



2019-2021 SELECT SCHOLARSHIP

Caroline Cecot
Assistant Professor of Law



Education

AB, Harvard University,
PhD, Vanderbilt University,
JD, Vanderbilt Law School

Select Publications 2019-2021

Deregulatory Cost-Benefit Analysis and Regulatory Stability, 68 Duke Law Journal 1593 (2019)

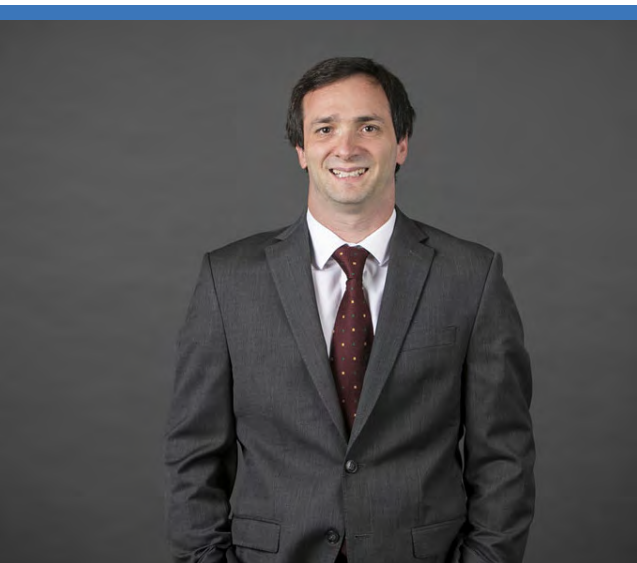
The Data Gap: Promoting Analysis of Exposure-Related Harms, 69 DePaul Law Review 297 (2020)

Transparency in Agency Cost-Benefit Analysis, 72 Administrative Law Review 157 (2020) (with Robert W. Hahn)

Filling the Federal Enforcement Gap, 33 Natural Resources & Environment 36 (2019)

Environmental Law and Policy, 4th Ed. (with Richard L. Revesz, Michael A. Livermore, and Jayni Foley Hein) (Foundation Press, 2019)

Robert Leider
Assistant Professor of Law



Education

BA, George Washington University
JD, Yale Law School
PhD, Georgetown University

Select Publications 2019-2021

Federalism and the Military Power of the United States, 73 Vanderbilt Law Review 989 (2020)

The Modern Common Law of Crime, 111(2) Journal of Criminal Law and Criminology (2021)

Yijia Lu

Assistant Professor of Law



Education

BA, Princeton University
JD, Stanford Law School
PhD, Yale University

Select Publications 2019-2021

Testing a Fine Is a Price in the Lab, 63 International Review of Law and Economics, Article 105931 (2020) (with Lewis Kornhauser and Stephan Tontrup)

Why Is Free Education So Popular? A Political Economy Explanation, 22 Journal of Public Economic Theory 973 (2019) (with Juan Correa, Francisco Parro, and Mauricio Villena)

Jennifer Mascott*

Assistant Professor of Law



Education

BS, University of Maryland
JD, George Washington University Law School

Select Publications 2019-2021

Early Customs Laws and Delegation, 87 George Washington Law Review 1388 (2019)

Independent Agencies: How Independent Is Too Independent, 32 Regent University Law Review 63 (2019-2020) (panel, with William W. Buzzbee, John Eastman, Henry Kerner, and Diane S. Sykes)

*Returned from Leave Spring 2021

Jordan Neyland

Assistant Professor of Law



Education

BA, University of Texas
MS, University of Arizona
PhD, University of Arizona
JD, University of Houston Law Center

Select Publications 2019-2021

Love or Money: The Effect of CEO Divorce on Firm Risk and Compensation, 60 *Journal of Corporate Finance*, Article 101507 (2020)

Hidden Wealth Transfers in Bankruptcy Asset Sales: A Real Option Analysis, *Berkeley Business Law Journal* (Forthcoming) (with Kathryn St. John)

Weijia Rao

Assistant Professor of Law



Education

LLB, Tsinghua University
BA, Tsinghua University
LLM, University of Chicago Law School
JSD, University of Chicago Law School

Select Publications 2019-2021

Sticky BITs, 61 *Harvard International Law Journal* 357 (forthcoming 2020) (with Cree Jones)

Development Status and Decision-Making in Investment Treaty Arbitration, 59 *International Review of Law and Economics* 1 (2019)

Are Arbitrators Biased in ICSID Arbitration? A Dynamic Perspective, 66 *International Review of Law and Economics* (Forthcoming 2021)

Paolo Saguato

Assistant Professor of Law



Education

BA, University of Genoa

JD, University of Genoa

PhD, University of Genoa

LLM, Yale Law School

Select Publications 2019-2021

The Unfinished Business of Regulating Clearinghouses, 2020(2) Columbia Business Law Review 449 (2020)

Financial Market Infrastructures: The Essential Role of Risk Management, in Governance Of Financial Institutions (Danny Busch, Guido Ferrarini, and Gerard Van Solinge, editors | Oxford University Press 2019)

Clearinghouses and Systemic Risk, in Systemic Risk in The Financial Sector: Ten Years After the Great Crash (Douglas A. Arner, Emiliios Avgouleas, Danny Busch, and Steven L. Schwarcz, editors | Cigi Press 2019) (with Guido Ferrarini)

Financial Market Infrastructures—Law And Regulation (eds. with Jens-Hinrich Binder) (Oxford University Press forthcoming 2021)

Securities and Derivatives Clearinghouses: Market Structures and Regulatory Framework – a Trans-Atlantic Analysis, in Financial Market Infrastructures—Law and Regulation (forthcoming, Oxford University Press 2021) (Jens-Hinrich Binder & Paolo Saguato, editors) No link

Financial Market Infrastructures: The International Approach and the Current Challenges, in Financial Market Infrastructures—Law And Regulation (Jens-Hinrich Binder & Paolo Saguato editors Oxford University Press forthcoming 2021) (with Guido Ferrarini and Eric Pan)

Financial Regulation, Corporate Governance, and the Hidden Costs of Clearinghouses, 82 Ohio State Law Journal (forthcoming 2021)

John M. Yun

Associate Professor of Law and Director of Economic Education, Global Antitrust Institute



Education

BA, University of California Los Angeles
PhD, Emory University

Select Publications 2019-2021

Twelve Fallacies of the “Neo-Antitrust” Movement, 26 *George Mason Law Review* 1491 (2019) (with Seth B. Sacher)

Use and Abuse of Bargaining Models in Antitrust, 68 *Kansas Law Review* 1055 (2020)

Does Antitrust Have Digital Blind Spots?, 72 *South Carolina Law Review* 305 (2020)

Are We Dropping the Crystal Ball? Understanding Nascent & Potential Competition in Antitrust, *Marquette Law Review* (forthcoming)

Defining Geographic Markets With Willingness to Travel Circles, *Supreme Court Economic Review* (forthcoming) (with Shawn W. Ulrick, Seth B. Sacher, and Paul R. Zimmerman)

Antitrust After Big Data, 4 *Criterion Journal on Innovation* 407 (June 2019)

Potential Competition and Nascent Competitors, 4 *Criterion Journal on Innovation* 625 (2019)

The Impulse to Condemn the Strange: Assessing Big Data in Antitrust, 2 *CPI Antitrust Chronicle*, Issue 2, At 16 (February 2020) (with Alexander Krzepicki and Joshua D. Wright)

News Media Cartels Are Bad News for Consumers, *Competition Policy International’s North American Column* (April 2019)

Static vs. Dynamic Antitrust: A Reply, *Competition Policy International* (June 16, 2019)

Some Reactions to “Reactionary Antitrust,” *Concurrents Competition Law Review* 1 (Nov. 2020) (with Seth B. Sacher)

Ohio v. American Express: Implications for Non-Transaction Multi-Sided Platforms, in *Media*

Markets and Competition Law: Multinational Perspectives (David S. Evans, Antonio Bavasso, and Douglas H. Ginsburg, editors | *Competition Policy International* 2019)

Online Gatekeepers to Commerce and Culture, 2 *CPI Antitrust Chronicle* (2021)

The Legality of Legacy Business Practices in Antitrust, 24 *University of Pennsylvania Journal of Business Law* (forthcoming)

Tailoring Critical Loss to the Competitive Process, 65 *International Review of Law and Economics* (2021) (with Malcolm B. Coate and Shawn W. Ulrick)

The Coming of Age of Open Data, in *Economic Analysis of Law in European Legal Scholarship* (Klaus Mathis, ed., forthcoming)

Helen M. Alvaré

Professor of Law



Education

BS, Villanova University
 MA, The Catholic University of America
 JD, Cornell Law School

Select Publications 2019-2021

Gender Mistrust as a Public Health Crisis: A Preliminary Proposal, 108 *Georgetown Law Review* 1401 (2020)

Personhood: Law, Common Sense, and Humane Opportunities, 76 *Washington & Lee Law Review Online* 99 (2020)

A Perfect Storm: Religion, Sex, and Administrative Law, 92 *St. John's Law Review* 697 (2019)

Is This Any Way to Make Civil Rights Law? Judicial Extension of "Marital Status" Nondiscrimination to Protect Cohabitants, 17 *Georgetown Journal Of Law & Public Policy* 247 (2019)

Beyond Moralism: A Critique and a Proposal For Catholic Institutional Religious Freedom, 19 *Connecticut Public Interest Law Journal* 149 (2020)

Abortion and Democracy, *Howard Human & Civil Rights Law* (forthcoming 2020)

Christianity and the Laws of Conscience: An Introduction (forthcoming, Cambridge University Press 2021) (editor, with Jeffrey B. Hammond)

Contraception and U.S. Law and Messaging, in *Humanae Vitae: 50 Years Later: Embracing God's Vision For Marriage, Love, and Life* (Theresa Notare, editor | Catholic University Press 2019)

Sex, Marriage, and Parenting: Culture versus the Catholic Difference, in *Renewing Catholic Family Life* (Gregory K. Popcak, editor | Our Sunday Visitor Publishing 2020)

Judges Rewrite History and Law to Redefine Marriage, in *Marriage, Children, and Family: Modern Challenges and Comparative Law Perspective* (Grzegorz Blicharz, editor | Prawo Publiczne 2019)

Domestic Violence Law: A Perpetual Search for the Best Legal Solutions, in *Marriage, Children, And Family: Modern Challenges And Comparative Law Perspective* (Grzegorz Blicharz, editor | Prawo Publiczne 2019)

The Sexualization Of Children: A Massive Problem with Insufficient Solutions, in *Marriage, Children, and Family: Modern Challenges and Comparative Law Perspective* (Grzegorz Blicharz, editor | Prawo Publiczne 2019)

The Struggle for Conscience Protection in an Increasingly Secularized Context, in *Freedom Of Conscience: A Comparative Law Perspective* (Grzegorz Blicharz, editor | Prawo Publiczne 2019)

Hate Crimes: A Delicate Balancing of Speech and Harm Prevention, in *Freedom Of Speech: A Comparative Law Perspective* (Grzegorz Blicharz, editor | Prawo Publiczne 2019)

Religious Displays: The Interplay of Free Speech and the Nonestablishment of Religion, in *Freedom Of Religion: A Comparative Law Perspective* (Grzegorz Blicharz, editor | Prawo Publiczne 2019)

Justice Alvaré, A Dissenting Opinion, in *What Obergefell v. Hodges Should Have Said* (Jack Balkin, editor | Yale Univ Press 2020)

Church Autonomy After Our Lady of Guadalupe School, 25 *Texas Review of Law & Politics* (forthcoming 2021)

David E. Bernstein

University Professor of Law, Executive
Director, Liberty & Law Center



Education

BS, Brandeis University
JD, Yale Law School

Select Publications 2019-2021

The Modern American Law of Race, 94 Southern California Law Review (forthcoming 2021)

Antidiscrimination Laws and the Administrative State: A Skeptic's Look at Administrative Constitutionalism, 94 Notre Dame Law Review 1381 (2019)

The Right to Armed Self-Defense in the Light of Law Enforcement Abdication, 19 Georgetown Journal of Law & Public Policy (2021)

Class Legislation, Fundamental Rights, and the Origins of *Lochner* and Liberty of Contract, 26 George Mason Law Review 1023 (2019)

Two Decades Ago, The FDA and NIH Mandated the Use of Race to Categorize Subjects and Report Results in Medical and Scientific Research They Oversee. It was a Huge Mistake, Yale Journal on Regulation, Notice & Comment (July 27, 2020) (Symposium on Racism in Administrative Law)

The Perils of Administrative Constitutionalism: An American Perspective, 2 Journal of Commonwealth Law 137 (2020)

The Rise (and Fall?) of Administrative Constitutionalism, 38 Social Philosophy and Policy (forthcoming 2021)

Are Corporations People Too?, 19 Claremont Review of Books, Issue 1, at 47 (2019) (book review)

The New Wigmore: A Treatise on Evidence: Expert Evidence, 3rd Ed. (Wolters Kluwer 2021) (with David H. Kaye, Andrew Ferguson, Maggie Wittlin, & Jennifer Mnookin)

Michelle Boardman
Associate Professor of Law



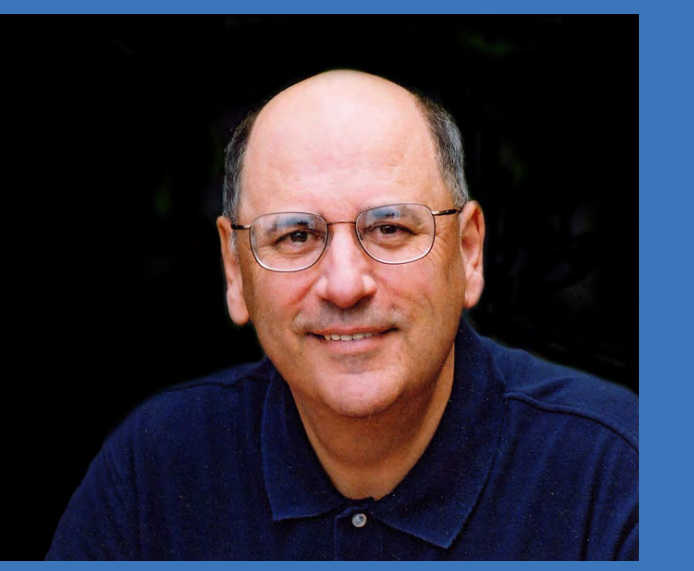
Education

BA, Brown University
JD, University of Chicago Law School

Select Publications 2019-2021

The Unpredictability of Insurance Interpretation,
82 Law & Contemporary Problems 27 (2019)

Francis H. Buckley
George Mason University
Foundation Professor of Law



Education

BA, McGill University
LLB, McGill University
LLM, Harvard Law School

Select Publications 2019-2021

The Place of Empirical Studies, 95 Notre Dame Law
Review 1491 (2020)

The Fall and Rise of Crown Government, 68 Drake
Law Review 247 (2020)

American Secession: The Looming Threat
of a National Breakup (Encounter Books 2020)

Curiosity: And Its Twelve Rules for Life
(Encounter Books April 2021)

Tun-Jen Chiang

Professor of Law



Education

BCom, University of Melbourne
LLB, University of Melbourne
JD, University of Chicago Law School

Select Publications 2019-2021

Patents and Free Speech, 107 Georgetown Law
Journal 309 (2019)

Questioning Patent Alienability, 57 Houston Law
Review 287 (2019)

Eric R. Claeys

Professor of Law



Education

AB, Princeton University
JD, University of Southern California
School of Law

Select Publications 2019-2021

Claim Communication in Intellectual Property:
A Comment on Right on Time, 100 Boston University
Law Review Online 4 (2020)

Property, Concepts, and Functions,
60 Boston College Law Review 1 (2019)

Patent Injunctions, Economics, and Rights, 49
Journal Of Legal Studies (forthcoming 2020)
(with Adam Mossoff)

James C. Cooper

Associate Professor of Law and Director,
Program on Economics & Privacy



Education

BA, University of South Carolina
JD, George Mason University School of Law
PhD, Emory University

Select Publications 2019-2021

A Chip Off the Old Block or a New Direction for Payment Card Security? The Law and Economics of the U.S. Transition to EMV, 2018 Michigan State Law Review 869 (2019) (with Todd Zywicki)

Equitable Monetary Relief Under the FTC Act: An Opportunity for a Marginal Improvement, Antitrust Law Journal (forthcoming 2021)

Conflicts of Interest on Committees of Experts: The Case of Food and Drug Administration Drug Advisory Committees, 62 Journal of Law and Economics 321 (2019) (with Joseph Golec)

State Licensing Boards, Antitrust, and Innovation, Journal of Law, Economics & Policy (forthcoming 2020) (with Elyse Dorsey and Joshua D. Wright)

Donald J. Kochan

Professor of Law and Deputy Executive
Director, Law & Economics Center



Education

BA, Western Michigan University
JD, Cornell Law School

Select Publications 2019-2021

On the Imperative of Civil Discourse: Lessons from Alexander Hamilton and Federalist No. 1, 94 Southern California Law Review Postscript 32 (2020)

The Meaning of Federalism in a System of Interstate Commerce: Free Trade Among the Several States, 95 Notre Dame Law Review Reflection 166 (2020)

Strategic Institutional Positioning: How We've Come to Generate Environmental Law Without Congress, 6 Texas A&M Law Review 323 (2019)

Craig Lerner

Professor of Law



Education

AB, Harvard University
MA, University of Chicago
JD, Harvard Law School

Select Publications 2019-2021

Justice Scalia's Eighth Amendment Jurisprudence: The Failure of Sake-of-Argument Originalism, 42 Harvard Journal of Law and Public Policy 91 (2019)

"Crimes Involving Moral Turpitude": The Constitutional and Persistent Immigration Law Doctrine, 44 Harvard Journal of Law & Pubic Policy 71 (2021)

Is the Death Penalty Dead?, 19 Claremont Review of Books, Issue 3 (2019)

Ross E. Davies

Professor of Law



Education

BA, Washington University

JD, University of Chicago Law School

Select Publications 2019-2021

Extreme Almanacs and Transient Justices, 9 Journal Of Law 1 (2019)

Conan Doyle for the Defense, Saturday Review Of Literature, at 17 (January 12, 2019) (book review)

The 2019 Green Bag Almanac & Reader (Green Bag Press 2019) (editor, with Cattleya M. Concepcion)

The 2020 Green Bag Almanac & Reader (Green Bag Press 2020) (editor, with Cattleya M. Concepcion)

Re-Readings, Volume IV (Green Bag Press 2019) (editor)

Re-Readings, Volume V (Green Bag Press 2020) (editor)

A Changed Court: Summer Greetings from Justice McKenna to Justice Day, in 2020 Green Bag Almanac (Green Bag Press 2020)

An Ursine Foot Note, Re-Readings, Volume V, At 1 (2020)

Introduction, Literary Legal Literacy, Re-Readings, Volume IV, at 1 (2019)

Ebb and Flow in Safe Harbors: Some Exemplary Experiences Under One Old Statute and One New, Center for the Protection of Intellectual Property (September 2020) (policy brief)

Holmes Reads Holmes: Reflections on the Real-Life Links Between the Jurist and the Detective in the Library, in the Courtroom, and on the Battlefield (Talbot Publishing 2020) (editor, with M. H. Hoeflich)

Who Cares What Congress Thinks? Not James Mann: The Mann Act's Marbury Moment, 10 Journal of Law 105 (2020)

Business as Unusual as Usual, 10 Journal of Law 127 (2020)

The Black Book of Justice Holmes: Text Transcript and Commentary (Talbot Publishing 2021) (editor, with M.H. Hoeflich)

The 2021 Green Bag Almanac & Reader (Green Bag Press 2021) (editor, with Cattleya M. Concepcion)

Nuno Garoupa

Professor of Law, Associate Dean
for Research and Faculty Development
& Faculty Director of Graduate Studies



Education

BA, Universidade Nova de Lisboa

MSc, University of London

LLM, University of London

PhD, University of York

Select Publications 2019-2021

Drawing the Legal Family Tree: An Empirical Comparative Study of 170 Dimensions of Property Law in 129 Jurisdictions, 12 *Journal of Legal Analysis* (forthcoming 2020) (with Yun-chien Chang and Martin Wells)

Estimating Judicial Ideal Points in Bi-Dimensional Courts: Evidence from Catalonia, 17 *Journal of Empirical Legal Studies* 383 (2020) (with Lucia Dalla Pellegrina and Marian Gili)

Do Legal Origins Predict Legal Substance?, 63 *Journal of Law and Economics* (forthcoming 2020) (with Anu Bradford, Yun-chien Chang, and Adam Chilton)

Measuring Procedural and Substantial Amendment Rules: An Empirical Exploration, 22 *German Law Journal* (forthcoming 2020) (with Catarina Santos Botelho)

Property Rights in Sequential Exchange, 35 *Journal of Law, Economics, and Organization* 127 (2019) (with Benito Arruñada and Giorgio Zanarone)

Exploring Dissent in the Supreme Court of Argentina, 63 *International Review of Law and Economics* (2020) (with Sergio Muro, Sofia Amaral-Garcia, and Alejandro Chehtman)

Spurred by Legal Tradition or Contextual Politics? Lessons About Judicial Dissent from Slovenia and Croatia, 63 *International Review of Law and Economics* (forthcoming 2020) (with Peter Grajzl)

Optimal Imprisonment and Fines with Non-Discriminatory Sentences, 182 *Economics Letters* 105 (2019) (with Murat Mungan)

Policy Forum: Domestic Tax Arbitration: Some Economic Considerations, 47 *Intertax* 760 (2019)

Judicial Performance and Trust in Legal Systems: Findings from a Decade of Surveys in over Twenty European Countries, 101 *Social Science Quarterly* (forthcoming 2020) (with Pedro C. Magalhães)

Public Trust in the European Legal Systems: Independence, Accountability and Awareness, 43 *West European Politics* (forthcoming 2020) (with Pedro C. Magalhães)

Curso De Análise Econômica Do Direito [Brazilian Law And Economics] (Edições Atlas 2020) (with Antonio M. Porto)

Constitutional Review, in *The Oxford Handbook Of Public Choice*, Volume 2 (Roger D. Congleton, Bernard N. Grofman, and Stefan Voigt, editors | Oxford University Press 2019)

Judicial Politics: The Constitutional Court, in *The Oxford Handbook of Spanish Politics* (Diego Muro And Ignacio Lago, editors | Oxford University Press 2020) (with Pedro C. Magalhães)

Constitutional Courts and National Parliaments In Spain and Portugal, in *The Iberian Legislatures in Comparative Perspective* (Jorge Fernandes and Cristina Leston Bandaiera, editors | Routledge 2019) (with Joan Solanes Mullor and Teresa Violante)

Law and Economics and Economic Design, in *The Future Of Economic Design* (Erhan Gümüs, Herve Moulin, Jean-François Laslier, Remzi Sanver, and William Zwicker, Editors | Springer 2019)

Comment on "Accuracy of Verdicts Under Different Jury Sizes and Voting Rules," 28 *Supreme Court Economic Review* 237 (2020)

Constitutions and Courts, in *Comparative European Politics: Distinctive Democracies, Common Challenges* (Rory Costello and Neil Robinson, editors | Oxford University Press 2020) (with P. C. Magalhães)

High Courts in Global Perspective: Evidence, Methodologies, and Findings (University of Virginia Press 2021) (editor, with R. D. Gill and L. B. Tiede)

Measuring Procedural and Substantial Amendment Rules: An Empirical Exploration, 22 *German Law Journal* 216 (2021) (with Catarina Santos Botelho)

A Theory of Defiant Courts in Non-Democratic Regimes, *Journal of Legal Studies* (forthcoming 2021) (with L. Karakas)

Deregulation and the Lawyers' Cartel, 43 *University of Pennsylvania Journal of International Law* (forthcoming 2021) (with M. Markovic)

Mixed Judicial Selection and Constitutional Review: Evidence from Spain, 17 *European Constitutional Law Review* (forthcoming 2021) (with M. Gili and F. Gómez-Pomar)

Chapter in book *European Constitutional Courts*. T. Bagashka and Nuno Garoupa

Bruce Kobayashi

Professor of Law



Education

BS, University of California Los Angeles
MA, University of California Los Angeles
PhD, University of California Los Angeles

Select Publications 2019-2021

Equitable Monetary Relief Under the FTC Act: An Opportunity for a Marginal Improvement, *Antitrust Law Journal* (forthcoming 2021) (with James Cooper)

What's Next in *Apple Inc. v. Pepper*? The Indirect Purchaser Rule and the Economics of Pass-Through, 2018-2019 *Cato Supreme Court Review* 249 (2019) (with Joshua D. Wright)

Economics at the FTC: Quantitative Analyses of Two Chemical Manufacturing Mergers, 55 *Review of Industrial Organization* 607 (2019) (with Daniel Greenfield, Jeremy Sandford, Christopher Taylor, and Nathan Wilson)

Antitrust, Non-Competition, and No Poach Agreements in Digital Industries, *The Global Antitrust Institute Report on the Digital Economy 20* (2021)

Unreasonable: A Strict Liability Solution to the FTC's Data Security Problem, *Michigan Technology Law Review* (forthcoming 2021) (with James Cooper)

Eugene Kontorovich

Professor of Law and Director, Center for the Middle East and International Law

Education

BA, University of Chicago

JD, University of Chicago Law School



Select Publications 2019-2021

Posner's Pragmatic Justiciability Jurisprudence: The Triumph of Possibility Over Probability, 86 University Of Chicago Law Review 1117 (2019)

The Parochial Uses of Universal Jurisdiction, 94 Notre Dame Law Review 1417 (2019)

Exiting Paris: What the Climate Accord Teaches About the Features of Treaties and Executive Agreements, 51 Case Western International Law Review 103 (2019)

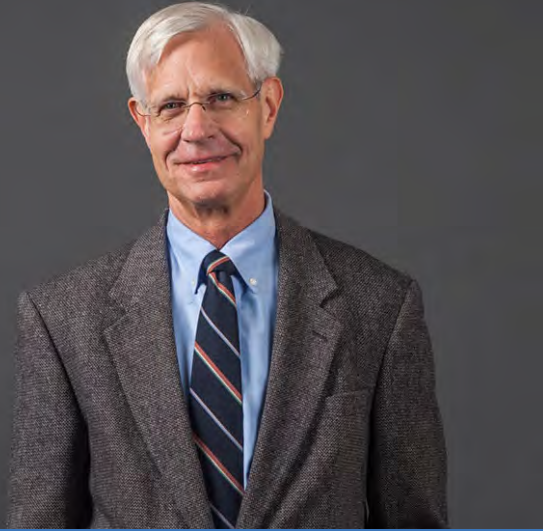
A Comparative Constitutional Perspective on Israel's Nation-State Law, 25 Israel Studies 137 (2020)

Some State Practice Regarding Trade With Occupied Territories: From the GATT to Today, in The Legality Of Economic Activities in Occupied Territories: International, EU Law and Business and Human Rights Perspectives (Antoine Duval and Eva Kassoti, editors | Routledge 2020)

International Law for Just One Nation, Tel Aviv Review of Books (2020) (book review)

Nelson Lund

University Professor of Law



Education

BA, St. John's College (Annapolis)
AM, Harvard University
MA, Catholic University
JD, University of Chicago Law School
PhD, Harvard University

Select Publications 2019-2021

The Constitutionality of Immigration Sanctuaries and Anti-Sanctuaries: Originalism, Current Doctrine, and a Second-Best Alternative, 21 University of Pennsylvania Journal of Constitutional Law 991 (2019)

The Proper Role of History and Tradition in Second Amendment Jurisprudence, 30 University of Florida Journal of Law and Public Policy 171 (2020)

The Mythical McCulloch, 21 Federalist Society Review 18 (2020)

Unleashed and Unbound: Living Textualism in *Bostock v. Clayton County*, 21 Federalist Society Review 176 (2020)

The Second Amendment and the War on Guns, in *Why We Are Losing the War on Gun Violence in the United States* (Marie L. Crandall, Stephanie L. Bonne, Jennifer L. Bronson, and Woodie Kessel, editors | Springer 2021)

The Destructive Legacy of *McCulloch v. Maryland*, in *McCulloch v. Maryland at 200* (Gary J. Schmitt and Rebecca Burgess, editors | American Enterprise Institute 2020)

The Future of the Second Amendment in a Time of Lawless Violence, 116 *Northwestern University Law Review* (forthcoming 2021)

Adam Mossoff

Professor of Law



Education

BA, University of Michigan

MA, Columbia University

JD, University of Chicago Law School

Select Publications 2019-2021

Institutional Design in Patent Law: Private Property Rights or Regulatory Entitlements, 92 Southern California Law Review 921 (2019)

The U.S. Patent System Was (and Is) a Rule-of-Capture Property Rights Regime, 100 Boston University Law Review Online 19 (2020)

Statutes, Common Law Rights, and the Mistaken Classification of Patents as Public Rights, 104 Iowa Law Review 2591 (2019)

Patent Injunctions, Economics, and Rights, 49 Journal of Legal Studies 51 (2020)
(with Eric R. Claeys)

The Telegraph, in A History Of Intellectual Property in 50 Objects (Claudy Op Den Kamp and Dan Hunter, editors | Cambridge University Press 2019)

Ayn Rand's Theory of Rights: An Exposition and Response to Critics, in Foundations of a Free Society: Reflections on Ayn Rand's Political Philosophy (Greg Salmieri and Robert Mayhew, editors | University Of Pittsburgh Press 2019) (with Fred D. Miller, Jr.)

Murat C. Mungan

Professor of Law



Education

BA, Sabanci University
MA, Boston College
JD, George Mason University
School of Law
PhD, Boston College

Select Publications 2019-2021

The Easterbrook Theorem: An Application to Digital Markets, 130 *Yale Law Journal Forum* 623 (2021) (with Joshua Wright)

Predictable Punishments, *UC Irvine Law Review* (forthcoming) (with Brian Galle)

The Case Against Expanding Defamation Laws, 71 *Alabama Law Review* 453 (2019) (with Yonathan Arbel)

Justifications, Excuses, and Affirmative Defenses, 36 *Journal Of Law, Economics, & Organization* 343 (2020)

Sharing Of Cost Related Information Can Increase Consumer Welfare Under Risk-Aversion, 15 *Review Of Law & Economics*, Issue 2, Article 20190002 (April 2019)

The Optimal Standard of Proof with Adjudication Avoidance, 16 *Review Of Law & Economics*, Issue 1, Article 20190019 (March 2020)

Saliency and the Severity Versus the Certainty of Punishment, 57 *International Review Of Law And Economics* 95 (2019)

Optimal Non-Prosecution Agreements and the Reputational Effects of Convictions, 59 *International Review Of Law And Economics* 57 (2019)

Discrimination and Deterrence with Enforcer Liability, *American Law and Economics Review* (forthcoming)

A Note on Productive and Dynamic Inefficiencies of Intermediate Regulatory Sanctions, 20 *B.E. Journal of Economic Analysis & Policy*, Issue 1, Article 20190122 (January 2020) (with Tim Friehe)

Mimicking, Errors, and the Optimal Standard of Proof, 174 *Economics Letters* 18 (2019) (with Andrew Samuel)

Optimal Imprisonment and Fines with Non-Discriminatory Sentences, 182 *Economics Letters* 105 (2019) (with Nuno Garoupa)

The Political Economy of Enforcer Liability for Wrongful Police Stops, *Journal Of Public Economic Theory* (forthcoming) (with Tim Friehe)

Access to Substance Use Disorder Treatment During COVID-19: Implications from Reduced Local Jail Populations, 119 *Journal of Substance Abuse Treatment* (2020) (with Erkmen G. Aslim)

The Price of Expungements, 65 *International Review of Law and Economics* (2021) (with R. Espinosa, G. DeAngelo, B. Deffains, and R. Romaniuc)

Rewards Versus Imprisonment, *American Law and Economics Review* (Forthcoming 2021)

Optimal Enforcement with Heterogeneous Private Costs of Punishment, *Journal of Legal Studies* (Forthcoming 2021) (with Brian Galle)

Proxy Crimes, *American Criminal Law Review* (Forthcoming 2021) (with Piotr Bystranowski)

Legislating for Profit and Optimal Eighth Amendment Review, *Economic Inquiry* (Forthcoming 2021)

Timothy J. Muris

George Mason University
Foundation Professor of Law



Education

BA, San Diego State University
JD, University of California Los Angeles
School of Law

Select Publications 2019-2021

Chicago and Its Discontents, 87 *University of Chicago Law Review* 495 (2020)
(with Jonathan E. Nuechterlein)

Will the FTC's Success Continue?, 26 *George Mason Law Review* 1411 (2019)

Generic Drugs, Used Textbooks, and the Limits of Liability for Product Improvements,
4 *Criterion Journal on Innovation* 207 (2019) (with Jonathan E. Nuechterlein)

First Principles for Review of Long-Consummated Mergers, 5 *Criterion Journal
on Innovation* 29 (2020) (with Jonathan E. Nuechterlein)

The Alignment of Evidence and Economic Theory in *FTC v. Qualcomm*: A Response to
Ginsburg & Wright, *Competition Policy International* (April 3, 2019)

Antitrust in the Internet Era: The Legacy of *United States v. A&P*, 54 *Review of Industrial
Organization* 651 (2019) (with Jonathan E. Nuechterlein)

Sean M. O'Connor

Professor of Law and Executive Director, Center for the Protection of Intellectual Property



Education

BA, University of Massachusetts

MA, Arizona State University

JD, Stanford Law School

Select Publications 2019-2021

Distinguishing Different Kinds of Property in Patents and Copyrights, 26 *George Mason Law Review* 205 (2019)

The Surprising Reach of FDA Regulation of Cannabis, Even After Descheduling, 68 *American University Law Review* 823 (2019)

The Oxford Handbook of Music Law and Policy (forthcoming, *Oxford Handbooks Online* 2020) (editor)

The Damaging Myth of Patent Exhaustion, 28 *Texas Intellectual Property Law Journal* 443 (2020)

Jeremy A. Rabkin

Professor of Law



Education

BA, Cornell University

PhD, Harvard University

Select Publications 2019-2021

Justifying Revolution: Law, Virtue, and Violence in the American War of Independence, edited by Glenn A. Moots and Phillip Hamilton, 8 *American Political Thought* 597 (2019) (book review)

Ilya Somin

Professor of Law



Education

BA, Amherst College
MA, Harvard University
JD, Yale Law School

Select Publications 2019-2021

Making Federalism Great Again: How the Trump Administration’s Attack on Sanctuary Cities Unintentionally Strengthened Judicial Protection for State Autonomy, 97 *Texas Law Review* Symposium Issue 1247 (2019) (Symposium On “Reclaiming — and Restoring— Constitutional Norms”)

Overtuning a Catch-22 in the Knick of Time: *Knick v. Township of Scott* and the Doctrine of Precedent, 47 *Fordham Urban Law Journal* 545 (2020) (with Shelley Ross Saxon) (Symposium on *Knick v. Township of Scott*)

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Select Publications 2019-2021

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Select Publications 2019-2021

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