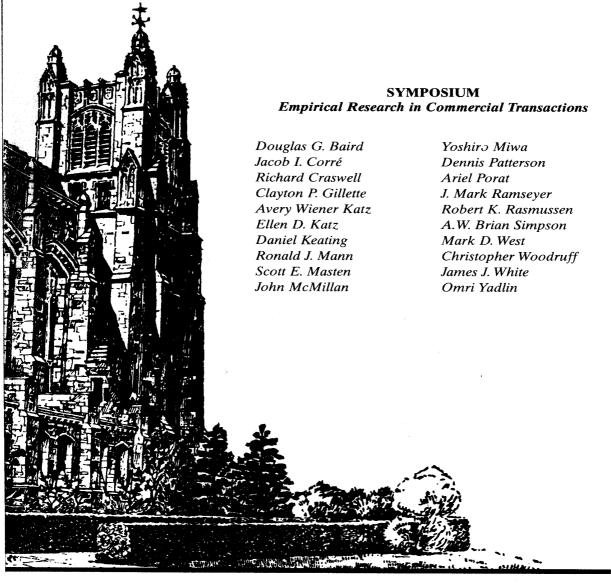
Michigan Law Review



Vol. 98, No. 8

August 2000

Vol. 98, No. 8

August 2009 3 7000

CONTENTS

SYMPOSIUM: Empirical Research in Commercial Transactions

I. CONTRACTING OUT OF PUBLIC ORDERING

PRIVATE ORDER UNDER DYSFUNCTIONAL		
Public Order	ohn McMillan 24	21
and Christo	pher Woodruff	
Enforcing Contracts in Dysfunctional Legal		
Systems: The Close Relationship Between		
Public and Private Orders: A Reply		
to McMillan and Woodruff	Ariel Porat 24	59
PRIVATE ORDER AND PUBLIC INSTITUTIONS:		
Comments on McMillan and Woodruff's		-
'Private Order Under Dysfunctional		-
Public Order'	Ellen D. Katz 24	81
II. TRANSACTIONAL DES	SIGN	
THE ROLE OF LETTERS OF CREDIT IN		
Payment Transactions R	onald J. Mann 24	94
Letters of Credit as Signals:		
Comments on Ronald Mann's 'The		
Role of Letters of Credit in		
Payment Transactions?	D C:!! 25	~~

Copyright © 2000 by The Michigan Law Review Association

IV. DOCTRINE IN ACTION

EXPLORING THE BATTLE OF THE FORMS		
IN ACTION	2678	
Commercial Norms and the Fine Art		
OF THE SMALL CON: Comments on Daniel		
Keating's 'Exploring the Battle of		
the Forms in Action'	2716	
The Sound of One Form Battling:		
Comments on Daniel Keating's 'Exploring		
the Battle of the Forms in Action' Richard Craswell	2727	
THE LIMITS OF EMPIRICISM: WHAT FACTS		
Tell Us: Comments on Daniel Keating's		
Exploring the Battle of the Forms		
in Action' Dennis Patterson	2738	
Lawyers, Law, and Contract Formation:		
Comments on Daniel Keating's 'Exploring		
the Battle of the Forms in Action' Robert K. Rasmussen	2748	
On the Use of Practitioner Surveys	•	
IN COMMERCIAL LAW RESEARCH: Comments		
on Daniel Keating's 'Exploring the		
Battle of the Forms in Action' Avery Wiener Katz	2760	
V. CLOSING REMARKS		
PHOEBE'S LAMENT	2773	
RECENT BOOKS		
Books Received	2780	
INDEX		
Contents of Volume 98: Subject Index, Articles, Notes,		
Authors, Books Reviewed		
,	i	

RECONCILING THE OLD THEORY AND THE NEW EVIDENCE: Comments on Ronald Mann's 'The Role of Letters of Credit in Payment Transactions'	2548
Informality as a Bilateral Assurance Mechanism: Comments on Ronald Mann's 'The Role of Letters of Credit	
in Payment Transactions'	2554
III. PRIVATE ORDERING IN JAPAN	
PRIVATE ORDERING AT THE WORLD'S	
First Futures Exchange	2574
Empirical Insight and Some Thoughts on Future(s) Investigation: Comments on Mark West's 'Private Ordering at the World's First Futures	
Exchange'	2616
A Public Choice Approach to Private Ordering: Rent-Seeking at the World's First Futures Exchange: Comments on Mark West's 'Private Ordering at	
the World's First Futures Exchange'Omri Yadlin	2620
RETHINKING RELATIONSHIP-SPECIFIC INVESTMENTS: SUBCONTRACTING IN THE JAPANESE AUTOMOBILE INDUSTRY	2636
REAFFIRMING RELATIONSHIP-SPECIFIC INVESTMENTS: Comments on Miwa and Ramseyer's	
'Rethinking Relationship-Specific Investments'	2668