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Editor's Note

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EDITOR'S NOTE

With this issue the Review completes its annual notations of the Court of Appeals' cases from the 1955 term; these cases were all contained in 1 and 2 N. Y. 2d. In addition, our annual "box score" is to be found in the back of this issue, which may be of some help to those lawyers who wish to discover the predilections of the various judges. While the breakdown does not include any "type of case" analysis, it may be of value to note some of the more obvious statistics. The Court disposed of the same number of cases in the 1955 term as they did in the previous term, though opinions were written in four more. Since the total number of opinions remained the same, the number of dissents correspondingly decreased.

There were several important and interesting cases in this term which are printed herewith. The first of these, *Brown v. Kingsley Books*, sustained the validity of the New York obscenity statute and its restraint on distribution. Miss June Murray, who noted the case, will compare this decision with *Roth v. United States*—wherein the second circuit sustained the validity of the federal statute—in our next issue, instead of her previously planned comment on the *Defense Milk* case. Both *Prashker v. United States Guarantee Co.* and *American Surety Co. v. Diamond* present highly interesting questions in the insurance field, and the latter will be the subject of a comment in the next issue by Richard Griffin. Those who specialize in the field of domestic relations will find the cases of *Vanderbilt v. Vanderbilt* and *Bachman v. Mejias* vital to their practise. Important to negligence lawyers is the case of *Berg v. New York Society For The Relief of The Ruptured* which portends the overthrow of the *Schloendorff* rule of hospital immunity for the medical acts of its employees.

The review is proud to present our leading article for this issue, which was written by William Naimark and Charles Sandberg, partners in the Buffalo law firm of Naimark and Sandberg. Mr. Sandberg has worked for both the New York State and the United States Departments of Labor, and he formerly was associated with the General Counsel's office of the NLRB. Mr. Naimark, a graduate of St. John's Law School, has been a member of the General Counsel's office of

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the NLRB in Cincinnati, Buffalo, and Philadelphia. Both men bring to their article a wealth of experience which more than qualifies them to write on the procedure of the NLRB. The article is written so that a lawyer without previous experience with the Board may obtain a comprehensive and authoritative picture of the Board's procedure without delving into a morass of decisions, rulings, and regulations.