

## Volume 53, issue 1, Front Matter

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# **GOLDEN GATE UNIVERSITY LAW REVIEW**

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VOLUME 53

APRIL 2023

NUMBER 1

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The subscription price is \$35.00 per year. International shipping carries an additional \$7.00 charge. Subscriptions are renewed automatically unless a cancellation is received 30 days before publication. Claims for issues not received must be filed within six months of publication, or they will not be honored without additional charges. Back issues may be ordered directly from William S. Hein & Co., Inc., 2350 N Forest Rd, Getzville, NY 14068. Orders may also be placed by calling Hein at (800) 828-7571, via fax at (716) 883-8100, or email to [order@wshein.com](mailto:order@wshein.com). Back issues can also be found in electronic format on HeinOnline, <http://heinonline.org>. Microfilm copies of back issues are available from NA Publishing, (800) 420-6272.

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## PREFACE

Welcome to Volume 53 of the *Golden Gate University Law Review*. “Roaring back!” If you say these words to any San Francisco sports fan, you will likely hear the story of how a thrilling Super Bowl victory established the San Francisco 49ers as a modern force with which to be reckoned. In the wake of the global pandemic, and thanks to the efforts of our dedicated staff writers, associate editors, and executive board members, the *Golden Gate University Law Review* has come roaring back with Volume 53.

The *Golden Gate University Law Review* is a student-run organization that publishes two issues each academic year: the *Ninth Circuit Survey* and the *Comments Edition*. The *Ninth Circuit Survey* issue features student-written Case Notes and Case Summaries that focus exclusively on decisions issued by the United States Court of Appeals for the Ninth Circuit. The *Ninth Circuit Survey* is published during the Spring term. The *Comments Edition* features general interest articles, including student-written Comments and Articles written by practicing attorneys, judges, and academics. The *Comments Edition*, published during the Summer or Fall term, provides a forum for students and legal professionals to explore deeply relevant and contemporary topics in the broader legal landscape.

Since its establishment in 1969, the *Golden Gate University Law Review* has dedicated itself to scholarly writing on a wide range of legal topics, all of which contribute to the broader legal discourse at the state, national, and international levels. The *Ninth Circuit Survey* is the only law review journal focusing exclusively on Ninth Circuit decisions. Because the Ninth Circuit is the largest of all the federal circuit courts, the legal scholarship offered in the *Ninth Circuit Survey* considers legal questions that have far-reaching implications.

This year’s *Ninth Circuit Survey* continues this tradition of timely, focused, and thoughtful discussion of contemporary legal topics. Although the recent global pandemic necessarily curtailed participation in many of the traditions we ordinarily take for granted, we are happy to announce that this year’s issue marks Golden Gate University’s return as host of the annual Justice Ronald M. George Distinguished Lecture Series at the Ninth Circuit court. The event features student authors who are recognized for their contributions.

The Case Summaries and Case Notes in this issue provide detailed analyses and criticism of some of the Ninth Circuit’s most recent deci-

sions. The two Case Summaries walk readers through the Ninth Circuit's reasoning in cases that considered the standards by which Freedom of Information Act requests and allegations of copyright infringement should be evaluated. One of the Case Notes offers a critical discussions of a Ninth Circuit decision that considered the appropriateness of classifying employees of ride-sharing services as independent contractors. The other Case Note considers the long-term environmental implications of current interpretations of the Clean Water Act.

We want to express our gratitude to the people who have been instrumental in ensuring the success of Volume 53 of the *Golden Gate University Law Review Ninth Circuit Survey*. Specifically, we would like to thank Dean Colin Crawford for advocating for the journal and providing us with his continued intellectual and creative support; Tara Cooley for her editorial and Bluebook assistance; Professor Jennifer Babcock for her expert guidance and congenial strength in her role as *Golden Gate University Law Review's* Faculty Advisor; and Professors Heather Varanini and Michael Daw for their continued support of our writers. Finally, we offer our sincerest thanks to the authors featured in this issue. The *Ninth Circuit Survey, Volume 53*, represents the culmination of their time, passion, and devotion to the critical issues they have addressed.

As Editor-in-Chief and Managing Editor for the 2022–2023 academic year, we have been continually inspired by the hard work and dedication of the 2022-2023 *Golden Gate University Law Review* Staff Writers, Associate Editors, and Executive Board Members whose tireless efforts made this edition possible. The success of every law review issue depends upon the collaborative efforts of such a talented team. We are privileged to present this edition of the *Golden Gate University Law Review Ninth Circuit Survey*.

Thomas Langtry  
*Editor-in-Chief*

Lizet Palomera Torres  
*Managing Editor*

# GOLDEN GATE UNIVERSITY LAW REVIEW

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VOLUME 53

APRIL 2023

NUMBER 1

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