

# COLUMBIA LAW REVIEW

VOL. 113

MAY 2013

NO. 4

## CONTENTS

### ARTICLES

- THE AGENCY COSTS OF AGENCY CAPITALISM:  
ACTIVIST INVESTORS AND THE REVALUATION  
OF GOVERNANCE RIGHTS  
*Ronald J. Gilson*  
*Jeffrey N. Gordon* 863
- THE EXCEPTIONS CLAUSE AS A STRUCTURAL  
SAFEGUARD  
*Tara Leigh Grove* 929

### NOTES

- PULLING THE TRIGGER: AN ANALYSIS OF CIRCUIT  
COURT REVIEW OF THE "PERSECUTOR BAR"  
*Martine Forneret* 1007
- KEEP 'EM SEPARATED: ARTICLE I, ARTICLE V, AND  
CONGRESS'S LIMITED AND DEFINED ROLE IN  
THE PROCESS OF AMENDING THE  
CONSTITUTION  
*Alexander White* 1051

### ESSAY

- PRESIDENTIAL POWER, HISTORICAL PRACTICE,  
AND LEGAL CONSTRAINT  
*Curtis A. Bradley*  
*Trevor W. Morrison* 1097