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Apple's App Store: Exploring the Future of Antitrust Laws, by Alyssa Alvarez **. 9**

Apple, the well renowned technology company is acknowledged for an incredibly unique and successful business model, targeting consumers with its exclusive edge. The particularly exclusive ecosystem of the App Store may be threatened by an antitrust lawsuit filed with the Supreme Court, questioning the overall legality of antitrust laws for the future. The *Apple Inc. v. Robert Pepper* case argues that Apple is overcharging on its App Store, adding an extra fee to both the developer and consumer. The *Illinois Brick Co. v. Illinois* case concluded that consumers cannot sue companies due to transactions made by intermediaries, much like Apple is an intermediary between the developer and consumer. In this paper, the ongoing case *Apple Inc. v. Robert Pepper* will be evaluated and analyzed in comparison to the precedential *Illinois Brick Co. v. Illinois case*, where both cases together may impact the future of company business models as we currently know it.

Guilt. Punishment. Justice, but is it really? by Stefania Cardenas. **15**

Once the guilty verdict has been determined, a judge will follow guidelines based upon the current laws instituted to determine the final sentence. Guidelines found within our current justice system have been found to be too easily affected by bias, which may lead to possible Eighth Amendment violations and thus, ironically, injustice. The question presented asks us to consider: are the current guidelines encouraging and allowing injustice within our justice system?

Ageism v. Capitalism, A Motive for Discrimination, by Michael Dewing .**35**
The story of age discrimination as interpreted by civil justice is told by

analyzing the current structure of laws highlighting specific Supreme Court cases along with our U.S. Congress chiming in and attempting to further address the fairness in the rule of law governing the specifics of the EEOC procedural steps and how appellate courts may consider factors relating to the analogous terminology. Further study is warranted and justified by statistical data points and analysis in the way ageism is defining our labor force and our economic system with a focus on age discrimination, giving particular attention to time, age, and experience.

Adhesion Contracts Discourage Equitable Playingfield, by Leanet Gutierrez **50**
A consumer saves up for months intending to purchase a computer to complete homework and save himself the burden of going to the library each night. One fateful day he goes to the store and purchases a computer costing six hundred dollars. The consumer gets home, begins to unravel the packaging, and sets up his new computer. After the personalized selection feature the screen acclaims, “You’re almost there,” however there is one last thing he must do to finally own his new computer… select “yes” on the terms and agreements. The license agreement consumers must sign expects consumers to select yes, otherwise the product is non-functional. These agreements are not only found in computers but throughout services and products that consumers frequent in modern society. These types of contracts are contracts of adhesion, “take it or leave it contracts.”

Putting a Finger on Biometrics Law, by Amanda Heine. **59**
Americans nationwide are walking into their place of employment Monday through Friday and either placing their finger on a scanner, having their face analyzed by a beam or even the iris of their eye digitally scanned by a laser. The process of clocking in for work with your fingerprint has become extremely jejune. This process is more often than not required by employers before an employee can start their work day. Whether biometrics is used for logging in hours, authentication, or security purposes it is typically a ‘use it or lose it’ for the job scenario. Though biometrics might be making the workplace increasingly more efficient and innovative with this also comes new risks. Employers are especially at risk with potential liability encompassed within privacy law and how this data is obtained and stored. The employers require their employees to submit to the use of biometrics, yet there

are minimal to zero required obligations to the employee by the employer. There are currently no federal regulations put in place for the protection of employee privacy rights relative to biometrics.

Affirmative Action, constitutionally protected or legal discrimination? by Sayd Hussain **83**
Affirmative Action has been a topic in American politics since the civil rights era of the 1950-1960s. Although this policy was created within the federal government to promote racial diversity during the civil rights era, universities took notice and implemented their own interpretations. Several lawsuits have challenged these interpretations and have become more controversial in practice over time. Race neutral affirmative action has become the new alternative for states that have banned racial affirmative action. The benefits behind socio-economic policies, such as the 10% plan, allows under-privilege students to have the opportunity to pursue a higher education with fewer roadblocks. By removing racial preferences from applications, this will prohibit institutions from discriminating against any student of color while avoiding the legal issues behind racial affirmative action.

Constitutional Law: War Powers, by Sayd Hussain & Robert Marriaga, ... **104**
Who has the power to declare war? Many would say that the U. S. Constitution is clear and Article 1, Section 8, Clause 11 states that the U. S. Congress has the power to declare war. That clause has only one interpretation. However, the Presidency of the U. S. has found a loop hole to undermine this constitutional mandate, and that is by using the Commander-in-Chief clause. This clause, located in Article 2, Section 2, Clause 1 of the Constitution, states that the President shall be the Commander in Chief of the army and navy, and of the militia of the several states. The President is given authority by the Constitution to command and serve as leader of the armed forces who are sent to fight in combat. The question is, does the President of the U. S. have the authority to declare war or go to war without asking Congress' permission?

Private Use of Eminent Domain, by Eric Kemper **114**
An analysis of eminent domain law in the U. S., as well as the landmark

Supreme Court case *Kelo v. New London*, requires us to question whether property rights as described in the Constitution are still protected today. The main issue resulting from the *Kelo v. City of New London* case is whether government seizing of land for private uses enters a grey constitutional area. These takings often leave land owners in the dust. If more courses of actions are made available to land owners can we return to following the constitution?

The Case Against Unwanted Publicity: A claim of privacy by Sandy Larose. **123**
Advocates of freedom of the press argue that it would be ridiculous to put a prior restraint on the media simply to protect people's "secret affairs." One argument is that if an individual is having an affair they should not do so in public knowing that anyone could record them and send it to their spouse. But regardless of the action being performed by an individual in public, he or she should have a right to autonomy without being exposed by the media. Should one's private affairs receive the same protection as his/her cell phone?

Unitary Executive Theory: Is it Constitutional? by Robert Marriaga & Sayd Hussain . . . . . **..137**
The Unitary Executive Theory elicits strong pro and con arguments. Some say the theory is part of constitutional law. Article II, Section I of the U.S. Constitution says, "The executive power shall be vested in a President of the United States of America." The Constitution also says, ". . .he shall take care that the laws be faithfully executed and shall commission all the officers of the United States." Interpreting these two powerful clauses within the Constitution can justify that the President of the United States has the unified powers within the executive branch of Government as a Unitary Executive. The same theory as described in the Federalist papers prompts an entirely different perspective. John Jay wrote, "Nay, that absolute monarchs will often make war when their nations are to get nothing by it, but for purposes and objects merely personal, such as a thirst for military glory, revenge for personal affronts, ambition, or private compacts to aggrandize or support their particular families or partisans." He particularly rejected the image of a king as President.

One Call Away: 911 Abuse as a Weapon Against Minorities, by Jameesha Rock. **160**
The phenomenon of white people calling the cops on minorities in non-

emergency situations has become common place. Many citizens have shared their outrage that law enforcement is called on people as a basis of racial discrimination. Many white citizens who have made false reports on minorities have yet to be sanctioned for their clear misuse of emergency response personnel. Instead, cops who respond to the false claim often act as mediators between the disputing parties, or they try to assure the white individual that the black party is of no threat. This act of calling 911 to make a false report of danger or threat intrudes on the black party's privacy and could lead to potentially dangerous situations.

Identity and discrimination in the Work Place: An Intersectional, Legal History, by Cameron Ryan **172**
Intersectionality is a theory originating from Kimberlé Crenshaw in 1989. The theory focuses on, "the complex, cumulative way in which the effects of multiple forms of discrimination (such as racism, sexism, and classism) combine, overlap, or intersect especially in the experiences of marginalized individuals or groups." This theory is used by feminist theorists to shed light on the plight of African-American women and women of other minority groups. The protection against such discrimination has been a recent development within only a few decades. This development has been fought in the office of lawmakers and in all the levels of the U.S. Courts of law. This article will analyze how the courts have dealt with such discriminatory cases, how the law has transformed, and how opinions have been adjusted to uphold the spirit of the U.S. Constitution.

Do We Draw a Line Between Freedom of Speech and Hate Speech in American Law? by Raneem Shehadeh **181**
With the extreme significance of First Amendment rights to the American people, the idea of restricting certain forms of speech, based on how offensive or discriminatory it is, is highly debatable. This paper aims to analyze past Supreme Court decisions of cases that dealt with hate speech in order to explore the constitutionality of it. It examines the ways the Court distinguishes whether there should be a line drawn between freedom of speech and hate speech in some extreme cases taking into consideration people's First Amendment rights. It is important to examine these opinions in order to promote an accepting environment as well as protect our freedom of speech.

The WTO Security Exception and Limits of the Rules-Based

System by Stephan G. Schneider. . . . . **.192**
History shows that international politics is as complex as it can be contentious. Indeed, that is why our globalized world has resorted to the power of law to define the manner in which nation-states interact with each other. However, what does the system do when it is pushed to its boundaries? What happens when the means of predicting behavior is compromised? After sixty years without a questionably bad-faith invocation of Article XXI within the WTO, such stability may see its greatest test, if not its end.

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