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# JOURNAL OF INTERNATIONAL BUSINESS & LAW

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**JOURNAL OF INTERNATIONAL BUSINESS AND LAW**

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A PUBLICATION OF THE HOFSTRA UNIVERSITY FRANK G. ZARB SCHOOL OF  
BUSINESS AND THE STUDENTS OF THE MAURICE A. DEANE SCHOOL OF LAW AT  
HOFSTRA UNIVERSITY  
2012-2013

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## Preface

This is the second issue of Volume XII of the *Journal of International Business and Law (JIBL)*, a joint publication by the students of the Law School and the Zarb School of Business of Hofstra University. The publication of multiple issues each year as well as the planned peer-reviewed section will not change the focus of *JIBL*, which will remain an interdisciplinary journal focused on international business and law. Also, as always, the journal will publish articles by students, faculty, and practitioners.

The second issue of the XII<sup>th</sup> volume contains a total of 6 articles and 3 notes. The articles in this issue deal with U.S. private equity investment in emerging markets, U.S. foreign trade zones and their effect on the U.S. economy, forced Labor in Complex Global Supply Chains, and a comparison between health care systems in the United States, Canada, and Switzerland.

Please submit your manuscript to:

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Manuscripts sent to the *Journal of International Business and Law* should:

- Be original
- Not have already been published or accepted for publication elsewhere.

We hope you find the second issue of Volume XII of *JIBL* to be useful. We encourage and seek your active participation and patronage in this endeavor.

James P. Neelankavil, Ph.D.  
Founder and Faculty Advisor, *JIBL*  
May 2013



## EDITOR'S PREFACE

This is the second issue of Volume XII of the *Journal of International Business & Law*. This issue includes our second book review, a feature which was added in 2012. Also included is a transcript lecture given at the Maurice A. Deane School of Law at Hofstra University, by Thomas Graham, a Member of the Appellate Body of the World Trade Organization. The lecture gives insight into the process of WTO Appellate Body decisions, and the goals of the Membership.

Volume 12.2 features articles on Foreign and Free-Trade Zones, United States investment in emerging economies, and negotiation and conclusion of international trade agreements in the European Union. The student-written works cover the topics of the takings clause as it relates to AIG, preventing the tide of human trafficking and slavery in global supply chains, and a piece on class action arbitrations, which was updated prior to print to reflect the recent Supreme Court decision in *American Express v. Italian Colors Restaurant*, No. 12-133, slip op. at 8-9 (U.S. June 20, 2013). Finally, the submission by the Frank G. Zarb School of Business is a comparative analysis of the health care models of the United States, Canada, and Switzerland.

We hope you enjoy the second issue of Volume XII of the *Journal of International Business & Law* and invite you to view our website, at <http://law.hofstra.edu/jibl>, where you can view previous issues of the *Journal*, learn about its publication procedures and editing philosophy, and subscribe or submit articles. I would like to thank Dr. James P. Neelankavil, the founder of the *Journal*, and our faculty advisor, Professor Julian Ku, for their support and guidance, as we usher the *Journal of International Business & Law* into a promising future.

Jacqueline S. West

Editor-in-Chief

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2012-2013

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**LEGAL AND BUSINESS ARTICLES**

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U.S. Private Equity Investment in Emerging Economies.....*Kelly Fisher  
& Sophie Smyth*

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Given at the Maurice A. Deane School of Law on February 6, 2013

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Present at the Creation.....*Thomas R. Graham  
Member of the Appellate Body, World Trade Organization*

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**BOOK REVIEW**

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Private Empire: ExxonMobil and American Power.....*Michael Berger*

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**NOTES AND STUDENT WORKS**

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Biting the Hand that Feeds: The Takings Clause and AIG.....*Matthew Berger*

The Business Transparency on Trafficking and Slavery Act:  
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A Cross-Cultural Analysis of Health Care Models -  
Lessons Learned on the Importance of Localized  
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