

TIMOTHY J. MURIS

George Mason University School of Law
3301 Fairfax Drive
Arlington, Virginia 22201
Office Phone: 703/993-9421
Office FAX: 703/993-8124
Home Phone:
E-Mail: tmuris@gmu.edu
Homepage: <http://mason.gmu.edu/~tmuris/>

WORK

George Mason University School of Law

Foundation Professor of Law, 1988 – Present
(on leave 2001-2004)
Interim Dean, 1997-1997

Executive Office of The President, Office of Management and Budget

Executive Associate Director, 1985 - 1988
Consultant, 1988-1989, 2001

U.S. Federal Trade Commission

Chairman, 2001 - 2004
Director, Bureau of Competition, 1983 - 1985
Director, Bureau of Consumer Protection, 1981 - 1983
Consultant, 1977
Assistant to the Director, Office of Policy Planning and Evaluation, 1974 - 1976

Office of the Vice President

Deputy Counsel
Presidential Task Force on Regulatory Relief, 1981

University of Miami

School of Law & Economics Center

Professor, 1981
Associate Professor, 1979 - 1981
Assistant Professor, 1976 - 1979

University of Chicago School of Law

Law and Economics Fellow, 1979 - 1980

PROFESSIONAL ACTIVITIES

| | |
|-------------------------------|---|
| 2005 | Member, President's Advisory Panel on Federal Tax Reform |
| 2000 - 2001 | Bush - Cheney Transition Team |
| 1999 - 2000 | Economic Advisor, George W. Bush for President |
| 1999 - 2000 | Consultant, Congressional Budget Office |
| 1997 - 1998 | Chairman, Law & Economics Center Advisory Board |
| 1994 - 2001 | Adjunct Scholar, The Progress & Freedom Foundation |
| 1994 - 2001 2004 - Present | Coordinator, Regulatory Law Track, George Mason University, School of Law |
| 1993 - 1994 | Acting Associate Dean, George Mason University School of Law |
| 1992 - 1993 | Coordinator, International Track, George Mason University, School of Law |
| 1991 - 1992 | Consultant, Department of Justice |
| 1990 - 2001, 2005 | Advisory Board - Antitrust & Trade Regulation Report |
| 1990 - 1993 | Advisory Committee - American Enterprise Institute Project on Regulation and Federalism |
| 1990 - 1991 | Member, ABA Section of Antitrust Law Special Committee To Study International Antitrust |
| 1988 - 1989 | Bush-Quayle Transition Team, Senior Advisor |
| 1988 - 1989 | Member, ABA Section of Antitrust Law Special Committee To Study the Role of the Federal Trade Commission |
| 1986 - 1988 | Brookings Institution National Issues Forum Advisory Committee |
| 1982 - Present | Testified before numerous Congressional Committees |
| 1981 | Consultant, Council on Wage and Price Stability |
| 1980 | Reagan-Bush Transition Team for the Federal Trade Commission |
| 1979 | Affiliated Scholar, American Bar Foundation |

SCHOOLING

University of California Los Angeles

J.D. Honors, 1974

Order of the Coif

Law Review

Associated Editor (Vol. 21)

Member (Vol. 20)

San Diego State University

Special Major: Economics, History, Political Science

B.A., Honors (Graduated with high honors and distinction in major) 1971

Phi Kappa Phi

Phi Eta sigma

PUBLICATIONS

Books and Monographs:

The People's Budget: A Common Sense Plan for Shrinking The Government in Washington

Regnery Publishing (1995) (with Edwin L. Dale, Jr., Jeffrey A. Eisenach, Frank I. Luntz, and William Schneider, Jr.)

The Budget Puzzle: Understanding Federal Spending

Stanford University Press (1994) (with John Cogan and Alan Shick)

Strategy, Structure, and Antitrust in the Soft Drink Industry

Quorum Books (1993) (with David Scheffman and Pablo Spiller)

State and Federal Regulation of National Advertising

American Enterprise Institute (1993) (with J. Howard Beales)

The Limits of Unfairness Under the Federal Trade Commission Act

Association of National Advertisers (1991) (with J. Howard Beales)

The Federal Trade Commission Since 1970: Economic Regulation and Bureaucratic Behavior

Cambridge University Press (1981) (written and edited with Kenneth W. Clarkson)

Articles:

Payment Card Regulation and the (Mis)Application of the Economics of Two-Sided Markets

4 Columbia Business Law Review 515 (2005)

Discordant Notes: A Reply to Professor Wright

1 Review of Law & Economics, 415 (2005)

More than Law Enforcement: The FTC's many Tools – A Conversation With Tim Muris and Bob Pitofsky

72 Antitrust Law Journal 773 (2005)

Principles For a Successful Competition Agency
72 University of Chicago Law Review 165 (2005)

A Response to Professor Goldberg: An Anticompetitive Restraint by Any Other Name
Review of Law & Economics
Volume 1, Issue 1, Article 4 (2005)

Improving the Economic Foundations Of Competition Policy
12 George Mason Law Review 1 (Fall 2003)

State Intervention/State Action - A U.S. Perspective
Fordham University School of Law, International Antitrust Law & Policy
Chapter 22 (2003 Corporate Law Institute)

Looking Forward: The Federal Trade Commission and The Future Development of U.S. Competition Policy
2 Columbia Business Law Review 359 (2003)

The Interface of Competition and Consumer Protection
Fordham University School of Law, International Antitrust Law & Policy
Chapter 2 (2002 Corporate Law Institute)

Robert Pitofsky: Public Servant and Scholar
52 Case Western Reserve Law Reserve 1 (2001)

California Dental Association v. Federal Trade Commission: The Revenge of Footnote 17
8 Supreme Court Economic Review 265 (2000)

The FTC and the Law of Monopolization
67 Antitrust Law Journal 693 (2000)

Ronald Reagan and The Rise of Large Deficits: What Really Happened in 1981
4 The Independent Review 365 (2000)

In Defense of the Old Order, in *The Fall and Rise of Freedom of Contract*
(F.M. Buckley, ed.) (Duke University Press 1999)

The Government and Merger Efficiencies: Still Hostile After All These Years
7 George Mason Law Review 729 (1999)

Is Heightened Antitrust Scrutiny Appropriate for Software Markets?
In *Competition, Innovation, and the Microsoft Monopoly: Antitrust in the Digital Marketplace*
(J. Eisenach & T. Leonard, eds.) (Kluwer Academic Publishers 1999)

The Federal Trade Commission and the Rule of Reason: in Defense of Massachusetts Board
66 Antitrust Law Journal 773 (1998)

Economics and Antitrust
5 George Mason Law Review 303 (1997)

Legislative Organization of Fiscal Policy
38 Journal of Law & Economics 311 (1995)
(with W. Mark Crain)

The Foundations of Franchise Regulation: Issues and Evidence
(with J. Howard Beales)
2 *Journal of Corporate Finance* 157 (1995)

Budget Manipulations
4 *The American Enterprise* 24 (May/June 1993)

Information, Competition, and Health: Regulatory Standards For Health Messages in *America's Foods: Health Messages and Claims* (J. Tillotson, ed.)
CRC Press (1993) (with J. Howard Beales)

Strategy and Transactions Costs: The Organization of Distribution in the Soft Drink Industry
1 *Journal of Economics & Management Strategy* 83 (1992)
(with David Scheffman and Pablo Spiller)

Economics and Consumer Protection
60 *Antitrust Law Journal* 103 (1991)

The Great Budget Shell Game
2 *The American Enterprise* 34 (November 1990) (with John Cogan)

The New Rule of Reason
57 *Antitrust Law Journal* 859 (1989)

Regulatory Policymaking at the Federal Trade Commission: The Extent of Congressional Control
94 *Journal of Political Economy* 884 (1986)

Cost of Completion or Diminution in Market Value: The Relevance of Subjective Value
12 *Journal of Legal Studies* 379 (1983)

Rules Without Reason : The Case of the FTC
6 *Regulation* 20 (September/October 1982)

The Costs of Freely Granting Specific Performance
1982 *Duke Law Journal* 1053

Letting Competition Serve Consumers in
Instead of Regulation, (with Kenneth W. Clarkson)
(Lexington Books 1982)

Defining Deception
42 *Antitrust and Trade Regulation Reporter* 699 (1982) reprinted in 19 *Journal of Reprints For Antitrust Law and Economics* 335 (1989)

Opportunistic Behavior and the Law of Contracts
65 *Minnesota Law Review* 521 (1981)

Constraining the Federal Trade Commission: The Case of Occupational Regulation
35 *Miami Law Review* 77 (1980) (with Kenneth W. Clarkson)

The Efficiency Defense Under Section 7 of the Clayton Act
30 *Case Western Reserve Law Review* 381 (1980)

The Federal Trade Commission and Occupational Regulation in

Occupational Licensure and Regulation, 107-41, (S. Rottenberg, ed., American Enterprise Institute 1980) (with Kenneth W. Clarkson)

Advertising and the Price and Quality of Legal Services: The Case for Legal Clinics
1977 American Bar Foundation Research Journal 179

Foreward - Civil Liability of Government Officials
42 Law and Contemporary Problems 1 (1978)
(Special Editor of Symposium with Kenneth W. Clarkson)

Liquidated Damages v. Penalties: Sense or Nonsense?
1978 Wisconsin Law Review 351 (1978)
(with Kenneth W. Clarkson and Roger LeRoy Miller)

Scaling the Welfare Bureaucracy: Expanding Concepts of Governmental Employee Liability
21 U.C.L.A. Law Review 624 (1973)

FTC Opinions

In Re: *In the Matter of Union Oil Company of California*, Docket No. 9305
www.ftc.gov/os/adjpro/d9305/040706commissionopinion.pdf (7/06/04)

In Re: *In the Matter of Polygram Holding, Inc.*, Docket No. 9298
www.ftc.gov/os/adjpro/d9305/030724commissionopinion.pdf (7/24/03)

Other Publications

Viewpoints: Price Controls Are Not Answer for Interchange
American Banker, May 26, 2006

Assessing Part III Administrative Litigation: Interview with Timothy J. Muris
20 Antitrust 2 (Spring 2006)

The New European Antitrust Regime: Implications For Multinationals
Panel Discussion, 10/6/04
13 George Mason Law Review 2 (Winter 2005)

The Revolving Door
8 Global Competition Review 8 (October 2005)

Worst US antitrust decisions . . . ever
Global Competition Review, panelist, pages 8-15 (2005)

The Role of Innovation in Competitive Analysis
The Antitrust Source (July 2005) (edited panel discussion)

What's in Your Wallet
Wall Street Journal A12 (June 24, 2005)

“Commercial Speech: Essential for Health of *Consumers and Free Enterprise*”
Washington Legal Foundation (March 25, 2005)

Clarifying the State Action and Noerr Exemptions
27 Harv. J.L. & Pub. Pol 'y 443 (2004).

An Interview with Timothy Muris
Global Competition Review (12/21/04)

Consumer Protection: An Interview with Timothy J. Muris
18 Antitrust 9 (Summer 2004)

Roundtable Conference With Enforcement Officials,
72 Antitrust Law Review 283 (2004)

Remarks at Memorial Service For Jim Liebel
12 George Mason Law Review 2 (Winter 2003)

Protecting Competition and Consumers: A Conversation With Timothy J. Muris
22 Health Affairs 101 (November/December 2003)

Real-World Referee
360, The Magazine of San Diego State University
(Fall/Winter 2003)

Roundtable Conference With Enforcement Officials
71 Antitrust Law Journal 333 (April 4, 2003)

Roundtable Conference With Enforcement Officials
70 Antitrust Law Journal 261 (April, 2002)

Interview with Timothy J. Muris, Chairman of the FTC
16 Antitrust 52 (Fall 2001)

Bigger can be Better
Washington Times, A19 (June 4, 1999)

Downplaying a Defense: Agencies Take Overly Narrow View of Efficiencies in Merger Cases
Legal Times (March 8, 1999)

Beyond Block Grants: Eliminating Federal Funding for Welfare Programs
1 American Civilization 11 (Feb. 1995)

Overstating Savings/Underestimating Costs
32 Society 67 (1994)

Congressional Confusion on Labeling and Advertising Could Deny Consumer Information and Free Speech
Legal Opinion Letter, Washington Legal Foundation, (Oct. 25, 1991)
(with J. Howard Beales III)

The Myth of Domestic Spending Cuts
Wall Street Journal (September 6, 1990) (with John Cogan)

“The Kirkpatrick Commission: Antitrust Issues”
58 Antitrust Law Journal 25 (1989)

Antitrust’s Next Decade, in Is Antitrust Dead?
55-58, Betty Bock, ed., Conference Board 1989

“Interview: Antitrust in the Bush Administration”
3 Antitrust 6 (Spring 1989)

Behind the Budget’s Baseline Blues:
Wall Street Journal (August 3, 1988)

The Consumer Protection Mission: Guiding Principles and Future Direction
51 Antitrust Law Journal 625 (1983)

Credit Markets and Market Forces
37 Business Lawyer 1373 (1982)

The Effect of Advertising on the Quality of Legal Services: A Case Study
65 American Bar Association Journal 1503 (1979) (with Fred S. McChesney)

Does Lack of Funds Hinder Antitrust Enforcement?
in *The Attack on Corporate America: The Corporate Issues Sourcebook*
285-88 (McGraw Hill 1978)

The Rise of the No-Lose Ethic
2 Ripon Quarterly 19 (1975) (with Wesley J. Liebeler and Richard W. Rahn)

Book Note on J. Fried, *Housing Crisis USA*
20 U.C.L.A. Law Review 662 (1973)