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Faculty Bibliography
2009—2010

Fordham University School of Law

Final Version
Friday, November 1, 2010

This is the final version of the 2009-2010 Fordham Law School Faculty Bibliography. While we strive to make each draft as complete and error free as possible, we inevitably make mistakes and we regret them. If you notice any omission or error in this document, please immediately send any additions or corrections to Todd Melnick, Associate Librarian for Public Services, tmelnick@law.fordham.edu.

This bibliography represents material published or accepted for publication by Fordham Law School Faculty and senior staff between October 1, 2009 and September 30, 2010. Published items appearing in the previous year's bibliography will not appear in the current year's bibliography. Items that were forthcoming in the 2008-2009 bibliography will appear again only in the bibliography corresponding to the year in which those items appear in print (i.e., a forthcoming item will appear only in one bibliography before the item is published).

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Book Chapters and Other Writings:

"Life of a Life Raft." Review of *Augustine of Hippo: A Life* by Henry Chadwick. *New Criterion*, January 2010, at 72.

Review of *The Reign of Terror in America: Visions of Violence from Anti-Jacobinism to Antislavery* by Rachael Hope Cleves. 114 *American Historical Review* 1449-1450 (2009).

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Journal Articles:

"Linkages Between Motivation, Self-Efficacy, Self-Regulated Learning and Preferences for Traditional Learning Environments or Those with an Online Component," 2 *Digital Culture & Education* 192-201 (2010) [with Fran C. Blumberg & Karen Clayton].

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Journal Articles:

"Consumer Credit and Competition: The Puzzle of Competitive Credit Markets," 6 *European Competition Journal* 68-89 (2010) [with Ted Janger].

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Books:

American Criminal Procedure: Cases and Commentary, 9th ed. St. Paul, MN: West, 2010 [with Stephen A. Saltzburg].

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Book Chapters and Other Writings:

“Regulator’s Incentives” in *Make Markets Be Markets* (Robert Johnson & Erica Payne, eds., New York: Roosevelt Institute, 2010).

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Journal Articles:

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Book Chapters and Other Writings:

“The Charge Was Treason – The Trial of John Brown.” Review of *John Brown’s Trial* by Brian McGinty. *Concurring Opinions*, April 6, 2010, available at <http://www.concurringopinions.com/archives/2010/04/book-review-the-charge-was-treason-the-trial-of-john-brown.html>.

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Journal Articles:

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Journal Articles:

“Consciousness and Culpability in American Criminal Law,” 12 *Waseda Proceedings of Comparative Law* 114-126 (2009) (translated into Japanese in 43 *Comparative Law Review* 137-153 (2010)).

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Books:

Complex Litigation: Cases and Materials on Advanced Civil Procedure, 5th ed. St. Paul, MN: West, 2010 [with Richard L. Marcus & Edward F. Sherman].

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Journal Articles:

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Book Chapters and Other Writings:

Review of *The African Charter on Human and Peoples' Rights: The System in Practice, 1986-2006* (2nd ed.) by Malcolm Evans & Rachel Murray, eds. 38 *International Journal of Legal Information* ____ (2010) (forthcoming)

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Journal Articles:

“Forward,” 20 *Fordham Intellectual Property, Media & Entertainment Law Journal* ix-xi (2009).

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The Future of African Customary Law. New York: Cambridge University Press, 2011
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Journal Articles:

“Common Law and Civil Law Systems: Some Defining and Distinguishing Characteristics,” III *Anuario Juridico Villanueva* 143 (2009).

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Journal Articles:

“The Compatibility of Patent Law and the Internet,” 78 *Fordham Law Review* 2783-2797 (2010).

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The Future of African Customary Law. New York: Cambridge University Press, 2011 [with Jeanmarie Fenrich & Tracy Higgins, eds.] (forthcoming).

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Books:

Legal Regulation of the Liability of Members of Management Organs: An Analysis of International Practice. Moscow: Alpina Publishers, 2010 [with Bernard S. Black, Anastasiya Farukshina, Brian R. Cheffins, Hwa-Jin Kim, Richard Nolan, Mathias M. Siems & Linia Prava] (Russian translation).

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Journal Articles:

“People Are Not Bananas: How Immigration Differs from Trade,” 104 *Northwestern University Law Review* ____ (2010) (forthcoming).

“Strengthening Labor Standards Enforcement through Partnerships with Workers’ Organizations,” ____ *Politics & Society* ____ (2010) [with Janice Fine] (forthcoming).

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Professional Responsibility: A Contemporary Perspective. St. Paul, MN: West, 2010 [with Russell G. Pearce & Daniel J. Capra] (forthcoming).

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“ABA Ethics Reform From ‘MDP’ to ‘20/20’: Some Cautionary Reflections,” 2009 *Journal of the Professional Lawyer* 1-12 (2009).

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Journal Articles:

“(Mis)Attribution,” 87 *Denver Law Review* 833-854 (2010).

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Books:

Ensuring Corporate Misconduct: How Liability Insurance Undermines Shareholder Litigation. Chicago: University of Chicago Press, 2011 [with Tom Baker] (forthcoming).

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"D&O Insurance and the Ability of Shareholder Litigation to Deter" in *Research Handbook on the Economics of Corporate Law* (Brett McDonnell & Claire Hill, eds., Surrey, UK: Edward Elgar Press, 2010) (forthcoming).

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Books:

Anti-Cartel Enforcement Worldwide. Cambridge: Cambridge University Press, 2009 [with Maher M. Dabbah].

International Antitrust Law & Policy: Fordham Competition Law 2009. New York: Juris Publishing, 2010.

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"Oligopolies and Collective Dominance: A Solution in Search of a Problem" in *Antitrust between EC Law and National Law: VIII Conference* (Enrico Adriano Raffaelli, ed., Brussels: Bruylant, 2009) [with Giorgio A. Motta].

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Book Chapters and Other Writings:

"Afro-Latin@s and the Latino Workplace" in *Afro-Latin@ Reader: History and Culture in the United States* (Juan Flores & Miriam Jimenez Roman, eds., Durham, NC: Duke University Press, 2010).

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Journal Articles:

“Feminism as Liberalism: A Tribute to the Work of Martha Nussbaum,” 19 *Columbia Journal of Gender & Law* 65-87 (2010).

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Books:

The Law of Armed Conflict: An Operational Approach, 1st ed. New York: Aspen Publishing, 2011 [with G. Corn, V. Hansen, C. Jenks, R. Jackson, M. Lewis, and J. Schoettler] (forthcoming).

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Books

Firearms Regulation and the Second Amendment, Cases and Materials. New York: Aspen (forthcoming).

Journal Articles:

“Administering the Second Amendment: Law, Politics and Taxonomy,” 50 *Santa Clara Law Review* 1263-1276 (2010).

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“Walking While Black in Manhattan,” in *Twelve Angry Men* (Gregory S. Parks & Matthew W. Hughey, eds., New York: New Press, 2010) (forthcoming).

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Review of *Finding Solutions for Environmental Conflicts* by Edward Christie. 37 *International Journal of Legal Information* 255-256 (2009).

Review of *The Endurance of National Constitutions* by Zachary Elkins, Tom Ginsburg & James Melton. 38 *International Journal of Legal Information* ____ (2010) (forthcoming).

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Books:

Fordham University School of Law: A History. New York: Fordham University Press, 2011(forthcoming).

Journal Articles:

“Cyber Civil Rights: Creative Lawyering and Original Scholarship,” 87 *Denver University Law Review Online*, June 27, 2010, available at <http://www.denverlawreview.org/how-to-regulate/2010/6/27/cyber-civil-rights-creative-lawyering-and-original-scholarsh.html>.

Book Chapters and Other Writings:

“Epilogue: The Enduring Legacy of the Thirteenth Amendment” in *The Promises of Liberty: The History and Contemporary Relevance of the Thirteenth Amendment* (Alexander Tsesis, ed., New York: Columbia University Press, 2010).

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Journal Articles:

“The Case for a Constitutional Definition of Hearsay: Requiring Confrontation of Testimonial Nonassertive Conduct and Statements Admitted to Explain an Unchallenged Investigation,” 93 *Marquette Law Review* 1415 (2010) [with Carrie A. Tendler].

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Books:

Property Outlaws: How Squatters, Pirates and Protesters Improve the Law of Ownership. New Haven: Yale University Press, 2010 [with Eduardo Moises Penalver].

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“Antibranding and Stealth Marketing: The Love that Dare not Speak Its Name,” 58 *Buffalo Law Review* 795-849 (2010).

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