Article

Prospective Labor Injunctions: Do They Have a Future
Charles E. Trant

Notes

The Business Judgment Rule: The End of a Clear Trend in Corporation Law

Markets, Time, and Damages: Some Unsolved Problems in the Field of Crops

Twenty-Five Years of Uninsured Motorist Coverage: A Silver Anniversary Cloud with a Tarnished Lining

Beyond Enterprise Liability in DES Cases—Sindell
Creditors' Rights in Bankruptcy

Author
Patrick A. Murphy of the California Bar; Partner, Murphy, Weir & Butler, San Francisco; speaker at numerous seminars on bankruptcy; co-author of Collier on Bankruptcy, Fifteenth Edition.

This book covers proceedings under the liquidation and rehabilitation chapter of the new Bankruptcy Act which became effective October 1, 1979. Topics of particular interest to creditors are covered in substantial detail. These include proof and allowances of claims, voiding powers, stays of lien enforcement and the rights of secured creditors.

Loose leaf, approximately 500 pages, 1980 edition. Annual supplementation is planned. 1 volume $65.00 plus $1.50 postage and handling.

My order includes future materials such as pocket parts, supplements, replacement pages, advance sheets and replacement, revised, recompiled or split volumes, future new editions and additional companion or related volumes. At any time, I will be free to cancel or change my order for upkeep services.

Name ____________________________________________
Mailing Address ________________________________________________________________
City ___________________ State ___________ Zip ______
☐ Please send me Creditors’ Rights in Bankruptcy. Purchase includes my order for future upkeep service. Add appropriate sales tax. $65.00 plus $1.50 postage & handling.
☐ I would like to examine for 30 days without obligation.
☐ Have your representative call on me.
☐ Charge my Shepard's account. Account No. __________________________
☐ Bill me. Bill Firm ____________________________
☐ No future upkeep wanted.

Orders subject to acceptance in Colorado Springs. Title remains with vendor until paid for in full. Terms available, no carrying charges. Prices Subject to Change Without Notice.

Contents
Preface
Summary Contents
Detailed Contents
1. Introduction
2. Jurisdiction, Venue and Appeals
3. Commencement of a Case
4. Administration and the Bankruptcy Estate
5. Proof and Allowance of Claims, Priorities and Distribution in Liquidation Cases
6. The Automatic Stay
7. Use, Sale, or Lease of Property of the Estate
8. The Obtaining of Credit
9. Executory Contracts and Unexpired Leases
10. Preferences
11. Fraudulent Conveyances
12. The Trustee as a Hypothetical Lien Creditor or Purchaser
13. The Trustee as a Successor to Actual Creditors
14. Miscellaneous Avoiding Actions
15. Reorganizations—Administrative Matters
16. Plan of Reorganization
17. Consumer Bankruptcy
18. Adjustment of Debts of an Individual with Regular Income
Appendix—Forms
Tables
Index
Brighten Things Up with Interest on Checking

Earn 5 1/4% compounded daily on the money you keep in your checking account.

Think of it. With this exciting new Indiana National feature, you can earn interest on your checking funds for the first time. Maintain a minimum $1,500 balance, and you pay no service charge, no matter how many checks you write.*

It's true, other financial institutions can now offer interest on checking. But none offer you more interest than our 5 1/4%. And none give you the additional benefits of BANK BY PHONE, PASSPORT® Check Card and MONEYMOVER® 24 Hour Teller at no additional charge.

That's a good reason to change banks. Or, even combine other accounts you may have around town. Interest on Checking with no service charge . . . and the convenience of branch locations all over town.

Come in today to any Indiana National branch and ask about Interest on Checking. It might just brighten things up for you.

*If your monthly minimum balance falls below $1,500, your service charge is $3.00. Below $1,000, your charge is $6.00.
Nobody can read all the new law, but with...

**THE UNITED STATES LAW WEEK**

you can keep up with the really *significant* new law

You know that thousands of decisions and rulings pour from the courts and federal agencies every year. LAW WEEK guards you against missing a single development of legal importance . . . yet saves you time by reducing your reading load!

- To do this, LAW WEEK's staff of lawyer-editors research hundreds of opinions and rulings every week to find the precedent-setting few that make new law. These significant cases are digested for you under quick reference topic headings in the appropriate sections designated: 1.) New Court Decisions; 2.) Federal Agency Rulings; 3.) Supreme Court Opinions.

- To save even more of your time, the more significant opinions and rulings appearing in all sections of LAW WEEK are highlighted in a special Summary and Analysis section — a five-minute, terse evaluation of the effect of these developments on current law.

- A key feature of LAW WEEK is its high-speed reporting of U.S. Supreme Court opinions — in *full text* — accompanied by crisp and accurate summary digests. Mailed the same day they are handed down, these exact photographic reproductions of the Court's opinions eliminate the possibility of printing errors.

- LAW WEEK also gives you full texts of all federal statutes of general interest, immediately after the President signs them.

- And for easy reference, LAW WEEK is fully indexed — by topic and by case title — both for general law and Supreme Court actions.

Practicing attorneys: Write for details about our no-risk, 45-day approval offer.

THE BUREAU OF NATIONAL AFFAIRS, INC.
1231 25th Street, N.W., Washington, D.C. 20037
Telephone: 202—452-4500
Article

Prospective Labor Injunctions: Do They Have a Future ............................................. Charles E. Trant 581

Notes

The Business Judgment Rule: The End of a Clear Trend in Corporation Law .................... 617

Markets, Time, and Damages: Some Unsolved Problems in the Field of Crops ..................... 647

Twenty-Five Years of Uninsured Motorist Coverage: A Silver Anniversary Cloud with a Tarnished Lining ............................................................... 671

Beyond Enterprise Liability in DES Cases — Sindell ....................................................... 695
Please enter my subscription to the
INDIANA LAW REVIEW

NAME __________________________

ADDRESS ____________________________________________
________________________________________

Enclosed is $____ for ____ subscriptions.

Bill me for _____ subscriptions.

Mail to:
INDIANA LAW REVIEW
INDIANA UNIVERSITY
SCHOOL OF LAW—INDIANAPOLIS
735 West New York Street
Indianapolis, Indiana 46202

Subscription Rates (one year):
Regular, $15.00; Foreign, $18.50; Survey, $9.00
Indiana Law Review

Volume 14 1981

MARK R. WENZEL
Editor-in-Chief

JOHN C. TRIMBLE
Executive Editor

RAYMOND H. CARLSON  N. KENT SMITH
ELIZABETH A. KIRSCHLING  JOHN W. TANSELLE

Articles Editors

LANA M. COOK  DEBRA L. SCOTT

Managing Editors

DANIEL G. AREAUX  NANCY L. MARSHALL
S. ANDREW BOWMAN  PATRICIA F. SEASOR
NANCY J. DAVIS  R. GEORGE WRIGHT

Note and Development Editors

ALAN D. ALBRIGHT  BETH E. HOLLAND
DAYLE L. ANDERSON  BRENDA S. HORN
JAMES H. AUSTEN  EDWARD A. KEIRN
JANET W. AVERETT  JANET C. KNAPP
CHERYL A. DANBERRY  ROBERT D. MAAS
THOMAS V. EASTERDAY  ROBERT D. MACGILL
JANET E. ELLIS  ALAN K. MILLS
MARSHALL W. GRATE  MARY JO MORRISON
MARY C. GREIVES  R. RUSSELL PETTERTON
RICHARD E. HAGENMAIER  PAMELA L. RHINE
EDWARD R. HANNON  DONALD S. SMITH
BRANDT H. HARDY  JOHN C. WALL

Associate Editors

PAUL J. GALANTI
Faculty Advisor

DAWN CAMPBELL
Editorial Assistant
Indiana University School of Law—Indianapolis

1980-1981 ADMINISTRATIVE OFFICERS AND FACULTY

Administrative Officers

JOHN W. RYAN, Ph.D., President of the University
GLENN W. IRWIN, Jr., M.D., Vice-President
FRANK T. READ, J.D., Dean
GERALD L. BEPKO, LL.M., Acting Associate Dean for Administration and Finance
G. KENT FRANSEN, J.D., Assistant Dean for Student Affairs

Faculty

THOMAS B. ALLINGTON, Professor. B.S., University of Nebraska, 1964; J.D., 1966; LL.M., New York University, 1971.

EDWARD P. ARCHER, Professor. B.M.E., Rensselaer Institute, Polytechnic, 1958; J.D., Georgetown University, 1962; LL.M., 1963.

JAMES F. BAILEY, III., Associate Professor and Director of Law Library. A.B., University of Michigan, 1961; J.D., 1964; M.A.L.S., 1970.

AGNES P. BARRETT, Associate Professor. B.S., Indiana University, 1942; J.D., 1964.

GERALD L. BEPKO, Associate Dean for Academic Affairs and Professor. B.S., Northern Illinois University, 1962; J.D., IIT/Chicago-Kent College of Law, 1965; LL.M., Yale University, 1972.

CLYDE HARRISON CROCKETT, Professor. A.B., University of Texas, 1962; J.D., 1965; LL.M., University of London (The London School of Economics and Political Science), 1972.

DEBRA A. FALENDER, Associate Professor. A.B., Mount Holyoke College, 1970; J.D., Indiana University, 1975.

G. KENT FRANSEN, Assistant Dean-Student Affairs and Associate Professor. B.S., Bradley University, 1950; J.D., Indiana University, 1965.

DAVID A. FUNK, Professor. A.B., College of Wooster, 1948; J.D., Case Western Reserve University, 1951; M.A., The Ohio State University 1968; LL.M., Case Western Reserve, 1972; LL.M., Columbia University, 1973.


HELEN P. GARFIELD, Associate Professor. B.S.J., Northwestern University 1945; J.D., University of Colorado, 1967.

HAROLD GREENBERG, Associate Professor. A.B., Temple University, 1958; J.D., University of Pennsylvania, 1962.


WILLIAM F. HARVEY, Carl M. Gray Professor of Law. A.B., University of Missouri, 1954; J.D., Georgetown University, 1959; LL.M., 1961.

W. WILLIAM HODES, Assistant Professor. A.B., Harvard College, 1966; J.D., Rutgers, Newark, 1969.


WALTER W. KRIEGER, Associate Professor. A.B., Bellarmine College, 1959, J.D., University of Louisville, 1962; LL.M. George Washington University, 1969.


WILLIAM E. MARSH, Associate Professor. B.S., University of Nebraska, 1965; J.D., 1968.

MARY H. MITCHELL, Assistant Professor. A.B., Butler University 1975; J.D. Cornell Law School, 1978.

MELVIN C. POLAND, Professor. B.S., Kansas State University, 1940; LL.B., Washburn University, 1949; LL.M., The University of Michigan, 1950.
RONALD W. POLSTON, Professor. B.S., Eastern Illinois University, 1953; LL.B., University of Illinois, 1958.

GARY A. RATNER, Associate Professor. B.S., California Institute of Technology, 1966; M.S., Purdue University 1969; J.D., University of Connecticut, 1973; LL.M., Yale University, 1974.

FRANK T. READ, Dean and Professor. B.S., Brigham Young University, 1960; J.D., Duke University, 1963.

BRYAN M. SCHNEIDER, Assistant Professor. B.A., Amherst College, 1973; J.D., University of South Carolina School of Law, 1976; LL.M., Yale Law School, 1980.


KENNETH M. STRoud, Professor. A.B., Indiana University, 1958; J.D., 1961.

JAMES W. TORKE, Professor. B.S., University of Wisconsin, 1963; J.D., 1968.

R. BRUCE TOWNSEND, Professor of Jurisprudence (on leave, second semester, 1980-81). A.B., Coe College, 1938; J.D., University of Iowa, 1940.

JAMES PATRICK WHITE, Professor (on special assignment). A.B., University of Iowa, 1953; J.D., 1956; LL.M., George Washington University, 1959.

LAWRENCE P. WILKINS, Associate Professor. B.A., The Ohio State University, 1968; J.D., Capital University Law School, 1973; LL.M., University of Texas School of Law, 1974.

HAROLD R. WOODARD, Professional Lecturer. B.S., Harvard University; 1933; J.D., 1936.


Emeriti

CLEON H. FOUST, Professor Emeritus. A.B., Wabash College, 1928; J.D., University of Arizona, 1933.

JOHN S. GRimes, Professor of Jurisprudence Emeritus. A.B., Indiana University, 1929; J.D., 1931.

Legal Writing Instructions

PHILIP B. DAVIS, Lecturer. B.A., Middlebury College, 1975; J.D., University of New Mexico School of Law, 1978.


JOAN RUHTENBERG, Lecturer. B.A., Mississippi University for Women, 1959; J.D., Indiana University, 1960.

Law Library Staff


LAURA KIMBERLY, Visiting Librarian. B.A., Florida State University, 1977; M.S., Florida State University, 1980.


ERRATA

p. 278 "read" should be "recite"
p. 289 fn 238 "12200" should be "12-200"