

**Torts and Compensation Systems Section Annual Newsletter:
A Roundup of Torts Scholarships, Developments, & News
October 2014**

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This newsletter was edited by Leslie Kendrick, Albert Clark Tate, Jr., Professor of Law, and Kristin Glover, Research Librarian, at the University of Virginia School of Law, Charlottesville, Virginia.

**“Tort Law and a Healthier Society”
Torts Section Program
2015 AALS Annual Meeting
Washington, D.C.**

The Torts and Compensation Systems Section is sponsoring what promises to be a stimulating program on “Tort Law and a Healthier Society” at the 2015 AALS Annual Meeting in Washington, D.C. The program will be held on Sunday, January 4, 2015, from 4:00 pm – 5:45 pm.

The program will explore leading issues at the intersection of tort and health law. [Michelle Mello](#), Professor of Law and Health Research and Policy at Stanford University, will discuss medical malpractice alternatives for hospitals. [Dorit Rubinstein Reiss](#), Professor at the University of California Hastings College of Law, will discuss liability issues related to vaccine preventable diseases. [Diana Winters](#), Associate Professor at the Indiana University McKinney School of Law, will discuss food safety impact litigation.

The section also will honor the winner of its annual William L. Prosser Award for outstanding contribution in scholarship, teaching, and service

related to tort law. The section will hold its business meeting at the conclusion of the program.

Many thanks to our Section Chair, Andrew R. Klein, Dean and Paul E. Beam Professor of Law at the Indiana University Robert H. McKinney School of Law, for developing and organizing this important program.

**William L. Prosser Award Winner:
Professor Michael D. Green**

[Michael D. Green](#), the Bess and Walter Williams Distinguished Professor of Law at Wake Forest University School of Law, is the recipient of this year’s Prosser Award.

The Prosser Award honors those who have made an outstanding contribution to tort law scholarship, service, and teaching. The award was created and presented to its first recipient, Leon Green, in 1974. More recent honorees include James Henderson, Jane Stapleton, Robert Rabin, the Hon. Guido Calabresi, and the Hon. Richard Posner.

This year’s recipient, Professor Green, is an extraordinarily prolific scholar, having authored over fifty law review articles and over twenty books and book chapters. He has covered virtually every area of tort law with erudition and insight. His work on products liability, toxic torts, scientific evidence, and causation, to name a few areas, is essential reading in the field. From his book on Bendectin, to his many articles and other books, to the *Reference Guide on Epidemiology* that is contained in the REFERENCE MANUAL ON SCIENTIFIC EVIDENCE, his careful and incisive scholarship has made huge contributions to the field of torts.

His role in connection with the American Law Institute’s work on torts has been outstanding. Together with Bill Powers, he was Co-Reporter

for both the RESTATEMENT (THIRD) OF TORTS: LIABILITY FOR PHYSICAL AND EMOTIONAL HARM and the RESTATEMENT (THIRD) OF TORTS: APPORTIONMENT OF LIABILITY. The amount of work and the challenges involved with each of these projects are difficult to overestimate. His work in those roles has been visionary, fair-minded, and utterly comprehensive.

His scholarship and activities stretch far beyond the U.S. In addition to authoring fascinating articles with a comparative focus, he is a founding member of the World Tort Law Society, an organization of torts scholars from Europe, Asia, and North America, and also is a member of the European Group on Tort Law. Within the U.S. his activities extend far beyond the U.S. legal academy—he often speaks at Bar Associations, Judicial Conferences, and other venues to help educate practicing lawyers about tort law.

He is an outstanding teacher known for his dynamic style, rigor, and sense of humor. He is dedicated to his students and goes the extra mile to counsel them on torts, careers, and law school. He has won awards for teaching excellence at two law schools. He also has been a tireless mentor to newer torts scholars, generously reviewing drafts and answering their questions. With students and colleagues, he is extraordinarily generous with his time, energy and insights.

Based on all this and more, the AALS Torts & Compensation Systems Section could not be more pleased to recognize Prof. Green with this year's Prosser Award. The Executive Committee wishes hearty congratulations to Prof. Green and also would like to express appreciation to the distinguished selection committee that reviewed the many outstanding nominations we received.

The William L. Prosser Award will be presented at our Section meeting on Sunday, January 4, 2015, from 4:00 pm to 5:45 pm.

2016 Prosser Award Nominations

The 2016 AALS Meeting will be held January 6-9, 2016, in New York City. At next year's Annual Meeting, the Torts and Compensation Systems Section will once again present the William L. Prosser Award to a law professor who has made outstanding contributions to scholarship, teaching, and service in the area of tort law. Any law professor is eligible to nominate another law professor for the award.

Selection of the recipient will be made by members of the Executive Committee of the Torts and Compensation Systems Section, based on the recommendation of an appointed special selection committee.

Nominations should be submitted to Christopher Robinette, Secretary of the Executive Committee, at cjrobinette@widener.edu. Nominations must be accompanied by a brief letter of support. Professors who previously nominated a candidate who has not been chosen for the award are welcome to renew their nominations by sending a copy of the prior nominating letter to Professor Robinette. Nominations must be received no later than July 7, 2016.

Election of Section Officers

The Section will elect officers for the coming year during the business meeting following the 2015 AALS program. You are invited to participate in the election. The current members of the Executive Committee will propose a slate of candidates for election at the business meeting. The proposed slate is:

Chair: Anthony Sebok
Chair Elect: Leslie Kendrick
Secretary: Christopher Robinette
Treasurer: Stacey Tovino
Member: Adam Scales

Recent Tort Law Symposia

Connecticut Insurance Law Journal Symposium: Climate Change Risks & Liability — The Future of Insurance & Litigation, 20 CONN. INS. L.J. (2013)

Gerrard, Michael B. & Joseph A. MacDougald, *An Introduction to Climate Change Liability Litigation and a View to the Future*, 20 CONN. INS. L.J. 153 (2013).

Fitzpatrick, John H., *Keynote Address: Climate Related Extreme Events, Liability Regimes & the Role of the Global Insurance Industry*, 20 CONN. INS. L.J. 165 (2013).

Heinke, Rex & Warren J. Biro, *Is Global Warming a Covered "Accident"? An Analysis of AES Corp. v. Steadfast Insurance Co.*, 20 CONN. INS. L.J. 179 (2013).

de la Mare, William T.J., *Locality of Harm: Insurance and Climate Change in the 21st Century*, 20 CONN. INS. L.J. 189 (2013).

Nineteenth Annual Clifford Symposium on Tort Law and Social Policy: A Brave New World: The Changing Face of Litigation and Law Firm Insurance, 63 DEPAUL L. REV. (2014)

Abramowicz, Michael, *Litigation Finance and the Problem of Frivolous Litigation*, 63 DEPAUL L. REV. 195 (2014).

Avraham, Ronen & Abraham Wickelgren, *Third-Party Litigation Funding – A Signaling Model*, 63 DEPAUL L. REV. 233 (2014).

Baker, Lynn A., *Alienability of Mass Tort Claims*, 63 DEPAUL L. REV. 265 (2014).

DeStefano, Michele, *Claim Funders and Commercial Claim Holders: A Common Interest or a Common Problem?* 63 DEPAUL L. REV. 305 (2014).

Engstrom, Nora Freeman, *Lawyer Lending: Costs and Consequences*, 63 DEPAUL L. REV. 377 (2014).

Gilles, Myriam & Anthony Sebok, *Crowd-Classing Individual Arbitrations in a Post-Class Action Era*, 63 DEPAUL L. REV. 447 (2014).

Gold, Andrew S., *On Selling Civil Recourse*, 63 DEPAUL L. REV. 485 (2014).

Hensler, Deborah R., *Third-Party Financing of Class Action Litigation in the United States: Will the Sky Fall?* 63 DEPAUL L. REV. 499 (2014).

Hylton, Keith N., *Toward a Regulatory Framework for Third-Party Funding of Litigation*, 63 DEPAUL L. REV. 527 (2014).

Hyman, David A. & Charles Silver, *Double, Double, Toil and Trouble: Justice-Talk and the Future of Medical Malpractice Litigation*, 63 DEPAUL L. REV. 547 (2014).

Issacharoff, Samuel, *Litigation Funding and the Problem of Agency Cost in Representative Actions*, 63 DEPAUL L. REV. 561 (2014).

Ratner, Morris A. & William B. Rubenstein, *Profit for Costs*, 63 DEPAUL L. REV. 587 (2014).

Silver, Charles, *Litigation Funding Versus Liability Insurance: What's the Difference?* 63 DEPAUL L. REV. 617 (2014).

Wendel, W. Bradley, *Alternative Litigation Finance and Anti-Commodification Norms*, 63 DEPAUL L. REV. 655 (2014).

Yoon, Albert, *Competition and the Evolution of Large Law Firms*, 63 DEPAUL L. REV. 697 (2014).

Emory Law Journal Colloquy: Complex Litigation and Disaggregative Mechanisms, 63 EMORY L.J. (2014)

Dodge, Jaime, *Disaggregative Mechanisms: Mass Claims Resolution Without Class Actions*, 63 EMORY L.J. 1253 (2014).

Remus, Dana A. & Adam S. Zimmerman, *Aggregate Litigation Goes Private*, 63 EMORY L.J. 1317 (2014).

Thomas, Margaret S., *Morphing Case Boundaries in Multidistrict Litigation Settlements*, 63 EMORY L.J. 1339 (2014).

First Amendment Law Review (University of North Carolina School of Law) Symposium: A Dialogue on the Legacy of *New York Times Co. v. Sullivan*, 12 FIRST AMEND. L. REV. (2014)

Paulson, Ken, *The FIRST AMENDMENT LAW REVIEW's Annual Symposium: A Dialogue on the Legacy of *New York Times Co. v. Sullivan**, 12 FIRST AMEND. L. REV. 385 (2014).

Cass, Ronald A., *Weighing Constitutional Anchors: *New York Times Co. v. Sullivan* and the Misdirection of First Amendment Doctrine*, 12 FIRST AMEND. L. REV. 399 (2014).

Messenger, Ashley, *Reflections on *New York Times Co. v. Sullivan*, 50 Years Later*, 12 FIRST AMEND. L. REV. 423 (2014).

Stern, Nat, *The Force of a Legal Concept: The Steady Extension of the Actual Malice Standard*, 12 FIRST AMEND. L. REV. 449 (2014).

Edmondson, Aimee, *A Pulitzer from the North, a Libel Suit from the South: Reactions to Four Southern Editors' Civil Rights Coverage, 1954-1967*, 12 FIRST AMEND. L. REV. 461 (2014).

Gutterman, Roy S., **New York Times Co. v. Sullivan: No Joking Matter—50 Years of Protecting Humor, Satire, and Jokers**, 12 FIRST AMEND. L. REV. 497 (2014).

Sanders, Amy K. & student Holly Miller, *Revitalizing Rosenbloom: The Matter of Public Concern Standard in the Age of the Internet*, 12 FIRST AMEND. L. REV. 529 (2014).

Wright, R. George, *How to Modestly Defend a Patently Defective Free Speech Rule*, 12 FIRST AMEND. L. REV. 559 (2014).

Georgia Law Review Symposium: The Press and the Constitution 50 Years After *New York Times v. Sullivan*, 48 GA. L. REV. (2014)

Stevens, Justice John Paul, *Keynote Address: Originalism and History*, 48 GA. L. REV. 691 (2014).

Jones, RonNell Andersen, *The Dangers of Press Clause Dicta*, 48 GA. L. REV. 705 (2014).

West, Sonja R., *The Stealth Press Clause*, 48 GA. L. REV. 729 (2014).

Lee, William E., *Citizen-Critics, Citizen Journalists, and the Perils of Defining the Press*, 48 GA. L. REV. 757 (2014).

Gajda, Amy, *Scandal! Early Supreme Court News Coverage and the Justice-Journalist Divide*, 48 GA. L. REV. 781 (2014).

Horwitz, Paul, *Institutional Actors in *New York Times Co. v. Sullivan**, 48 GA. L. REV. 809 (2014).

Sanders, Amy Kristin, *Fast Forward Fifty Years: Protecting Uninhibited, Robust, and Wide-Open Debate After *New York Times Co. v. Sullivan**, 48 GA. L. REV. 843 (2014).

Savage, David G., *In *New York Times Co. v. Sullivan*, the Supreme Court Got It Right Then – and Now*, 48 GA. L. REV. 865 (2014).

Smolla, Rodney A., *Liability for Massive Online Leaks of National Defense Information*, 48 GA. L. REV. 873 (2014).

Levi, Lili, *Journalism Standards and “The Dark Arts”: The U.K.’s Leveson Inquiry and the U.S. Media in the Age of Surveillance*, 48 GA. L. REV. 907 (2014).

George Washington Law Review Symposium: Class Actions and Access to Justice, 82 GEO. WASH. L. REV. (2014)

Transgrud, Roger H., *Introduction: Class Actions and Access to Justice*, 82 GEO. WASH. L. REV. 595 (2014).

Mullenix, Linda S., *Putting Proponents to Their Proof: Evidentiary Rules at Class Certification*, 82 GEO. WASH. L. REV. 606 (2014).

Bone, Robert G., *The Misguided Search for Class Unity*, 82 GEO. WASH. L. REV. 651 (2014).

Hines, Laura J., *The Unruly Class Action*, 82 GEO. WASH. L. REV. 718 (2014).

Tidmarsh, Jay, *Class Actions for Monetary Relief Under Rule 23(b)(1)(A) and (b)(1)(B): Does Due*

Process Require Notice and Opt-Out Rights? 82 GEO. WASH. L. REV. 798 (2014).

Sherman, Edward, *"No Injury" Plaintiffs and Standing*, 82 GEO. WASH. L. REV. 834 (2014).

Cramer, Eric L., Joshua P. Davis, & Caitlin V. May, *The Puzzle of Class Actions with Uninjured Members*, 82 GEO. WASH. L. REV. 858 (2014).

Davis, Joshua P., *Classwide Recoveries*, 82 GEO. WASH. L. REV. 890 (2014).

Erichson, Howard M., *The Problem of Settlement Class Actions*, 82 GEO. WASH. L. REV. 951 (2014).

Hazard, Jr., Geoffrey C., Comment, *Fact Determination in Rule 23 Class Actions*, 82 GEO. WASH. L. REV. 990 (2014).

American Association of Law Schools Section on Women in Legal Education Symposium: Institutional Responsibility for Sex and Gender Exploitation, 17 J. GENDER RACE & JUST. (2014)

Levit, Nancy, *Foreword—Institutional Responsibility for Sex and Gender Exploitation*, 17 J. GENDER RACE & JUST. 279 (2014).

Bublick, Ellen M., *Who Is Responsible for Child Sexual Abuse? A View From the Penn State Scandal*, 17 J. GENDER RACE & JUST. 297 (2014).

Mootz, Francis J. III., *Protecting Victims From Liability Insurance Companies that Add Gratuitous Insult to Grievous Injury*, 17 J. GENDER RACE & JUST. 313 (2014).

Stark, Barbara, *State Responsibility for Gender Stereotyping*, 17 J. GENDER RACE & JUST. 333 (2014).

Journal of Tort Law Symposium Issue: The Public Life of Private Law: A Volume in Honor of Richard Nagareda, 5 J. TORT L. (2012)

Goldberg, John C.P., *Introduction: Special Issue in Honor of Richard A. Nagareda*, 5 J. TORT L. 1 (2012).

Glover, Maria J., *Mass Litigation Governance in the Post-Class Action Era: The Problems and*

Promise of Non-removable State Actions in Multidistrict Litigation, 5 J. TORT L. 3 (2012).

Woolley, Patrick, Comment, *Using State Test Cases to Settle Multidistrict Litigation? A Comment on "Mass Litigation Governance in the Post-Class Action Era"*, 5 J. TORT L. 47 (2012).

McKenzie, Troy A., *The Mass Tort Bankruptcy: A Pre-History*, 5 J. TORT L. 59 (2012).

Baker, Lynn A., Comment, *Models of Closure in Mass Torts: A Comment on "The Mass Tort Bankruptcy: A Pre-History"*, 5 J. TORT L. 85 (2012).

Rave, Theodore, *Settlement, ADR, and Class Action Superiority*, 5 J. TORT L. 91 (2012).

Bone, Robert G., Comment, *Replacing Class Actions with Private ADR: A Comment on "Settlement, ADR, and Class Action Superiority"*, 5 J. TORT L. 127 (2012).

Lee, Emery G., Comment, *How Valuable Are Negative Value Claims?* 5 J. TORT L. 137 (2012).

Williams, Margaret S., Emery G. Lee III, & Catherine R. Borden, *Repeat Players in Federal Multidistrict Litigation*, 5 J. TORT L. 141 (2012).

Gilles, Myriam, Comment, *Tribal Rituals of the MDL*, 5 J. TORT L. 173 (2012).

Silver, Charles, Comment, *What Can We Learn by Studying Lawyers' Involvement in Multidistrict Litigation*, 5 J. TORT L. 181 (2012).

Zimmerman, Adam S., *The Corrective Justice State*, 5 J. TORT L. 189 (2012).

Burch, Elizabeth Chamblee, Comment, *Revisiting the Government as Plaintiff*, 5 J. TORT L. 227 (2012).

Rubin, Edward, *Keeping the Regulatory Faith*, 5 J. TORT L. 239 (2012).

Law & Contemporary Problems (Duke Law School): Law and Economics: The Legacy of

Guido Calabresi 77 LAW & CONTEMP. PROBS. (2014)

Marciana & Giovanni B. Ramello, *Foreword*, 77 LAW & CONTEMP. PROBS. i (2014)

Calabresi, Guido, *A Broader View of the Cathedral: The Significance of the Liability Rule, Correcting a Misapprehension*, 77 LAW & CONTEMP. PROBS. 1 (2014).

Kalman, Laura, *Some Thoughts on Yale and Guido*, 77 LAW & CONTEMP. PROBS. 15 (2014).

Hackney, Jr., James R., *Guido Calabresi and the Construction of Contemporary American Legal Theory*, 77 LAW & CONTEMP. PROBS. 45 (2014).

Medema, Steven G., *Juris Prudence: Calabresi's Uneasy Relationship with the Coase Theorem*, 77 LAW & CONTEMP. PROBS. 65 (2014).

Marciano, Alain & Giovanni B. Ramello, *Consent, Choice, and Guido Calabresi's Heterodox Economic Analysis of Law*, 77 LAW & CONTEMP. PROBS. 97 (2014).

Colombatto, Enrico, *A Free-Market View on Accidents and Torts*, 77 LAW & CONTEMP. PROBS. 117 (2014).

Hersch, Joni & W. Kip Viscusi, *Assessing the Insurance Role of Tort Liability After Calabresi*, 77 LAW & CONTEMP. PROBS. 135 (2014).

Geistfeld, Mark A., *Risk Distribution and the Law of Torts: Carrying Calabresi Further*, 77 LAW & CONTEMP. PROBS. 165 (2014).

Symposium on Baker and Griffith's ENSURING CORPORATE MISCONDUCT, 38 LAW & SOC. INQUIRY 475 (2013)

Langevoort, Donald C., *Introduction: Commentaries on ENSURING CORPORATE MISCONDUCT by Tom Baker and Sean J. Griffith*, 38 LAW & SOC. INQUIRY 475 (2013).

Heimer, Carol A., *Failed Governance: A Comment on Baker and Griffith's ENSURING CORPORATE MISCONDUCT*, 38 LAW & SOC. INQUIRY 480 (2013).

Short, Jodi L., *Competing Normative Frameworks and the Limits of Deterrence Theory: Comments on Baker and Griffith's ENSURING CORPORATE MISCONDUCT*, 38 LAW & SOC. INQUIRY 493 (2013).

Louisiana Law Review 2013 Symposium: Eastern District of Louisiana: The Nation's MDL Laboratory, 74 LA. L. REV. (2014)

Fallon, Eldon E., *Common Benefit Fees in Multidistrict Litigation*, 74 LA. L. REV. 371 (2014).

Duval, Jr., Hon. Stanwood R., *Considerations in Choosing Counsel for Multidistrict Litigation Cases and Mass Tort Cases*, 74 LA. L. REV. 391 (2014).

Issacharaoff, Samuel, & D. Theodore Rave, *The BP Oil Spill Settlement and the Paradox of Public Litigation*, 74 LA. L. REV. 397 (2014).

Grabill, Jeremy T., *The Pesky Persistence of Class Action Tolling in Mass Tort Multidistrict Litigation*, 74 LA. L. REV. 433 (2014).

Davis, Leonard A. & Philip A. Garrett, *Case Time and Cost Management for Plaintiffs in Multidistrict Litigation*, 74 LA. L. REV. 483 (2014).

University of Texas Review of Litigation Symposium 2013: The Class Action Fairness Act, 32 REV. LITIG. (2013)

Mullinex, Linda S., *Class Actions Shrugged: Mass Actions and the Future of Aggregate Litigation*, 32 REV. LITIG. 591 (2013).

Steinman, Adam N., *Kryptonite for CAFA?* 32 REV. LITIG. 649 (2013).

Tidmarsh, Jay, *Living in CAFA's World*, 32 REV. LITIG. 691 (2013).

Vairo, Georgene, *What Goes Around, Comes Around: From the Rector of Barkway to Knowles*, 32 REV. LITIG. 721 (2013).

Tulane Law Review Symposium: Modern Marine Insurance: Coverages, Current Issues, and Connections, 87 TUL. L. REV. (2013)

Peck, Stewart F., *Navigating the Murky Waters of Admiralty and Bankruptcy Law*, 87 TUL. L. REV. 955 (2013).

Parrish, Robert B., Thomas C. Sullivan & Shea M. Moser, *Criminalization of Maritime Casualties Circa 2013*, 87 TUL. L. REV. 995 (2013).

Gardner, Jean M., *Navigating the Rogue Waters of Inland Marine Transportation and the Impact of the Use of Third-Party Logistics Providers on Recovery for Cargo Loss and Damage*, 87 TUL. L. REV. 1025 (2013).

Baldwin, William C. & C. Barrett Rice, *Breach of Warranty and Misrepresentation—USA*, 87 TUL. L. REV. 1049 (2013).

Jaffe, Paul, *Reform of the Insurance Law of England and Wales—Separate Laws for the Different Needs of Businesses and Consumers*, 87 TUL. L. REV. 1075 (2013).

De Leo, Charles G. & LeRoy Lambert, *Direct Actions, Declaratory Actions, Abstention, Interpleaders, and Other Practical Considerations*, 87 TUL. L. REV. 1129 (2013).

Kimball, John D., *The Central Role of P&I Insurance in Maritime Law*, 87 TUL. L. REV. 1147 (2013).

Taylor, Tim, *Offshore Energy Construction Insurance: Allocation of Risk Issues*, 87 TUL. L. REV. 1165 (2013).

Tulane Law Review Symposium: The Evolution of Asbestos Litigation: Enduring Issues and the Administration of Trusts, 88 TUL. L. REV. (2014)

Sherman, Edward F., *The Evolution of Asbestos Litigation*, 88 TUL. L. REV. 1021 (2014).

Vairo, Georgene, *Lessons Learned by the Reporter: Is Disaggregation the Answer to the Asbestos Mess?* 88 TUL. L. REV. 1039 (2014).

Brickman, Lester, *Fraud and Abuse in Mesothelioma Litigation*, 88 TUL. L. REV. 1071 (2014).

Sanders, Joseph, *The “Every Exposure” Cases and the Beginning of the Asbestos Endgame*, 88 TUL. L. REV. 1153 (2014).

Ableman, Hon. Peggy L., *A Case Study From a Judicial Perspective: How Fairness and Integrity in Asbestos Tort Litigation Can Be Undermined by Lack of Access to Bankruptcy Trust Claims*, 88 TUL. L. REV. 1185 (2014).

Bernstein, Anita, *Gender in Asbestos Law: Cui bono? Cui pacat?* 88 TUL. L. REV. 1211 (2014).

University of Pennsylvania Journal of International Law: Mass Torts in a Shrinking World, 34 U. PA. J. INT’L L. (2013)

Restrepo, Daniel A., *Individual-Based, Cross-Border Litigation: A National Security Practitioner’s Perspective*, 34 U. PA. J. INT’L L. 743 (2013).

Traynor, Michael, *The Corruption Defense to Recognition of a Foreign Judgment: A Cautionary Note*, 34 U. PA. J. INT’L L. 755 (2013).

Hoffman, Lonny, *Further Thinking About Vicarious Jurisdiction: Reflecting on Goodyear v. Brown and Looking Ahead to Daimler AG v. Bauman*, 34 U. PA. J. INT’L L. 765 (2013).

Giorgetti, Chiara, *Mass Tort Claims in International Investment Proceedings: What Are the Lessons from the Ecuador-Chevron Dispute?* 34 U. PA. J. INT’L L. 787 (2013).

Curran, Vivian Grosswald, *Mass Torts and Universal Jurisdiction*, 34 U. PA. J. INT’L L. 799 (2013).

Brogan, James M., *Personal Jurisdiction After Goodyear and McIntyre One Step Forward; One Step Backward?* 34 U. PA. J. INT’L L. 811 (2013).

Folkman, Theodore J., *Two Modes of Comity*, 34 U. PA. J. INT’L L. 823 (2013).

19th Annual Institute for Law and Economic Policy Conference: The Economics of Aggregate Litigation, 66 VAND. L. REV. (2013)

Abramowicz, Michael & Omer Alper, *Screening Legal Claims Based on Third-Party Litigation*

Finance Agreements and Other Signals of Quality, 66 VAND. L. REV. 1641 (2013).

Baker, Lynn A., Michael A. Perino & Charles Silver, *Setting Attorneys' Fees in Securities Class Actions: An Empirical Assessment*, 66 VAND. L. REV. 1677 (2013).

Cox, James D., *Understanding Causation in Private Securities Lawsuits: Building on Amgen*, 66 VAND. L. REV. 1719 (2013).

Goldberg, John C.P. & Benjamin C. Zipursky, *The Fraud-on-the-Market Tort*, 66 VAND. L. REV. 1755 (2013).

Molot, Jonathan T., *Fee Shifting and the Free Market*, 66 VAND. L. REV. 1807 (2013).

Sebok, Anthony J. & W. Bradley Wendel, *Duty in the Litigation-Investment Agreement: The Choice Between Tort and Contract Norms When the Deal Breaks Down*, 66 VAND. L. REV. 1831 (2013).

Steinitz, Maya, *How Much Is That Lawsuit In the Window? Pricing Legal Claims*, 66 VAND. L. REV. 1889 (2013).

Thomas, Randall S., *What Should We Do About Multijurisdictional Litigation in M&A Deals?* 66 VAND. L. REV. 1925 (2013).

Villanova University Jeffrey S. Moorad Sports Law Journal Symposium: Concussion Conundrum, 20 JEFFREY S. MOORAD SPORTS L.J. (2013)

Panel 2: Building the Case — A Legal and Medical Background of Concussions. Andrew Brandt, Moderator; Marc Edelman, Dr. Michael Marino, student Cailyn Reilly, Panelists, 20 JEFFREY S. MOORAD SPORTS L.J. 347 (2013).

Panel 3: Concussion Injury Litigation v. NFL: Looking at Both Sides. Andrew Brandt, Moderator; Gordon Cooney, Paul Anderson, Sol Weiss, Panelists, 20 JEFFREY S. MOORAD SPORTS L.J. 362 (2013).

Reilly, Cailyn M., *Where Is Concussion Litigation Headed? The Impact of Riddell, Inc. v. Schutt Sports, Inc. on Brain Injury Law* (Riddell, Inc. v.

Schutt Sports, Inc., 724 F. Supp. 2d 963, 2010), 20 JEFFREY S. MOORAD SPORTS L.J. 517 (2013).

Washington and Lee Law Alumni Association Student Notes Colloquium, 71 WASH. & LEE L. REV. (2014)

Flinn, Meghan E., *A Continuing War with Asbestos: The Stalemate Among State Courts on Liability for Take-Home Asbestos*, 71 WASH. & LEE L. REV. 707 (2014).

Partlett, David, *Asbestos Wars: In Three Parts*, 71 WASH. & LEE L. REV. 759 (2014).

Fraley, Jill M., *Knowledge Circles and the Duty of Care*, 71 WASH. & LEE L. REV. 789 (2014).

Washington University Law Review F. Hodge O'Neal Corporate and Securities Law Symposium: The Future of Class Actions, 90 WASH. U. L. REV. (2013)

Marcus, David, *The History of the Modern Class Action, Part I: Sturm und Drang, 1953-1980*. 90 WASH. U. L. REV. 587 (2013).

Hellerstein, Alvin K., James A. Henderson, Jr. & Aaron D. Twerski, *The 9/11 Litigation Database: A Recipe for Judicial Management*, 90 WASH. U. L. REV. 653 (2013).

Burch, Elizabeth Chamblee, *Disaggregating*, 90 WASH. U. L. REV. 667 (2013).

Issacharoff, Samuel, *Assembling Class Actions*, 90 WASH. U. L. REV. 699 (2013).

Klonoff, Robert H., *The Decline of Class Actions*, 90 WASH. U. L. REV. 729 (2013).

McKenzie, Troy A., *Bankruptcy and the Future of Aggregate Litigation: The Past as Prologue?* 90 WASH. U. L. REV. 839 (2013).

Fisch, Jill E., *The Trouble with Basic: Price Distortion After Halliburton*, 90 WASH. U. L. REV. 895 (2013).

Langevoort, Donald C., *Lies Without Liars? Janus Capital and Conservative Securities Jurisprudence*, 90 WASH. U. L. REV. 933 (2013).

Badawi, Adam B., *Merger Class Actions in Delaware and the Symptoms of Multi-Jurisdictional Litigation*, 90 WASH. U. L. REV. 965 (2013).

Erichson, Howard M., *The Role of the Judge in Non-Class Settlements*, 90 WASH. U. L. REV. 1015 (2013).

Wolff, Tobias Barrington, *Managerial Judging and Substantive Law*, 90 WASH. U. L. REV. 1027 (2013).

**Widener Law Journal Symposium:
Perspectives on Mass Tort Litigation, 23
WIDENER L.J., 47-375 (2013) (Part I) & 23
WIDENER L. J. (2014) 633-812 (Part II)**

Robinette, Christopher J., *Introduction*, 23 WIDENER L.J. 47-58 (2013).

Schwartz, Victor E. and Mark A. Behrens, *Asbestos Litigation: The “Endless Search for a Solvent Bystander,”* 23 WIDENER L.J. 59 (2013).

Robreno, Hon. Eduardo C., *The Federal Asbestos Product Liability Multidistrict Litigation (MDL-875): Black Hole or New Paradigm*, 23 WIDENER L.J. 97 (2013).

Stier, Byron G., *The Sale and Settlement of Mass Tort Claims: Alternative Litigation Finance and a Possible Future of Mass Tort Resolution*, 23 WIDENER L.J. 193 (2013).

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