

CURRICULUM VITAE

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Professional Experience

Kirkland & Ellis Distinguished Service Professor of Law, University of Chicago (since 2013)
Member, Committee on International Relations, University of Chicago (since 2003)

2003-2012 Kirkland & Ellis Professor of Law, University of Chicago
Fall 2008 Visiting Professor of Law, NYU Law School
1998-2003 Professor of Law, University of Chicago
1998 Professor of Law, University of Pennsylvania
Fall 1997 Visiting Assistant Professor of Law, University of Chicago
1993-1998 Assistant Professor of Law, University of Pennsylvania
1992-1993 Attorney Adviser, Office of Legal Counsel, U.S. Department of Justice
1991-1992 Law Clerk, Judge Stephen F. Williams, U.S. Court of Appeals, D.C. Circuit

Books

Law and Social Norms: Harvard University Press (2000)
Japanese edition (Bokutakusha, 2002)
Chinese edition (China University of Political Science and Law Publishing House, 2005)
Taiwanese edition (Angle Publishing Company, 2006)
South Asia edition (Universal Law Publishing Company, 2009)

Chicago Lectures in Law and Economics (editor): Foundation Press (2000)

Cost-Benefit Analysis: Legal, Philosophical, and Economic Perspectives (editor, with Matthew Adler): University of Chicago Press (2001)

The Limits of International Law (with Jack Goldsmith): Oxford University Press (2005)
Chinese edition (Law Press of Beijing, forthcoming)
Macedonian edition (forthcoming)

New Foundations of Cost-Benefit Analysis (with Matthew Adler): Harvard University Press (2006)
Arabic edition (Institute of Public Administration, Saudi Arabia, 2010)

Terror in the Balance: Security, Liberty and the Courts (with Adrian Vermeule): Oxford University Press (2007)

Social Norms, Nonlegal Sanctions, and the Law (editor): Edward Elgar (2007)

The Perils of Global Legalism: University of Chicago Press (2009)

Climate Change Justice (with David Weisbach): Princeton University Press (2010)
Korean edition (Sogan Hawoo, forthcoming 2016)

Law and Happiness (editor, with Cass R. Sunstein): University of Chicago Press (2010)

The Economics of Public International Law (editor): Edward Elgar (2010)

The Executive Unbound: After the Madisonian Republic (with Adrian Vermeule): Oxford University Press (2011)
German edition (Duncker & Humblot, 2014)

Contract Law and Theory: Aspen (2011)

Economic Foundations of International Law (with Alan Sykes): Harvard University Press (2013)
Georgian edition (Labyrinth Publishing House, forthcoming 2014)

The Twilight of Human Rights Law: Oxford (forthcoming 2014)
Excerpt republished in Harper's, October 2014

Articles and Book Chapters

Contract Law in the Welfare State: A Defense of Usury Laws, the Unconscionability Doctrine, and Related Limitations on the Freedom to Contract, 24 J. Legal Stud. 283 (1995)

The Regulation of Groups: The Influence of Legal and Nonlegal Sanctions on Collective Action, 63 U. Chi. L. Rev. 133 (1996)

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The Parol Evidence Rule, the Plain Meaning Rule, and the Principles of Contractual Interpretation, 146 U. Pa. L. Rev. 533 (1998)

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The Strategic Basis of Principled Behavior: A Critique of the Incommensurability Thesis, 146 U. Pa. L. Rev. 1185 (1998)

The Demand for Human Cloning, in Clones and Clones: Facts and Fantasies About Human Cloning (Martha C. Nussbaum and Cass R. Sunstein, eds.): W.W. Norton (1998) (with Richard A. Posner) (Reprinted, with a postscript, in 27 Hofstra L. Rev. 579 (1999))

A Positive Theory of Chapter 11, 74 NYU Law Rev. 161 (1999) (with Kevin A. Kordana)

The Decline of Formality in Contract Law, in The Fall and Rise of Freedom of Contract (Frank Buckley, ed.): Duke University Press (1999)

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Arbitration and the Harmonization of International Commercial Law: A Defense of *Mitsubishi*, 39 *Va. J. Inter'l Law* 647 (1999)

Should Debtors Be Forced into Chapter 13?, 32 *Loyola of Los Angeles L. Rev.* 965 (1999)

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Contract Remedies: Foreseeability, Precaution, Causation, and Mitigation, in *The Encyclopedia of Law and Economics* (Boudewijn Bouckaert and Gerrit De Geest, eds.): Edward Elgar (2000)

A Theory of Contract Law Under Conditions of Radical Judicial Error, 94 *Nw. U. L. Rev.* 749 (2000)

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Does Political Bias in the Judiciary Matter?: Implications of Judicial Bias Studies for Legal Reform, 75 *U. Chi. L. Rev.* 853 (2008)

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Constitutional Possibility and Constitutional Evolution, in *Law, Economics and Evolutionary Theory* (Peer Zumbansen and Graf-Peter Calliess eds. 2011)

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What Do Federal District Judges Want?: An Analysis of Publications, Citations, and Reversals, 28 *J. Law, Econ., & Org.* 518 (2012) (with Stephen J. Choi and Mitu Gulati)

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Unemployment, Regulation, and Cost-Benefit Analysis, 98 *Va. L. Rev.* 579 (2012) (with Jonathan Masur)

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Delegation in Immigration Law, 79 *U. Chicago L. Rev.* 1285 (2012) (with Adam Cox)

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The Questionable Basis of the Common European Sales Law: The Role of an Optional Instrument in Jurisdictional Competition, 50 *Common Market L. Rev.* 261 (2013)

The Institutional Structure of Immigration Law, 80 *U. Chicago L. Rev.* 289 (2013)

Benefit-Cost Analysis for Financial Regulation, 103 *Amer. Econ. Rev.: Papers & Proceedings* 393 (2013) (with E. Glen Weyl)

The Law and Policy of Judicial Retirement: An Empirical Study, 42 *J. Legal Stud.* 111 (2013) (with Stephen J. Choi and Mitu Gulati)

The Dynamics of Contract Evolution, 88 *NYU L. Rev.* 1 (2013) (with Stephen J. Choi and Mitu Gulati)

An FDA for Financial Innovation: Applying the Insurable Interest Doctrine to 21st-Century Financial Markets, 107 *Northwestern U. L. Rev.* 1307 (2013) (with E. Glen Weyl)

International Law and the Limits of Macroeconomic Cooperation, 86 *S. Cal. L. Rev.* 1025 (2013) (with Alan Sykes)

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Quadratic Voting as Efficient Corporate Governance, 81 *U. Chicago L. Rev.* 251 (2014) (with E. Glen Weyl)

Voting Rules in International Organizations, 15 Chicago J. Int'l L. 195 (2014) (with Alan O. Sykes)

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Testimony

3/16/99: Subcommittee on Commercial and Administrative Law, Committee on the Judiciary, House of Representatives, U.S. Congress: H.R. 833, The Bankruptcy Reform Act of 1999

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Yale University. B.A., M.A. in philosophy, summa cum laude, 1988

Professional Organizations

Maryland Bar Association (admitted 1991)

American Law and Economics Association

Grants, Fellowships, and Awards

John M. Olin fellowship, University of Southern California (3/95)

University Research Foundation grant, University of Pennsylvania (6/96)

Olin Fellow, University of Virginia Law School (9/02)

Simon Visiting Scholar, Florida State University College of Law (3/18/04)

Fellow, American Academy of Arts and Sciences (elected 2010)

Sloan Grant for Conference on Benefit-Cost Analysis and Financial Regulation (2013) (with Glen Weyl)

Teaching

Contracts; Secured Transactions; Bankruptcy; Corporate Reorganization; Seminar on Contract Theory; Seminar on Game Theory and the Law; Employment and Labor Law; Public International Law; International Human Rights Law; Foreign Relations Law; International Law Workshop; European Union Law; Seminar on the Financial Crisis of 2008-2009; Banking Law; Seminar on the Federal Reserve Board; Seminar on Executive Power; Seminar on Originalism and Its Critics

Other Professional Activities

Of Counsel, Boies, Schiller & Flexner (since 2010)

Member, American Law Institute (elected 2014)

Columnist, Slate Magazine (since 2012)

Editor, The Journal of Legal Studies (1998-2010)

Adviser, Restatement (Third) of Restitution, American Law Institute

Referee for Journal of Law and Economics, Journal of Economic Literature, Oxford University Press, Harvard University Press, Edward Elgar, Quarterly Journal of Economics, National Science Foundation, Law and Social Inquiry, American Economic Review, Journal of Law, Economics, & Organization, American Law and Economics Review, International Review of Law and Economics, American Journal of Political Science, Law and Society Review, Journal of Policy Analysis and Management, Journal of the European Economics Association, Health Affairs, University of Chicago Press, Canada Council for the Arts, World Politics, Supreme Court Economic Review, Law and Philosophy, Ethics and International Affairs, Institute of Medicine, Israel Science Foundation, Conflict Management and Peace Science, Smith Richardson Foundation, Yale University Press, Hart Publishing, Journal of Peace Research, British Journal of Political Science, National Academy of Sciences, Social Theory and Practice, Politics, Philosophy and Economics, Journal of Global Ethics, Climate Policy, Political Science Quarterly, Journal of Benefit-Cost Analysis, Journal of Legal Analysis

Member, Editorial Board, Law & Social Inquiry (2000-2001)

Member, Board of Directors, American Law and Economics Association (2000-2003; 2013-)

Member, Board of University Publications, University of Chicago (2001-2004)

Member, Editorial Board, Review of Law and Economics (2004-)

Member, Oxford University Press Legal Education Advisory Board (2006-)

Member, Editorial Board, Journal of Benefit-Cost Analysis (2009-)

Short-Term Consultant, World Bank (2007)

Participant in Simulated Canada-United States Negotiation Over the Northwest Passage, sponsored by ArcticNet (Ottawa, February 2008)

Member, Faculty Steering Committee, Milton Friedman Institute (2008-2010)

Member, International Advisory Board, the Centre for Law, Economics and Society, University College London (2013-)

Member, Editorial Board, Economic Analysis of Law Review (2014-)

Presentations

Available upon request