

Volume 5 | Issue 2

5-1-2018

Table of Contents

Follow this and additional works at: https://scholarship.law.tamu.edu/lawreview



Part of the Law Commons

Recommended Citation

Table of Contents, 5 Tex. A&M L. Rev. (2018).

Available at: https://scholarship.law.tamu.edu/lawreview/vol5/iss2/2

This Front Matter is brought to you for free and open access by Texas A&M Law Scholarship. It has been accepted for inclusion in Texas A&M Law Review by an authorized editor of Texas A&M Law Scholarship. For more information, please contact aretteen@law.tamu.edu.



Volume Five 2017–2018

TEXAS A&M LAW REVIEW

VOLUME FIVE 2017–2018

Texas A&M Law Review ISSN 10801-5449, Volume Five, 2017-2018

Published by the Texas A&M University School of Law, 1515 Commerce Street, Fort Worth, Texas 76102. Direct (817) 212-3897. Fax (817) 212-3898.

Postmaster: Send address corrections to the *Texas A&M Law Review*, 1515 Commerce Street, Fort Worth, Texas 76102. All notifications of address changes should include past and current addresses with zip code. Please inform the *Texas A&M Law Review* of any address changes one month in advance to ensure prompt delivery. Subscriptions are deemed to be renewed annually unless instructions to the contrary are communicated to the Executive Editor at executive.editor@lawreview.law.tamu.edu. Annual subscriptions are \$40.00, or \$22.00 per single issue (postage included).

Copyright © 2018 by the Texas A&M University School of Law. Except as otherwise expressly provided, the author of each article in this volume has granted permission for copies of that article to be made and used by non-profit education institutions, provided that the author and the *Texas A&M Law Review* are identified and that proper notice of copyright is affixed to each copy. In all other cases, the author and the *Texas A&M Law Review* should be contacted directly. Except as otherwise expressly provided, copyright in each article is held solely by the author. Additionally, each author grants the *Texas A&M Law Review* an irrevocable, nonexclusive, and royalty-free license to publish the article.

All communications should be directed to:

Editor-in-Chief
Texas A&M Law Review
Texas A&M University School of Law
1515 Commerce Street
Fort Worth, Texas 76102

Direct: (817) 212-3897 Fax: (817) 212-3898

eic@lawreview.law.tamu.edu

www.law.tamu.edu/current-students/academics/law-journals/law-review

The *Texas A&M Law Review* invites unsolicited article submissions. Submissions should be sent to the Managing Editor at managing.editor@lawreview.law. tamu.edu, with the subject line: Article Submission.

Cite as: 5 Tex. A&M L. Rev. __ (2018).

Volume 5 Winter 2018 Number 2

BOARD OF EDITORS

Managing Editor
Tiffany L. Minks

Executive Editor
TAYLOR RAE CUMMINS

Symposia Editor Madeline M. Pricer Online-Content Editor
R. Matthew Thompson

Senior Articles Editor
Emma Christine Martin

Articles Editors
Aimee Elizabeth Kline
Megan Elizabeth Reed
Elizabeth A. Shannon

Citations Editors
REBECCA WARD HELTERBRAND
CHAD C. TAYLOR
NICHOLAS JAMES VAIL

Notes & Comments Stephanie F. Assi Callie Cole Dodson Taylor Chanel Wood

STAFF

Allen Said Al-Haj
Taylor Allan
Jarrod Azopardi
Cash Barker
Dakota Brewer
Gregory Butz
Lynda Hercules Charleson
Megan Cloud
Jordan Curry
Patrick Dean

TAYLOR FAUGHT
ZACHARY FORD
ASHLEY GRAVES
SAMANTHA HENSON
JESSICA NATION HOLTMAN
ISABELLE HUTCHINSON
DEREK MCKEE
BAILEY MICHELL
DANIEL MOORE
MORGAN PARKER

TRACI PHIPPS
ELIZABETH RAMEY
GABRIELA RICHARDSON
NICOLE RIEKEN
CHANDLER SCHMITZ
LAUREN SHAW
JASON SHEFFIELD
KATIE STALLCUP
MCCLANE THOMPSON
KRISTEN N. WHITTAKER

Faculty Advisor Vanessa Casado-Perez Staff Advisor Debbie Bauer

Volume 5 Winter 2018 Number 2

CONTENTS

ARTICLES

Entering the Trump Ice Age: Contextualizing the New Immigration Enforcement Regime				
Bill Ong Hing	253			
China's Anti-Corruption Crackdown and the Foreign Corrupt Practices	202			
Act	323			
Higher Education Savings and Planning: Tax and Nontax Considerations F. Philip Manns Jr. & Timothy M. Todd	343			
BOOK REVIEW				
When Courts Run Amuck: A Book Review of <i>Unequal: How America's Courts Undermine Discrimination Law</i> by Sandra F. Sperino and Suja A.				
Thomas (Oxford 2017)				
COMMENT				
Ethereum and the SEC: Why Most Distributed Autonomous Organizations are Subject to the Registration Requirements of the Securities Act of 1933 and a Proposal for New Regulation	405			
Tiffany L. Minks				

ARTICLE CONTRIBUTORS

Bill Ong Hing

Entering the Trump Ice Age: Contextualizing the New Immigration Enforcement Regime

Bill Ong Hing is a Professor of Law at the University of San Francisco School of Law and the Director of the Immigration and Deportation Defense Clinic. His areas of teaching include, among others: Immigration Law; Evidence; and Intro to Migration Studies. Professor Hing has received numerous awards and recognition for his publications on immigration policy and race relations, as well as his outstanding service to his community. Professor Hing earned his J.D. from the University of San Francisco School of Law.

Daniel C.K. Chow

China's Anti-Corruption Crackdown and the Foreign Corrupt Practices Act

Daniel C.K. Chow is a Professor of Law at The Ohio State University Moritz College of Law. His areas of teaching and research include: International Trade Law; International Business Transactions; International Intellectual Property; and the law of China. Professor Chow is the Frank E. and Virginia H. Bazler Chair in Business Law at The Ohio State University Moritz College of Law. He has published numerous books and articles, including leading casebooks. Prior to joining Academia, Professor Chow clerked for the Honorable Constance Banker Motley at the United States District Court for the Southern District of New York. Professor Chow earned his J.D. from Yale University in 1982.

F. Philip Manns Jr. & Timothy M. Todd

Higher Education Savings and Planning: Tax and Nontax Considerations

F. Philip Manns Jr. is a Professor of Law at Liberty University School of Law. Prior to joining the Liberty faculty in 2006, Professor Manns was part of the law faculty at California Western School of Law in San Diego. Professor Manns' areas of teaching include: Wills, Trusts, and Estates; Taxation; Estate Planning; and Business Planning. He has served as a public arbitrator for the National Association of Securities Dealers and as a Site Evaluator for the ABA Section on Legal Education and Admissions to the Bar. Prior to entering Academia, Professor Manns practiced tax law at King & Spalding and clerked for the Honorable Francis D. Murnaghan, Jr. at the U.S. Court of Appeals for the Fourth Circuit. Professor Manns earned a J.D. from the University of Maryland School of Law, where he received the William Strobel Thomas Prize and the W. Calvin Chestnut Prize for outstanding scholastic achievement.

Timothy Todd is the Associate Dean for Academic Affairs and an Associate Professor at Liberty University School of Law. His areas of teaching include: Individual Income Taxation; Mergers and Acquisitions; Business Planning; and Bankruptcy. Prior to entering Academia, Professor Todd clerked for the Honorable Eric G. Bruggink of the United States Court of Federal Claims. Professor Todd earned his J.D. from Liberty University School of Law, where he graduated first in his class and served as the Managing Editor of the Law Review.

Theresa M. Beiner

When Courts Run Amuck: A Book Review of Unequal: How America's Courts Undermine Discrimination Law by Sandra F. Sperino and Suja A. Thomas (Oxford 2017)

Theresa Beiner is the Associate Dean of Academic Affairs and a Nadine Baum Distinguished Professor of Law at the University of Arkansas Little Rock William H. Bowen School of Law. Her areas of teaching include: Civil Procedure; Constitutional Law; Federal Jurisdiction; Employment Discrimination; Gender and the Law; and a seminar on Sexual Harassment Law. Professor Beiner has received the Faculty Excellence Awards in both teaching and scholarship. Prior to joining Academia, Professor Beiner practiced civil litigation and clerked for the Honorable John F. Grady, United States District Judge for the Northern District of Illinois. Professor Beiner earned her J.D. from Northwestern University School of Law, where she was named to the Order of the Coif and served as the Editor-in-Chief of the Journal of Criminal Law & Criminology.

Tiffany L. Minks

Ethereum and the SEC: Why Most Distributed Autonomous Organizations are Subject to the Registration Requirements of the Securities Act of 1933 and a Proposal for New Regulation

Tiffany L. Minks is a third-year law student at Texas A&M University School of Law. She is the Managing Editor of the *Texas A&M Law Review*. Additionally, she is the founder and former President of the Business Law Society at Texas A&M University School of Law. Prior to attending law school, Tiffany completed her M.B.A. at Houston Baptist University in 2014 and a B.B.A. in Management at Texas A&M University—Central Texas in 2013. She also served in the U.S. Navy as a Master-at-Arms from 2009–2012. After law school, Tiffany will work as a corporate associate at Munsch Hardt Kopf & Harr, P.C. in Dallas, Texas.