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Faculty Bibliography
2013—2014

Fordham University School of Law

This is the final version of the 2013-2014 Fordham Law School Faculty Bibliography. We strive to make the bibliography as complete and error free as possible. If you notice any omission or error in this document, please immediately send any additions or corrections to Alissa Black-Dorward, Head of Reference, at blackdorward@law.fordham.edu.

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A.B., Oberlin College, 1973; M.A., Yale University, 1975; M.Phil., Yale University, 1976; J.D., Yale Law School, 1982; Ph.D., Yale University, 1983

Journal Articles:

“Edmund Sears Morgan, 1916-2013,” 32(1) *New Criterion* 77-79 (2013).

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A.B. *magna cum laude*, Harvard College, 1999; M.Sc., University of Oxford, 2000; J.D., Yale Law School, 2003

Journal Articles:

“The Perspective of Law on Contract,” 88 *Washington Law Review* 1227-1249 (2013).

“The Market for Rights,” 54(2) *Canadian Business Law Journal* 252-257 (2013).

“The Effect of Financial Crises on the Binding Force of Contracts: United States Report,” 62 *American Journal of Comparative Law* 127-131 (2014).

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Books:

Contemporary Issues in Consumer Bankruptcy. Frankfurt am Main: Peter Lang, 2013 [with Johanna Niemi-Kiesiläinen & Wolfram Backer].

Journal Articles:

“Who Governs? Delegations in Global Trade Lawmaking,” 7 *Regulation & Governance* 279-298 (2013) [with Terence C. Halliday & Josh Pacewicz].

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Books:

Cases and Materials on Legislation and Regulation: Statutes and the Creation of Public Policy, 5th ed. St. Paul, MN: West, 2014 (forthcoming) [with William N. Eskridge, Jr. & Elizabeth Garrett].

Journal Articles:

“Faithful Agency versus Ordinary Meaning Advocacy,” *57 St. Louis University Law Journal* 975-996 (2013).

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Books:

Professional Responsibility: A Contemporary Perspective, 2d ed. St. Paul, MN: West, 2013 [with Russell G. Pearce, Bruce A. Green, Laurel S. Terry & Renee Newman Knake].

Federal Rules of Evidence, 2013-2014 ed. St. Paul, MN: West, 2013.

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Journal Articles:

“Autopsy Reports and the Confrontation Clause: A Presumption of Admissibility,” 2 *Virginia Journal of Criminal Law* 62-115 (2014) [with Joseph Tartakovsky].

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Books:

The Law of Financial Institutions, 5th ed. New York: Wolters Kluwer Law & Business/Aspen Publishers, 2013 [with Jonathan R. Macey & Geoffrey P. Miller].

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Journal Articles:

“Oil and Water: Mixing Taxable and Tax-Exempt Shareholders in Mutual Funds,” 45 *Loyola University Chicago Law Journal* 773-843 (2014).

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Journal Articles:

“The Duty to Invent and the Duties of Inventors [发明与发明人的义务],” 2014 *Peking University Journal of Science Technology and Law* [科技与法律] 314-327 [trans. Zhou Qiong [周琼]].

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Book Chapters & Other Writings:

“The Case for Structured Rounds” in *Transforming the Education of Lawyers: The Theory and Practice of Clinical Pedagogy* (Susan Bryant, Elliott S. Milstein & Ann C. Shalleck, eds., Durham, NC: Carolina Academic Press, 2014).

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Books:

Property Law: Rules, Policies & Practices, 6th ed. New York: Wolters Kluwer Law & Business, 2014 [with Joseph W. Singer, Eduardo Peñalver & Bethany R. Berger].

Journal Articles:

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Journal Articles:

“What Real-World Criminal Cases Tell Us about Genetics Evidence,” (Symposium on “From Bench to Society: Law & Ethics at the Frontier of Genetic Technology”), 65 *Hastings Law Journal* 1591-1618 (2013).

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A.B., Harvard University, 1985; J.D., New York University School of Law, 1990

Journal Articles:

“The Role of the Judge in Non-Class Settlement,” 90 *Washington University Law Review* 1015-1026 (2013).

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Books:

The Twenty-Fifth Amendment: Its Complete History and Applications, 3d ed. New York: Fordham University Press, 2014.

Journal Articles:

“Volunteerism and Transition,” *New York State Bar Association Journal*, January 2014, at 12 [with Jessica Thaler].

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Books:

Constitutions and International Law. Martin Flaherty, ed. Northampton, MA: Edward Elgar Publishing, 2015 (forthcoming).

Journal Articles:

“‘But for Wuhan’: Do Foreign Law Schools That Operate in Authoritarian Regimes Have Human Rights Obligations?” (Keynote Address), 5 *Drexel Law Review* 297-316 (2013).

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“Introduction” in *Constitutions and International Law* (Martin Flaherty, ed., Northampton, MA: Edward Elgar Publishing, 2015) (forthcoming).

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Journal Articles:

“The Mobility Case for Regionalism,” *47 UC Davis Law Review* 63-120 (2013) [with Nestor M. Davidson].

“Breaking up Payday: Anti-Agglomeration Zoning & Consumer Welfare,” *75 Ohio State Law Journal* 57-101 (2014).

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Laurea in Giurisprudenza, *magna cum laude*, University of Milan, 1993; LL.M, University of London, 1995; Ph.D., University of Milan, 1998.

Journal Articles:

“The Year in Review: Reports from International Courts and Tribunals. The International Court of Justice,” *23 Yearbook of International Environmental Law* ____ (2014) (forthcoming).

Book Chapters & Other Writings:

“From Ignorance, to Indifference, to Limited Familiarity: An Analysis of the Relationship Between International Law and Multinational Corporations” in *La Responsabilita Sociale d’Impresa in Tema di Diritti Umane e Protezione dell’Ambiente: Il Caso dell’Peru* (Mariasosa Cutillo, Novak Talavera Fabian & Tullio Scovazzi, eds., Milan, Italy: Giuffrè, 2014).

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Mag.iur. [Law], University of Vienna, 1998; Mag.rer.soc.oec. [Business administration], WU Vienna University of Economics, 1998; Dr.iur., University of Vienna, 2001; Dr.rer.soc.oec., WU Vienna University of Economics, 2003; LL.M. (waived for fellowship), Harvard Law School, 2003; S.J.D., Harvard Law School, 2009

Journal Articles:

“Risk-Shifting through Issuer Liability and Corporate Monitoring,” 14 *European Business Organization Law Review* 497-533 (2013).

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Journal Articles:

“Supranational? Federal? Intergovernmental? The Governmental Structure of the European Union after the Treaty of Lisbon,” 20 *Columbia Journal of European Law* 77-142 (2013).

Book Chapters & Other Writings:

“Symposium on EU Law: Developments in Honor of Judge Konrad Schiemann,” 36 *Fordham International Law Journal* 1109-1113 (2013).

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B.A. *magna cum laude*, Radcliffe College, 1987; J.D. *magna cum laude*, Harvard Law School, 1992

Book Chapters & Other Writings:

“Holding the Line on Workplace Standards: What Works for Immigrant Workers (And What Doesn’t)” in *What Works for Workers* (Stephanie Luce et al., eds, New York: Russell Sage, 2014).

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Professional Responsibility: A Contemporary Perspective, 2d ed. St. Paul, MN: West, 2013 [with Daniel J. Capra, Russell G. Pearce, Laurel S. Terry & Renee Newman Knake].

Journal Articles:

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Book Chapters & Other Writings:

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Journal Articles:

“What is Constitutional Obligation?” (Constitutional Obligation and Disobedience: A Symposium on Abner S. Greene’s *Against Obligation* and Louis Michael Seidman’s *On Constitutional Disobedience*), 93 *Boston University Law Review* 1239-1255 (2013).

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Journal Articles:

“The Omnipresent Specter of *Omnicare*,” 38 *Journal of Corporation Law* 753-793 (2013).

“Substituted Compliance and Systemic Risk: How to Make a Global Market in Derivatives Regulation,” 98 *Minnesota Law Review* 1291-1373 (2014).

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Books:

New York Intellectual Property Law. Newark, NJ: LexisNexis, 2013.

Intellectual Property Law & Policy, Volume 13. Oxford: Hart, 2014.

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Books:

International Antitrust Law & Policy: Fordham Competition Law 2013. New York: Juris Publishing, 2014.

Book Chapters & Other Writings:

“U.S. Antitrust Arbitration” in *European Competition Law Annual 2011* (Philip Lowe & Mel Marquis, eds., Oxford: Hart, 2014) [with Yolaine Seaton].

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Journal Articles:

“One Path for 'Post-Racial' Employment Discrimination Cases -- The Implicit Association Test Research as Social Framework Evidence,” 32 *Journal of Law & Inequality* 307-344 (2014).

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Books:

Failure to Flourish. New York: Oxford University Press, 2014.

Journal Articles:

“The Child-Welfare System and the Limits of Determinacy,” *77 Law and Contemporary Problems* 221-248 (2014).

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Mastering The Master (of Laws), Part I: The US LLM: From Whether to When, What, Where, and How. New York: Jaeger-Fine Publishing, 2014 [with Desiree Jaeger-Fine].

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Books:

Negroes and the Gun: The Black Tradition of Arms. Amherst, NY: Prometheus Books, 2014.

Journal Articles:

“Firearms and the Black Community: An Assessment of the Modern Orthodoxy,” 46 *Connecticut Law Review* 1491-1604 (2013).

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Journal Articles:

“In the Service of Others: From Rose Hill to Lincoln Center,” 82 *Fordham Law Review* 1533-1628 (2014).

“The Trojan Horse Revisited,”

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Journal Articles:

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Journal Articles:

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Journal Articles:

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Journal Articles:

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Books:

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Journal Articles:

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Books:

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Journal Articles:

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Journal Articles:

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Books:

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Journal Articles:

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