

**Michael I. Krauss**

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<http://faculty.law.gmu.edu/mkrauss/>

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| <b>PROFESSION</b>     | Professor of Law, Attorney                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>CITIZENSHIP</b>    | American                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>PLACE OF BIRTH</b> | New York, NY<br>[My family moved to Canada when I was 4 years old]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>LANGUAGES</b>      | English, French (native-level fluency)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>EDUCATION</b>      | <b>Yale Law School [New Haven, CT]</b><br>LL.M. 1978<br>Commonwealth Scholar; Viscount Bennett Fellow (Canadian Bar Association); Mackenzie-King Scholar; Yale University Fellow; Boursier du Gouvernement du Québec<br><br><b>Université de Sherbrooke [QC], Faculté de droit</b><br>LL.B. <i>summa cum laude</i> 1976<br>Scholarships for academic excellence in 1974, '75, '76<br>Rank: First in the Law school each year, highest overall Grade Point Average in the history of the Law school.<br><br><b>Carleton University [Ottawa, ON]</b><br>BA <i>cum laude</i> , [Sociology and History] 1973<br>Scholarships for Academic Excellence, 1970, '71, 72, 73<br><br><b>Columbia University [New York, NY]</b><br>Doctoral residency requirements completed 1983<br>Columbia University Law and Economics Fellow; Fellow of the Social Science Research Council of Canada. |
| <b>BAR ADMISSIONS</b> | Virginia (active since 1991), Quebec (active 1978-1993), United States Supreme Court (active since 2000)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>CLERKSHIP</b>      | Hon. Justice Louis-Philippe Pigeon, Supreme Court of Canada, 1978                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**CURRENT FULL-TIME  
EMPLOYMENT**

**George Mason University School of Law, 1987-present**  
**Professor of Law**

Teaching: Torts, Tort Theory, Jurisprudence (Interpretation), Legal Ethics, Products Liability, Comparative Law, Remedies

Awards: George Mason University “Teacher of the Year”, 1994  
[This was the first award for teaching excellence ever conferred by GMU, a university with 30,000 students and > 2000 faculty. No other GMUSL prof. has ever won this award. No one who has won the award is eligible to win it again.]

Salvatori Fellow, Heritage Foundation, 1996

Virginia State Bar Distinguished Service Award, 2003

Administrative Duties: Have chaired: New Building Committee (GMUSL built a new building in 1998), Admissions Committee, Tenure Committee, Curriculum Committee (current chair), Faculty Selection Committee, Library Committee, Law Review Committee, Clerkship Committee. Elected by Peers to Faculty Senate, 1993-95, 2000-2002. Instrumental in raising the two largest donations ever made to GMUSL.

**VISITING  
APPOINTMENTS**

**Université de Paris II (Panthéon-Sorbonne), Faculté de droit**  
**Visiting Professor (Products Liability), June-July 2010**

**Princeton University**

**Madison Fellow, February 2010- June 2010**

**University of Haifa School of Law, Haifa Israel**

**Visiting Professor (Tort Theory), December 2009 – January 2010**

**Universidad Francisco Marroquin, Guatemala City**

**Visiting Professor [Law and Economics, Comparative Law], 1995-present**

**University of Seattle Law School, 1991<sup>1</sup>**

**Visiting Distinguished Professor of Jurisprudence**

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<sup>1</sup> This law school was in Tacoma and was part of the University of Puget Sound when I visited there.

**PAST FULL-TIME  
LAW TEACHING**

**Université de Sherbrooke, Professor of Law 1982-86**

Associate Professor of Law 1982-86; Assistant Professor, 1979-82  
Teaching: Obligations, Constitutional Theory, Economic Analysis of Law, International Law.

Awards: “Meilleur professeur de la faculté”, 1985, 1986

**University of Toronto, 1982-83**

**Associate Professor of Law**

Teaching: Torts, Economic Analysis of Law, Comparative Law

**PRACTICE OF LAW**

**2011-2013: Senior Counsel, The Clearspire Law Firm, Washington DC**  
**(Member of Startup team: for a description of this effort to revitalize the law practice model, see <http://www.economist.com/node/21525907>)**

**Pratte, Monast & Ass., Quebec QC, 1976-79<sup>2</sup>**

**Attorney**

Corporate and Commercial Practice (Quebec City’s largest law firm)

**NOTABLE  
PROFESSIONAL  
ACTIVITIES**

Since 2014: **Contributing Blogger, [Forbes Magazine](#)**

Since 2011: **Member, Legal Education Task Force, Virginia State Bar** (chaired by Hon. Waugh Crigler, USMJ).

2011 - 2013: **Member, Maryland State Advisory Committee, United States Commission for Civil Rights**

Since 2008: **Elected Member, American Law Institute**

Since 2014: **Author, [Rule of Law Column](#), Forbes.com**

2004 - 2014: **Contributing Blogger, [Point of Law Weblog](#)**

Since 2009: **Editorial Board Member, *Journal of the Middle East and Africa***

Since 2008: **Annual Lecturer (Tort Law), Institute for U.S. Law, Washington DC**

2002-2011: **Member, Board of Directors, National Association of**

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<sup>2</sup> Then Létourneau Stein & Ass.

## Scholars

1996-2002: **President**, Virginia Association of Scholars (Vice President, 1993-95).

1995-2002 **Secretary, Board of Governors**, Section on the Education of Lawyers, Virginia State Bar, Richmond VA

Co-authored the Professionalism course that is still dispensed by the Bar to 1L students in all law schools in the Commonwealth.

1995: **Member**, International Economic Freedom Advisory Panel, Freedom House, New York NY

1992: **Member**, U.S.A.I.D. Special Mission to Madagascar  
[3-month mission: counsel on restructuring contract, human rights and foreign investment law in formerly socialist legal system)

1983-1987: **Commissioner, Commission des droits de la personne du Québec** (Quebec Human Rights Commission)

Elected unanimously by Quebec's Assemblée Nationale: the CDPQ has the ability to overrule Québec legislation contrary to the Charter of Rights)

1985-1987: **Founding Co-Director**, "Civil Law-Common Law Exchange Program", Canadian Ministry of Justice, Ottawa

National Comparative Law program involving every law school in Canada, \$6 million annual budget; considerable fund-raising involved.

**LEGAL SCHOLARSHIP**

*Principles of Products Liability*, 2nd edition, West, 2014 (1st ed. 2010)

"Alternate Dispute Financing And Legal Ethics: Free The Lawyers!," 33 *Miss. Coll. L. Rev.* 101 (2014)

[With S. Rocci] "Pennsylvania Supreme Court Permits Waivers for Future Negligence by Third Parties ," [State Court Docket Watch](#), Summer 2013

"Virginia Supreme Court Expands Wrongful Discharge Cause of Action," [State Court Docket Watch](#), Spring 2013

*Rich, Smart, Honest?: Does Success Lead to Unethical Lawyering?*, 10 *U. St. Thomas L.J.* 243 (2012)

"A Marine's Honor: The Supreme Court From *Snyder* To *Alvarez*", 20 *Geo. Mason L. Rev.* 1 (2012)

["A Medical Malpractice Toolkit"](#), 2 *JOURNAL OF LAW (1 J. LEGAL METRICS)* 349 (2012) ["top ten" in SSRN since the week it was submitted]

"Rape on the Washington Southern: The Strange Case of *Hines v. Garrett*", in preparation 2011 (draft available on SSRN)

*"Retributive Damages" and the Death of Private Ordering*, 158 **U. PA. L. REV. PENNUMBRA** 167 (2010), <http://www.pennumbra.com/responses/2-2010/Krauss.pdf>.

[with J. Kidd] "Collateral Source: Explanation and Defense", 48 **Louisville Law Review** 1 (2010)

["Challenging The Status Quo In Middle East Studies"](#), 2 (4) *In Focus* 122 [Winter 2008]

**"Rule of Law"**, *International Encyclopedia of the Social Sciences* . Ed. William A. Darity, Jr.. Vol. 7. 2nd ed. Detroit: Macmillan Reference USA 2008

"Duke's Disgrace" [book review], ***Academic Questions***, v. 21, 2008

"Punitive Damages and the Supreme Court: A Tragedy in Five Acts", [2006-2007] **Cato Supreme Court Review** 315-335

"Human Rights Protection in the United Nations", A. Bayefsky, ed., *The UN and Beyond: United Democratic Nations* [Hudson Institute, 2007]. [ISBN 978-1-55813-157-8]. Other contributors include Ambassador John Bolton, the Hon. Natan Sharansky, Bernard Lewis, William Bennett, Senators Norm Coleman and Tom Coburn, and Ayyaan Hirsi

Ali, etc.

"The Judge and State Law: MTBE Multi-District Legislation", 8 (3) *Engage* 122 [2007]

"Public Services Meet Private Law" 44 *San Diego L. Rev.* 1 (2007)

"*Liggett Group V. Engle*: Florida High Court's Imperfect Response To Class Action Abuse", Critical Legal Issues Working Paper Series No. 145 (March 2007), Washington Legal Foundation.

"Human Rights and Counterterrorism: A Tale of Two Districts", 55 (5) *The Virginia Lawyer* 51 (December 2006)

"Palsgraf: The Rest of the Story," 9 *Green Bag* 2d 299 (2006)

*Legal Ethics in a Nutshell*, 2<sup>nd</sup> edition (co-authored with R. Rotunda), West Publishing, 2006 [1<sup>st</sup> edition published 2003]

*International Encyclopedia of the Social Sciences*, 2<sup>nd</sup> Edition. Macmillan Reference USA (Thomson Gale), 2006. "Rule of Law." (manuscript accepted)

Featured Debate, November 2004, "Smoking Guns: Federalism and Gun Liability Reform", *Point of Law* [[http://www.pointoflaw.com/feature/smoking\\_guns.php](http://www.pointoflaw.com/feature/smoking_guns.php)]

*Can Tort Reform and Federalism Coexist?* (co-authored with Robert Levy), 2004 Cato Institute Policy Analysis #514

"Punitive Damages and the Supreme Court: A Tragedy in Five Acts" 4:2 *Engage* 118 (2003) (Federalist Society's flagship publication).

*Legal Ethics in a Nutshell*, West Publications, 2003 (co-authored with Ronald Rotunda). [2<sup>nd</sup> Edition currently under contract for 2005.]

"The Role of the Supreme Court in Preserving Federalism", 1 *Georgetown J. of L. & Pub. Policy* 43 (2003) [Inaugural Issue]

"Federalism and Product Liability: One More Trip to the Choice-of-Law Well", [2002] *Brigham Young University Law Review* 759

"Regulation Masquerading as Judgment: Chaos Masquerading as Tort Law", 71 *Mississippi Law Journal* 619 (2002)

"The Lawyer as Limo: A Concise History of the Hired Gun", 8 *U. of Chicago Law School Roundtable* 675 (2001)

"Tort Reform", *CATO Institute Handbook for 107th Congress*, 2001

"NAFTA Meets The American Torts Crisis: The *Loewen Case*", 9 *George Mason Law Review* 69 (2001).

"Corrupting the Rule of Law", 13 (2) *Academic Questions* 38 (June 2000) [symposium issue, "Professional Education and Our Culture"]

*Fire and Smoke: Government Lawsuits and the Rule of Law*, Independent Institute, June 2000.

*Restoring the Boundary: Tort Law and The Right to Contract*, Cato Institute, Policy Analysis #347, June 1999

"So Sue Them, Sue Them", *The Weekly Standard*, May 24, 1999

"Tort Law, Moral Accountability and Efficiency", 2 *Journal of Markets and Morality* 114 (1999)

*The Student Aid Game: Meeting Need and Rewarding Talent In American Higher Education* by Michael S. McPherson and Morton Owen Schapiro, 11 (4) *Academic Questions* (1998) 90-94 (book review)

"Property Rules and Liability Rules", *International Encyclopedia of Law and Economics*, 1998

"Tort Reform", *CATO Institute Handbook for 106th Congress*, 1998

"Existe un responsabilidad moral en la ley?", 14 *Revista de la Facultad de Derecho*, Universidad Francisco Marroquin 32 (1997)

"A Civil Action" [book review], 59 *Modern Law Review* 628 (1996)

"Loosening the Food and Drug Administration's Drug Certification Monopoly: Implications for Tort Law and Consumer Welfare", 4 *George Mason Law Review* 457 (1996)

"Tort Damages for Lost Future Income", 31 *Gonzaga Law Review* 325 (1996) [with Robert Levy]

"La réglementation et le marché dans le développement des normes", 5 *Journal des Economistes et des Etudes Humaines* 573 (1995)

"Regulation vs. Markets in the Development of Standards", [1994] 3 *Southern California Interdisciplinary Law Review* 781

"The Record of the United States - Canada Dispute Resolution Panel", [1993] 6 *New York International Law Review* 85

"Tort Law and Private Ordering", [1992] 35 *St. Louis University Law Journal* 623

"Agricultural Zoning and Rent-Seeking", (1991) 23 Case Western Reserve Journal of International Law 125

"Products Liability and the Allergic Consumer", in Products Liability, Matthew Bender, New York 1991

"Vaccine liability", in Products Liability, Matthew Bender, New York 1990

An Annotated Bibliography of Liberalism in the Law, Institute for Humane Studies, Fairfax VA, 1990

"Property, Monopoly, and Intellectual Rights", (1989) 12 Hamline L. Rev. 305 [symposium issue on "non-Posnerian Law and Economics"]

"The US-Canada Free Trade Agreement: Now or Never". CATO Policy Analysis, #105, Cato Institute, Washington, 1988

Action positive: théorie et conséquences, [Affirmative Action: Theory and Consequences], Éditions Yvon Blais, Montréal, 1988

"Epistémologie juridique: le jugement constitue-t-il du Droit?", (1988) 17 Revue de droit, Université de Sherbrooke 639

"Real Servitudes and Contractual Intent" (1987) 42 Canadian Real Property Reports 110

"Injunction vs. Damage Remedies in Quebec Nuisance Law", (1987) 42 Canadian Real Property Reports 38

"Action positive, égalité, et justice" [Affirmative Action, Equality and Justice], (1987) 17 Revue de droit, Université de Sherbrooke 347

"Vers une théorie économique de l'obligation quasi-contractuelle" [Towards an Economic Theory of Quasi-Contract], (1986) 31 McGill Law Journal 683

"Nihilisme et Interprétation des lois" [Nihilism and Legal Interpretation], (1986) 20 Revue juridique Thémis (U. of Montréal Law Review) 125

"Action positive: une introduction philosophique critique" [Affirmative Action -- A Critical Philosophical Overview], (1985) 16 Revue de droit, Université de Sherbrooke 461

"Max Weber, Rationalism, and the Comparative Method", (1984) 62 Can. B. Rev. 451



“Réflexions sur la rétroactivité des lois” [Reflections on Retroactivity in Law], (1983) *Revue générale du droit* (U. of Ottawa Law Review) 287

“Pacifisme, Stratégie, et Traités de désarmement” [Pacifism, Strategy and Disarmament Treaties], (1982-83) 13 *Revue de droit*, Université de Sherbrooke 211

“Reflections on Tenure in Legal Education”, (1982-83) 13 *Revue de droit*, Université de Sherbrooke 91

“Caveat Emptor : Les malheurs du juriste international”, (1981) 12 *Etudes internationales* 210

“La queue qui remue le chien: L'Interprétation des lois et l'Intention du législateur” [The Tail Wagging the Dog: Legislative Intent and Legal Interpretation], (1980) 54 *Can. Bar Rev.* 756

“Civil Wars and Foreign States” (1980) 5 *Yale J. of International Law* 173

“Les Conflits internes et les Etats-tiers: A la recherche de l'état du droit”, (1979) 10 *Revue de droit*, Université de Sherbrooke 1

**OTHER SIGNIFICANT PUBLICATIONS** *The Troubling State of General Education: A Study of Six Virginia Public Colleges and Universities*, 1998 [edited, and wrote the foreword for, this nationally acclaimed critical study of undergraduate education in Virginia.

U.S.A.I.D. Report: *The Nature of the American Legal System*, 1992 [translated into 6 languages and distributed throughout Europe]

Magazine essays: Commentary; Forbes; The Weekly Standard; Policy Review; Liberty; Reason; National Review; numerous French-language magazines (details on request).

Printed Newspaper “op-eds”: *Wall St. Journal, Investors' Business Daily, Christian Science Monitor, Baltimore Sun, Washington Times, Tulsa Journal, Kansas City Star*, [Montreal] *La Presse, Montreal Gazette*, [Montreal] *Le Devoir*, [Toronto] *Globe and Mail, Japan Times*, *Perfiles Liberales* (Mexico), *El Caribe* (Dominican Republic), *El Comercio* (Peru), *El Mercurio* (Chile), *Diario Hoy* (Ecuador), *El Universal* (Venezuela), *El Panama America* (Panama), *Prensa Libre* (Guatemala), *El Tiempo* (Colombia).

Subjects: Torts/Products Liability Issues, Constitutional Issues, Legal Ethics, Health Care Policy, Canada-US Relations, Terrorism

Electronic Media: *Blogger for: Forbes, Point of Law; Occasional Contributor to: National Review Online, Tech Central Station, The American Thinker; Interviews with CNN, CNNfn, C-SPAN, National Public Radio, Fox News, Fox News Online, Hudson Institute Online, Voice of America, Supreme Court Week (syndicated show), C.B.C., Radio-Canada, West German Radio, dozens of local radio stations.*

**MAJOR  
CONFERENCES /  
PAPERS**

October 2014, "Reflections on the Decline of the Rule of Law," Center for the Study of Western Civilization, Texas Tech University, Lubbock TX

May 2013, Panelist, American Bar Association Annual Ethics Conference, San Antonio TX

November 2012, "[A Marine's Honor: The Supreme Court From Snyder To Alvarez](#)," Bouton Law Lecture, Princeton University, NJ

October 2012, "The Arab Spring: Opportunity or Catastrophe for Israel?," Federalist Society Lecture, University of Michigan Law School, Ann Arbor MI

September 2011 – March 2012, "International Law and the Borders between Israel and Palestine," Federalist Society Guest Lectures at Columbia University, University of Chicago, University of Florida, University of Miami and Florida International University Schools of Law (Miami, FL).

December 2011, Panelist, "Punishment, Deterrence, Compensation or Corrective Justice: Why Have Tort Damages?" Guest Speaker, 7th Annual Meeting of the American College of Business Court Judges, Fairfax VA

October 2011, "Upcoming Second Amendment Cases," Federalist Society Guest Lecture, University of Florida, Gainesville FL.

June 2011: Conference Director, "Risk, Rationality, and Inalienability," Liberty Fund Academic Colloquium, Annapolis MD

May 2011: "*Snyder v. Phelps* and the Death of Private Ordering," Princeton University, Madison Program guest luncheon program, Princeton NJ

April 2011: Second Amendment Litigation After *McDonald*, Guest Lecture, Washington University School of Law, St. Louis MO

March 2011: Food and Tort, Federalist Society Guest Lecture, Columbia Law School, New York NY

January 2011: The Question of Israel's Borders: A Primer in International Law, Guest lecture, Wayne State Law School, Detroit MI

October 2010: "Israel's Borders and International Law: A Primer," Hofstra and Touro Law Schools, NY

August 2010: "Sources collatérales et la nature de la responsabilité

civile", Université de Paris/Panthéon/Sorbonne.

February 2010: In Defense of the Collateral Source Rule, Guest Lecture, Law and Public Affairs (LAPA) program, Princeton University, Princeton NJ

December 2009: In Defense of the Collateral Source Rule, Guest lecture, University of Haifa Law School, Haifa ISRAEL

November 2008, Invited panelist, Albany Law School colloquium on Tort Theory, Albany NY

November 2008: Guest speaker, Louisiana Judges' Conference, New Orleans LA: "The Conundrum of Non-economic Damages in Tort Law."

October 2008: Alpheus T. Mason Lecture in Constitutional Law and Political Thought, James Madison Program in American Ideals and Institutions, Princeton University, NJ: "Law and Economics: Enemy or Friend of Classical Liberalism"

September 2008: Constitution Day Lecturer, St. Vincent College, Latrobe PA: "Freedom and Guns: to *Heller* and Beyond"

August 2008: Participant, Judicial-Faculty workshop on Terrorism and Individual Freedoms, Foundation for Research on the Economics of the Environment, Gallatin Gateway MT

May 2008: Speaker and Moderator, "Off-Label Uses of Approved Drugs: Medicine, Law, and Policy", American Enterprise Institute Legal Center for the Public Interest Conference, Washington DC

May 2008, Conference Director, "Liberty and Responsibility in the Writings of Justice Oliver Wendell Holmes, Jr.", Liberty Fund Colloquium, Cambridge MA

March 2008, Invited Speaker, Federalist Society, Washburn University Law School, Topeka KS

March 2008, Panelist, Washington Legal Foundation Web Seminar Series, "Uncivil Litigation: Trends in Lawyer Misconduct and How Courts are Responding."

February 2008: Invited Speaker, Federalist Society, Boston College School of Law

January 2008: Invited Speaker, Federalist Society, Case Western School of Law, Cleveland OH

October 2007: Panelist, Canadian Constitution Society Founding

Conference, Toronto CANADA

October 2007: Invited Speaker, Federalist Society, Northern Kentucky Salmon Chase School of Law, Covington KY

September 2007: Invited Speaker, Federalist Society, University of Cincinnati College of Law, Cincinnati OH

March 2007: Guest Debater, Federalist Society, Marquette University School of Law, Milwaukee WI

February 2007: Invited Speaker, Federalist Society, Lewis and Clarke Law School, Portland OR

February 2007: Invited Speaker, Federalist Society, University of Cincinnati School of Law, OH

October 2006: Discussion Leader, Conference on the Rule of Law and Liberty, Tucson AZ

October 2006: University Lecturer, High Point University, High Point NC.

September 2006: Panelist, "Promise and Reality at the UN: Terrorism, Peacekeeping and Human Rights", Hudson Institute Conference on "The UN and Beyond", Union League Club, New York NY.

May 2006: Conference Director, "Automobility, Place and Liberty", Liberty Fund Colloquium on the legal and cultural impact of automobiles, Grove Park Inn, Asheville NC

February 2006: Keynote Speaker, "Trial Lawyers, Inc." and Medical Malpractice", Manhattan Institute, Harvard Club, New York, NY.

October 2005: Keynote Speaker, Federalism and Tort Reform, University of Tennessee College of Law, Knoxville TN

May 2005: Visiting Academic Fellow, Intensive Site Visit, Foundation for the Defense of Democracies' Mission on Anti-Terrorism and Democracies, University of Tel Aviv, Israel

April 2005: Conference Director, "The Automobile, The City and Liberty", Liberty Fund Colloquium on the legal and cultural impact of automobiles, Grove Park Inn, Asheville NC

December 2004: Keynote Speaker: "Medical Malpractice and Public Choice", Maryland Public Policy Institute, Annapolis MD.

November 2004: Keynote Speaker, "Medical Malpractice Reform and the Nature of Tort Law", Raleigh and Charlotte NC, Federalist Society

feature event.

April 2004: Keynote Speaker, "Federalism and Tort Reform", Mercatus Center Congress Series, U.S. House of Representatives, Rayburn House of Representatives Building, Washington DC

February 2004: Keynote Speaker, "Grutter and Judicial Ethics," New York Association of Scholars conference, New York NY

October 2003: Keynote Speaker, "The Underside of Grutter ", Northwestern Law School, Chicago IL

September 2003: Participant, "Toxic Torts", Joint Federal Judge / Law Professor Colloquium, Foundation for Research on the Economics of the Environment, Big Sky MT

May 2003: Keynote Speaker, "Tort Law and Vice", Mercatus Center Congress Series, U.S. House of Representatives, Rayburn House of Representatives Building, Washington DC

April 2003: Panelist, "Recent Developments in Punitive Damages Jurisprudence", Free Congress Foundation Annual Meeting, U.S. Senate, The Capitol, Washington DC

September 2002: Discussion Leader, Liberty Fund Colloquium on Urban Development and Freedom, Victoria CANADA

July 2002: Participant, Liberty Fund Colloquium on the 2<sup>nd</sup> Amendment, Key West FL

July 2002: Participant, Liberty Fund Colloquium on Comparative Canadian and American Constitutional Theory, Ottawa CANADA

June 2002: Participant, Liberty Fund Colloquium on the Philadelphia Constitutional Debates, Laguna Beach, CA

April 2002: Discussion Leader, Liberty Fund Seminar on Richard Posner's *The Problematics of Moral and Legal Theory*, Indianapolis IN

March 2002: Keynote speaker, "The Ford-Firestone Fiasco: Who, if Anyone, is to Blame"; Clemson University, Hilton Head Island SC

November 2001: Panelist, "Tort law as Regulation", U. of Mississippi Law School, Oxford MS

October 2001: Debater, "On the Need for Tort Reform", U. of Richmond School of Law Federalist Society, Richmond VA

September 2001: Paper Presenter, Canadian Law and Economics

Association Annual Meeting, Toronto ON. "A Federalism-respecting solution to the Products Liability Mess"

July 2001: Keynote speaker, Federalist Society, Lawyers' Division, Metropolitan Club, Cleveland OH. "The Folly of Regulation by Tort Law",

April 2001: Guest Lecturer, Federalist Society, Cornell University Law School, Ithaca NY. "Reflections on Guns".

March 2001: Keynote speaker, American Enterprise Institute Federalism Project's Conference on Products Liability Reform, Washington DC.

February 2001: Panelist, University of Chicago Law School Roundtable Symposium on the History of Legal Ethics. "The History of the Hired Gun".

November 2000: Workshop Presenter, Case Western Reserve School of Law, Cleveland OH, "The Loewen Case: A NAFTA Solution to our Torts 'Prisoners' Dilemma'".

October 2000: Panelist, Federalist Society Briefing on the Firestone-Ford tire problem, U.S. Senate, Washington DC.

September 2000: Paper Presenter, Canadian Law and Economics Association Annual Meeting, Toronto ON. "The Loewen Case"

May 2000: Lecturer, Atlas Foundation conference on Globalization and Tort law, Lima Peru.

February 2000: Participant, Liberty Fund colloquium on the Morality of Free Markets, San Diego CA.

February 2000: Distinguished Guest Lecturer, Graduate Program in Law, Universidad Francisco Marroquin, Guatemala City. "Guatemala's Tobacco Suit and the Rule of Law"

January 2000: Speaker, Torts and Insurance Section, American Association of Law Schools' Annual Meeting, Washington DC. "Recoupment Suits and the Death of Law"

November 1999: Speaker, Economics and Policy Center, St. Vincent's College, Latrobe PA: "Economic Illiteracy, Government Products Liability Suits, and the Collapse of the Rule of Law"

October 1999: Speaker, American Legislative Exchange Council Annual Meeting, Arlington VA: "Tort Suits with Governments as Plaintiffs"

August 1999: Speaker, St. Peter's College, Oxford University, "NAFTA

Meets America's Torts Crisis: the Loewen Case", Oxford UK (return speech delivered March 2000)

June 1999: Speaker, Americans for Tax Reform Conference, "Litigation as Taxation", Washington DC

April 1999: Keynote Speaker, "The Culture Wars and Law Schools", National Association of Scholars' Annual Meeting, Chicago IL

November 1998: Director and Moderator, Liberty Fund Conference on Judicial Interpretation, Ponte Vedra Beach, FL

August 1998: Participant, Liberty Fund Conference on Winston Churchill's *The River War*, Santa Fe, NM

March 1998: Speaker, Liberty Fund Conference on Liberty and Efficiency, La Antigua, Guatemala

January 1998: Participant, Liberty Fund Conference on Federalism and Freedom, Captiva Island FL

November 1997: Participant, Liberty Fund Conference on John Stuart Mill, Santa Monica CA

September 1997: Speaker, Donner Foundation Conference on Freedom of Contract in Tort Law, Alexandria VA

May 1997: Director and Moderator, Liberty Fund Conference on Self-defense, Liberty and Responsibility, Easton MD

February 1997: Speaker, Symposium on the State of the Rule of Law in America, Claremont Graduate School, Claremont CA

April 1996: Keynote Speaker, Annual Meeting, Philadelphia Society, Chicago IL. Subject: Is There Still Moral Responsibility in Tort Law?

March 1995: Director and Moderator, Liberty Fund Conference on Liberty and Responsibility in the Thought of Oliver Wendell Holmes, Jr., Savannah GA [conference repeated October 1997, Santa Fe, NM]

November 1994: Speaker, Federalist Society, George Mason Chapter, Arlington VA, "Reflections on the Decline of American Liberty"

November 1994: Speaker, International Conference on the Future of Free Trade in North America, Montreal, Canada. "Dispute Resolution: The Achilles' Heel of NAFTA?"

August 1994: Participant, Liberty Fund Conference on Law, Economics and Liberty, Teresopolis, Brazil



March 1994: Participant, Liberty Fund Conference on Judicial Activism, Panajachel, Guatemala.

March 1994: Speaker, School of Law, Universidad Francisco Marroquin, Guatemala City. "Tort Law and Freedom in America"

June 1993: Participant, Liberty Fund Conference on the thought and writings of Michael Oakeshott, St. Louis

April 1993: Workshop Presenter: "On the Limits of Economic Analysis: the Puzzle of Hedonic Damages in Tort Law", Economics Department, New York University

January 1993: Commentator, GMUSL Law and Economics Center Symposium in Honor of Judge Richard Posner, Arlington VA: "What do Judges Maximize?"

December 1992: Speaker, Ludwig von Mises Institute, Fairfax VA: "Standards, Coercion and Spontaneous Coordination"

November 1992: Discussion Leader, Intercollegiate Studies Institute Conference on "Freedom and the Common Law", Irving TX

October 1992: Conference Director, Liberty Fund Conference on "Risk, Rationality and Liberty", Williamsburg VA

October 1992: Panelist, Citizens for Civil Justice Reform conference on Punitive Damages, Washington. Topic: "The Economic Effects of Punitive Damages in Tort"

September 1992: Participant, Liberty Fund Conference on "Legislation vs. Spontaneous Ordering", Charleston SC

August 1992: Speaker, Institute for Justice Conference on "Public Interest Advocacy from a Natural Rights Perspective", Georgetown University, Washington

June 1992: Discussion Leader and Participant, Liberty Fund Conference, "Individual Rights vs. Group Entitlements", San Francisco

May 1992: Speaker, Cato Institute Conference on the North American Free Trade Agreement, Mexico City. Subject: "Dispute Resolution Mechanisms of the Canada-US Free Trade Agreement"

April 1992: Speaker, Intelligent Vehicle Highway Systems Conference, Monterey CA. Subject: "Command vs. Spontaneity in the Development of IVHS Standards" (article to be published soon)

January 1992: Participant, Liberty Fund Conference, “Liberty in Whig Thought”, Newport Beach CA

December 1991: Speaker, Manhattan Institute, New York. Subject: “The Failure of Canadian Federalism: Structural Lessons for the U.S.”

May 1991: Speaker, Canadian Economics Association Annual Meeting, Quebec QC. Subject: “An Economic Analysis of Quebec’s New Constitutional Proposals”

April 1991: Director and Discussion Leader, Liberty Fund Conference, “Judicial Restraint in a Liberal Political Order”, Wintergreen VA

January 1991: Participant, Liberty Fund Conference, “The Historical Origins of the Common Law”, Panama City FL

October 1990: Speaker, Austrian Theory Workshop, Ludwig Von Mises Institute, Washington. Subject: An Overview of Economic Jurisprudence

June 1990: Participant, Liberty Fund Conference on Original Intention and the Constitution, Santa Fe NM

February 1990: Speaker, George Mason University School of Law Workshop, Arlington VA. Subject: “Competing Paradigms of Hedonic Damages in Tort”

August 1989: Lecturer, Université d'Été de la Nouvelle Économie, University of Aix-en-Provence, France

June 1989: Paper Presenter, Liberty Fund Symposium on Tort Theory, Big Sky MT. Subject: Liberty, Coercion, and Tort Law

June 1989: Paper Presenter, Foundation for Research on the Economics of the Environment symposium, Big Sky MT. Subject: Agricultural Zoning and Rent-Seeking

March 1989: Panelist, Eastern Economics Association Annual Meeting, Baltimore. Subject: Patent as Property

February 1989: Speaker, Center for the Study of Market Processes, George Mason University Economics Dep't. Fairfax VA. Subject: Contractarianism and Human Rights

August 1988: Lecturer, Université d'Été de la Nouvelle Économie, University of Aix-en-Provence, France

June 1988: Paper Presenter, Liberty Fund Symposium on the

Philosophical Foundation of Human Rights, Montreal, QC

January 1988: Panelist, Annual Conference, American Association of Law Schools, Miami FL. Subject: Intention and legal Interpretation

**BIOGRAPHICS**

Who's Who in America; Who's Who in the World; Who's Who in American Law; Who's Who in American Education, Who's Who Among Emerging American Leaders

**PERSONAL**

Married to Cynthia Conner, Esq., BA, LL.B., Vice-President, American Health Lawyers' Association, Washington DC.

Father of:

- Rebecca, B.A (Yale), J.D. (Yale), 2012 Clerk for the Hon. Antonin Scalia, United States Supreme Court; Associate, Kirkland & Ellis, Washington DC
- Joshua, B.Sc. (Maryland), Captain, United States Marine Corps

Member, BNai Tzedek Congregation, Potomac, Maryland.

Breeder of Labrador Retrievers

Long-distance motorcyclist

**REFERENCES**

To Follow