, pp. 491–494 (2d ed. 1973).]  
Is a claim (or defense) based on  
such a reference a claim or defense  
as to which federal or State law  
supplies the rule of decision?  
Another problem not entirely  
avoidable is the ...

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U.S. federal courts, when confronted with real cases or controversies in which the federal court's decision will turn in whole or in part on a question of state law (e.g. diversity cases under the Erie doctrine or issues in which federal law incorporates state law by reference, such as exemptions in bankruptcy), occasionally ask the highest court of the relevant state to give an authoritative ...

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See also H. Hart & H. Wechsler, The

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Federal Courts and the Federal System 818-819 (1953). Thus, the interest which Bivens claims -- to be free from official conduct in contravention of the Fourth Amendment -- is a federally protected interest. See generally Katz, The Jurisprudence of Remedies: Constitutional Legality and the Law of Torts in *Bell v. Hood*, 117 U.Pa.L.Rev. 1, 33-34 (1968 ...

[Ann Althouse - Wikipedia](#)

Fallon, who now holds the Story professorship (which was last held by Meltzer), has written extensively about constitutional law and federal courts law. He co-edited with Meltzer and other HLS colleagues,

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including HLS Dean John F. Manning '85, the revision of the classic casebook Hart & Wechsler's "The Federal Courts and the Federal System" (7th ed. 2015).

[Massachusetts v. EPA :: 549 U.S. 497 \(2007\) :: Justia US ...](#)

Since July, the federal government has executed 13 people on death row, breaking a 17-year hiatus on federal executions and killing roughly 1/5 of all federal prisoners sentenced to death. Among those executed was Brandon Bernard, who at 18 participated in the carjacking and murder of 2 youth pastors, though he was not the one who shot the pastors. In the decades

since his conviction, 5 of the ...

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Article III. Judicial ...](#)

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The National Basketball Players  
Association (NBPA) is the union for  
current professional basketball  
players in the National Basketball  
Association (NBA). Established in  
1954, the NBPA mission is to ensure  
that the rights of NBA players are  
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