

12-1-2016

## Front Matter and Table of Contents

Follow this and additional works at: <http://repository.law.miami.edu/umblr>

---

### Recommended Citation

*Front Matter and Table of Contents*, 25 U. Miami Bus. L. Rev. Iss. 1 (2016)

Available at: <http://repository.law.miami.edu/umblr/vol25/iss1/1>

This Prefatory Matter is brought to you for free and open access by Institutional Repository. It has been accepted for inclusion in University of Miami Business Law Review by an authorized administrator of Institutional Repository. For more information, please contact [library@law.miami.edu](mailto:library@law.miami.edu).



# BUSINESS LAW REVIEW

Volume 25, Issue 1

Winter 2016

2016 – 2017

---

## ARTICLES

- The U.S. Law Regime of Sovereign Immunity  
and the Sovereign Wealth Funds  
*Victorino J. Tejera* 1
- Uber v. Regulation:  
“Ride-Sharing” Creates a Legal Gray Area  
*Yanelys Crespo* 79

## COMMENTS

- Turning Cash into Votes:  
The Law and Economics of Campaign  
Contributions  
*Brett Silverberg* 111
- China’s Withdrawal of Article 96 of the CISG:  
A Roadmap for the United States and China  
to Reconsider Withdrawing the Article 95  
Reservation  
*Pan Zhen* 141
- International Reciprocity:  
If a Drug Is Good Enough for Great Britain,  
It Should Be Good Enough for the United  
States  
*Nicole C. Perez* 169
- No One Statute Should Have Too Much Power:  
How Electing Not to Amend  
42 U.S.C. § 1320(a)-7(b) May Frustrate the  
Purpose of the Patient Protection and  
Affordable Care Act  
*Amber C. Dawson* 195

## STATEMENT OF EDITORIAL POLICY

The *University of Miami Business Law Review*, formerly the Business Law Journal (ISSN: 1047-2819), is an academic journal that publishes submitted articles and student notes and comments on legal issues arising in any field related to business. These areas include, but are not limited to, corporation, tax, antitrust, banking, securities regulation, bankruptcy, environmental, sports, entertainment, health, insurance, and labor law. *The University of Miami Business Law Review* is currently available on LEXIS and Westlaw, as well as on our organizational website at [law.miami.edu/umblr](http://law.miami.edu/umblr).

**SUBSCRIPTIONS:** The *University of Miami Business Law Review* strives to produce two issues per year. For information on receiving a hard copy of the University of Miami Business Law Review through our Print-on-Demand service, please visit our organizational website at [business-law-review.law.miami.edu](http://business-law-review.law.miami.edu). If you or your institution is interested in receiving news on our forthcoming digital issues, please email the Managing Editor at [umblr@law.miami.edu](mailto:umblr@law.miami.edu) with your contact information, your organizational name, and a receiving email address.

**SUBMISSIONS:** The *University of Miami Business Law Review* invites the submission of unsolicited manuscripts and comments. All manuscripts should conform to the style set forth in *The Bluebook: A Uniform System of Citation* (20<sup>th</sup> ed. 2015). Authors seeking publication in the University of Miami Business Law Review should submit manuscripts in Microsoft Word format electronically to [umblr@law.miami.edu](mailto:umblr@law.miami.edu) or as otherwise provided at <http://business-law-review.law.miami.edu/submissions/>.

**MEMBERSHIP:** The *University of Miami Business Law Review* selects members on the basis of academic performance and a student writing competition. The Editorial Board does not discriminate on the basis of age, color, handicap, national origin, race, religion, sex, sexual orientation, gender, or gender identity.

**COPYRIGHT:** The copyright in the Journal shall be owned by the University of Miami as a collective work pursuant to the Copyright Act, 17 U.S.C. §§ 101 and 103(b). The copyright in the Work shall be owned by the Author pursuant to the Copyright Act, 17 U.S.C. § 201(c). This issue may be reproduced and distributed, in whole or in part, by nonprofit institutions for educational purposes, including distribution to students, provided that the copies are distributed at or below cost and that those copies identify the Author(s), the University of Miami Law Review, the volume, the number of the first page and the year of publication. For reprint permission for purposes other than the above, please contact the *University of Miami Business Law Review* at the address below, or email ([umblr@law.miami.edu](mailto:umblr@law.miami.edu)). Please allow at least one business week for processing.

Address all inquiries to:

Editor-in-Chief  
University of Miami Business Law Review  
University of Miami School of Law  
1311 Miller Drive, Law Library D334  
Coral Gables, Florida 33124

Cite as: U. MIAMI BUS. L. REV.

# UNIVERSITY OF MIAMI SCHOOL OF LAW

## ADMINISTRATION

Julio Frenk, M.D., M.P.H., Ph.D., *President of the University*  
Thomas J. LeBlanc, B.S., M.S., Ph.D., *Provost & Executive Vice President*  
Patricia D. White, B.A., M.A., J.D., *Dean & Professor of Law*  
Osamudia James, B.A., J.D., LL.M., *Vice Dean & Professor of Law*  
Scott Sundby, B.A., J.D., *Associate Dean for Faculty Development, Dean's Distinguished Scholar & Professor of Law*  
Kele Stewart, B.S., J.D., *Associate Dean for Experiential Learning, Co-Director of the Children & Youth Law Clinic & Professor of Clinical Legal Education*  
Ileana Porras, B.A., M.Phil., J.D., *Associate Dean of Academic Affairs*  
Raquel M. Matas, B.A., J.D., *Associate Dean for Administration and Counsel to the Dean*  
Harold Flegelman, B.A., J.D., *Associate Dean for the Adjunct Faculty & Director of the Graduate Program in Entertainment, Arts and Sports Law*  
Georgina Angones, B.A., *Assistant Dean for Law Development and Alumni Relations*  
Marcelyn Cox, B.A., J.D., *Assistant Dean, Career Development Office*  
Michael L. Goodnight, B.A., M.S., *Associate Dean of Admissions and Enrollment Management*  
Marni B. Lennon, B.A., Ms.Ed., J.D., *Assistant Dean for Public Interest and Pro Bono, Director, HOPE Public Interest Resource Center*  
Greg Levy, B.A., J.D., *Assistant Dean of Academic Affairs and Student Services*  
Janet E. Stearns, B.A., J.D., *Dean of Students*  
William P. VanderWyden, III, B.A., M.Ed., J.D., *Assistant Dean for Professional Development*

## FACULTY

David Abraham, B.A., M.A., Ph.D., J.D., *Professor of Law Emeritus & University of Miami Law Review Faculty Advisor*  
Anthony V. Alfieri, A.B., J.D., *Dean's Distinguished Scholar, Professor of Law & Director of the Center for Ethics & Public Service*  
Paula Arias, J.D., *Director of International Moot Court Program & Lecturer in Law*  
Yasminat Assis, LL.M., J.D., *Associate Director, International Graduate Law Programs & Lecturer in Law*  
Jill Barton, B.J., B.A., M.S., J.D., *Professor of Legal Writing*  
Ricardo Bascuas, B.A., J.D., *Professor of Law*  
Caroline Bettinger-Lopez, B.A., J.D., *Professor of Clinical Legal Education & Director, Human Rights Clinic*  
William Blatt, A.B., J.D., *Professor of Law*  
Caroline M. Bradley, B.A. (Hons), LL.M., *Professor of Law*  
Patricia A. Brown, B.S.F.S., J.D., *Director, Graduate Program in Taxation*  
Sergio Campos, A.B., J.D., *Professor of Law*  
Donna K. Coker, B.S.W., M.S.W., J.D., *Professor of Law*

Charlton Copeland, B.A., M.A.R., J.D., *M. Minnette Massey Chair in Law and Professor of Law*

Caroline Mala Corbin, B.A., J.D., *Professor of Law*

Andrew Dawson, B.A., J.D., *Associate Professor of Law*

Michele DeStefano, B.A., J.D., *Professor of Law*

Alyssa Dragnich, B.A., J.D., *Professor of Legal Writing*

Marc Fajer, A.B., J.D., *Professor of Law*

Zanita E. Fenton, A.B., J.D., *Professor of Law*

Mary Anne Franks, B.A., M.Phil., Ph.D., J.D., *Professor of Law*

Sandra Friedrich, J.D., LL.M., *Director, White & Case International Arbitration LL.M. Graduate Program & Lecturer in Law*

Christina M. Frohock, B.A., M.A., J.D., *Professor of Legal Writing*

A. Michael Froomkin, B.A., M.Phil., J.D., *Laurie Silvers and Mitchell Rubenstein Distinguished Professor of Law*

Patrick O. Gudridge, A.B., J.D., *Professor of Law*

Michael H. Graham, B.S.E., J.D., *Dean's Distinguished Scholar for the Profession, Professor of Law*

Susan Haack, B.A., M.A., B.Phil., Ph.D., *Distinguished Professor in the Humanities, Cooper Senior Scholar in Arts and Sciences, Professor of Philosophy & Professor of Law*

Stephen K. Halpert, A.B., J.D., *Professor of Law*

Frances R. Hill, B.A., M.A., Ph.D., J.D., LL.M., *Dean's Distinguished Scholar for the Profession, Professor of Law*

Elizabeth M. Iglesias, B.A., J.D., *Professor of Law*

Jan L. Jacobowitz, B.S., J.D., *Director of the Professional Responsibility and Ethics Program & Lecturer in Law*

D. Marvin Jones, B.S., J.D., *Professor of Law*

Stanley I. Langbein, A.B., J.D., *Professor of Law*

Tamara Rice Lave, B.A., M.A., Ph.D., J.D., *Associate Professor of Law*

Lili Levi, A.B., J.D., *Professor of Law*

Martha R. Mahoney, B.A., M.A., J.D., *Dean's Distinguished Scholar & Professor of Law*

Fred McChesney, A.B., J.D., Ph.D., *Carlos de la Cruz-Soia Mentschikoff Chair in Law and Economics*

Felix Mormann, J.D., LL.M., *Associate Professor of Law*

Peter Nemerovski, B.A., J.D., *Professor of Legal Writing*

JoNel Newman, B.A., J.D., *Director of the Health and Elder Law Clinic & Professor of Clinical Legal Education*

James W. Nickel, B.A., Ph.D., *Professor of Philosophy & Professor of Law*

Leigh Osofsky, A.B., J.D., *Professor of Law*

Bernard H. Oxman, A.B., J.D., *Richard A. Hausler Endowed Chair & Professor of Law*

Kunal Parker, A.B., M.A., J.D., Ph.D., *Dean's Distinguished Scholar & Professor of Law*

Jan Paulsson, A.B., J.D., *Michael Klein Distinguished Scholar Chair & Professor of Law*

Shara Pelz, B.A., J.D., *Professor of Legal Writing*

Carmen Perez-Llorca, J.D., LL.M., *Director of International Graduate Law Programs & Lecturer in Law*

Bernard P. Perlmutter, B.A., J.D., *Co-Director of the Children & Youth Law Clinic & Professor of Clinical Legal Education*

Alejandro Portes, B.A., M.A., Ph.D., *Professor of Sociology & Professor of Law*  
Tina Portuondo, B.A., J.D., LL.M., *Director of the Heckerling Institute on Estate Planning & Director of the Heckerling LL.M. in Estate Planning*  
Daniel B. Ravicher, B.S.C.E., J.D., *Director of the Larry Hoffman|Greenberg Traurig Startup Law Practicum & Lecturer in Law*  
Thomas A. Robinson, B.S., J.D., B.Litt., *Professor of Law*  
Scott Rogers, B.S., M.S., J.D., *Director, Mindfulness and the Law Program & Lecturer in Law*  
Laurence M. Rose, B.A., J.D., *Director of the Litigation Skills Program & Professor of Law Emeritus*  
Robert E. Rosen, A.B., M.A., J.D., Ph.D., *Professor of Law*  
Andres Sawicki, S.B., J.D., *Associate Professor of Law*  
K. Renee Schimkat, B.A., J.D., *Professor of Legal Writing*  
Stephen J. Schnably, A.B., J.D., *Professor of Law*  
Rebecca Sharpless, B.A., M.Phil., J.D., *Director, Immigration Clinic & Professor of Clinical Legal Education*  
Rachel Stabler, B.A., J.D., *Professor of Legal Writing*  
Irwin P. Stotzky, B.A., J.D., *Professor of Law*  
Jessi Tamayo, B.A., J.D., *Director of the Street Law Program & Lecturer in Law*  
Annette Torres, B.A., M.B.A., J.D., *Professor of Legal Writing*  
Stephen K. Urice, B.A., Ph.D., J.D., *Professor of Law*  
Francisco Valdes, B.A., J.D., J.S.M., J.S.D., *Dean's Distinguished Scholar & Professor of Law*  
Teresa Verges, B.A. J.D., *Director, Investor Rights Clinic & Lecturer in Law*  
William H. Widen, A.B., J.D., *Professor of Law*  
Richard L. Williamson, Jr., A.B., M.A., J.D., *Professor of Law*  
Sally H. Wise, B.A., J.D., M.LL., *Director of the Law Library & Professor of Law*  
Cheryl Zuckerman, B.A., J.D., *Professor of Legal Writing*

### **Emeriti**

Terence J. Anderson, B.A., J.D., *Professor Emeritus of Law*  
Kenneth M. Casebeer, A.B., J.D., *Professor Emeritus of Law*  
Mary I. Coombs, B.A., M.A., J.D., *Professor Emerita of Law*  
Mary Doyle, B.A., LL.B., *Dean Emerita & Professor Emerita of Law*  
Dennis O. Lynch, B.A., J.D., J.S.D., LL.M., *Dean Emeritus & Professor Emeritus of Law*  
Elliott Manning, A.B., J.D., *Professor Emeritus of Law*  
M. Minnette Massey, B.B.A., LL.B., M.A., LL.M., *Professor Emerita of Law*  
George Mundstock, B.A., J.D., *Professor Emeritus of Law*  
Keith S. Rosenn, B.A., LL.B., *Professor Emeritus of Law*  
Kathryn D. Sowle, B.A., J.D., *Professor Emerita of Law*