ARTICLES

Abating Property Taxes in Tennessee: An Essential Tool in the Economic Development Toolbox
G. Mark Mamantov

A Tennessee Seed Capital-Qualified Investment Tax Credit: A Survey and Concrete Proposal for Legislative Action
Tom Ehrberger

Buying Assets in Tennessee: An Annotated Model Tennessee Asset Purchase Agreement
Angela Humphreys Hamilton & Joan MacLeod Hemenway

ESSAY

IRS Examinations of Tax-Exempt Bonds: An Agency's Perspective
James L. Rayborn

BOOK REVIEW

A Review of Heath, Thereof, and Everywhere: A Contrarian Guide to Legal Drafting
M. Jermaine Watson

CASE COMMENTARIES

Bankruptcy, Commercial Contracts, Professional Responsibility, Property, Securities & Tax
## CONTENTS

**BUSINESS FACULTY NOTES**

**ARTICLES**

- Abating Property Taxes in Tennessee: An Essential Tool in the Economic Development Toolbox
  - G. Mark Mamantov
  - Page 89

- A Tennessee Seed Capital Qualified Investment Tax Credit: A Survey and Concrete Proposal for Legislative Action
  - Tom Eikenberry
  - Page 105

- Buying Assets in Tennessee: An Annotated Model Tennessee Asset Purchase Agreement
  - Angela Humphreys Hamilton & Joan MacLeod Heminway
  - Page 209

**ESSAY**

- IRS Examinations of Tax-Exempt Bonds: An Agent’s Perspective
  - James L. Raybeck
  - Page 259

**BOOK REVIEW**

- A Review of Hereof, Thereof, and Everywhereof: A Contrarian Guide to Legal Drafting
  - M. Jermaine Watson
  - Page 271

**CASE COMMENTARIES**

- Bankruptcy, Commercial, Contracts, Professional Responsibility, Property, Securities and Tax
  - Page 275

In December 2002, West Publishing Company published An Introduction to Estates and Trusts, a casebook authored by Professor Amy Hess, Valerie J. Vollmar, and Robert Whitman.

Professor George Kuney’s article, “Further Misinterpretation of Bankruptcy Code § 363(f): Elevating In Rem Interests and Promoting the Use of Property Law to Bankruptcy-Proof Real Estate Developments,” was published in the January issue of The American Bankruptcy Law Journal. Additionally, West publishing has published Prof. Kuney’s text The Elements of Contract Drafting with Questions and Clauses for Consideration and its accompanying teachers manual. The text has generated positive support for use in the Fall 2003 semester from drafting programs in California, Texas, and Tennessee. Prof. Kuney’s article “Selling a Business in Bankruptcy Court without a Plan of Reorganization” will be published in the spring issue of CEB's Business Law Practitioner, and the University of California’s CEB expects to publish a two volume treatise by Prof. Kuney entitled California Contract Law in late 2004.
Professor Becky Jacobs’ article, “Pesification and Economic Crisis in Argentina: The Moral Hazard Posed by a Politicized Supreme Court,” will be published this summer as the lead article in the University of Miami Inter-American Law Review, Volume 34, Number 3.

Over the past year, Professor Don Leatherman has headed a task force for the Affiliated & Related Corporations Committee of the ABA’s tax section that considered new loss disallowance rules for consolidated groups, and he authored a report on those rules that will be issued shortly. In May 2003, Prof. Leatherman will moderate a panel at the ABA’s tax section meeting that will discuss the new basis-adjustment regulations for consolidated groups. Additionally, his article, “Why Rite Aid is Wrong,” will be published in the summer issue of the American University Law Review.


Professor Colleen Medill recently spoke at the Section of Employee Benefits Law program at the annual meeting of the Association of American Law Schools. Her remarks, “Company Stock in 401(k) Plans and the Old-Fashioned Duty of Prudence,” will be published in a forthcoming issue of the Employment Law and Employee Rights Policy Journal.

Professor Carl Pierce is one of seven co-authors of the History of the Tennessee Supreme Court, which was published in 2002 and awarded the history prize by the Tennessee Library Association.
Professor Tom Plank, who is visiting at Notre Dame Law School this academic year, recently gave a presentation at the Cardozo Law School entitled “The Security of Securitization and the Future of Security” as part of the symposium “Threats to Secured Lending,” which will be published in the Cardozo Law Review next academic year. In addition, Prof. Plank participated as a member of the panel on “Revised Article 9: Questions from the Perplexed: Common Drafting Problems” at the ABA Business Law Section’s annual meeting, where he discussed perfection of security interests in electronic chattel paper and perfection forms in commercial transactions. Also, the Notre Dame Law Review will publish his article, “The Erie Doctrine and Bankruptcy.”

Professor Gary Pulsinelli recently coached a moot court team representing the University of Tennessee College of Law in the Saul Lefkowitz Trademark Law Moot Court competition. Under his tutelage, the team won the February 22, 2003 southeast regional competition held in Atlanta, Georgia, qualifying for the national finals held in Washington, D.C. on March 15, 2003. Prof. Pulsinelli’s team competed extraordinarily well in the national finals and received awards as the Second Place Oralist Team and for writing the Second Place Brief.

Professor Greg Stein participated in a symposium entitled “The United States and China into the 21st Century: A Symposium on History, Culture, and International Relations,” held April 3-5, 2003, at Nankai University in Tianjin, China. Prof. Stein provided comments on two papers, one by Prof. Gerald Rosenberg of the University of Chicago that addresses the globalization of law and another by Prof. Han Tie of Nankai University that addresses private property rights in American legal history. He also gave a presentation about Yankee Stadium and the ways in which American law, history, and culture intersected in the construction and renovation of the stadium.

Earlier this year, Professor Paulette J. Williams attended her first meeting as a newly elected member of the Clinical Legal Education Association board at the January meeting of the Association of American Law Schools.