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FORDHAM UNIVERSITY
THE SCHOOL OF LAW

Faculty Bibliography

2016-2017

Fordham University School of Law

This is the final version of the 2016-2017 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 Alison Shea, Head of Reference, at aashea@law.fordham.edu.

This bibliography represents books, journal articles, book chapters and other scholarly writings published or accepted for publication by Fordham Law School Faculty and senior staff between July 1, 2016 and June 30, 2017. Published items appearing in the previous year's bibliography will not appear in the current year's bibliography. Items that were forthcoming in the 2015-2016 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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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:

“The Marvelous Mrs. Oliphant,” 35(3) *New Criterion* 11-14 (2016).

Book Chapters & Other Writings:

Review of *Unfreedom: Slavery and Dependence in Eighteenth Century Boston* by Jared Ross Hardesty. 89 *The New England Quarterly* 668-670 (2016).

ADITI BAGCHI

Professor of Law

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

Journal Articles:

“Contract as Procedural Justice,” 7 *Jurisprudence* 47-84 (2016).

“The Political Morality of Convergence in Contract,” ____ *European Law Journal* ____ (2017) (forthcoming).

“Voluntary Obligation and Contract,” ____ *Theoretical Inquiries in Law* ____ (2018) (forthcoming).

Book Chapters & Other Writings:

“On the Very Idea of Legal Methodology” in *Legislators, Judges, Professors* (Jurgen Basedow, Holger Fleischer & Reinhard Zimmerman, eds., Tuebingen: Mohr Siebeck, 2016).

“Exit, Choice and Employee Loyalty” in *Contract, Status, and Fiduciary Law* (Paul B. Miller & Andrew S. Gold, eds., Oxford: Oxford University Press, 2016).

“The Contingent Politics of Legal Formalism” in *The Legacy of Wesley Hohfeld: Edited Major Works, Select Personal Papers, and Original Commentaries* (Shyam Balganes, Ted Sichelman & Henry Smith, eds., Cambridge: Cambridge University Press, 2018) (forthcoming).

“Fiduciary Principles in Employment Law” in *Oxford Handbook of Fiduciary Law* (Evan Criddle, Paul Miller & Robert Sitkoff, eds., Oxford: Oxford University Press, 2018) (forthcoming).

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B.A. with honors, University of Michigan, 1979; J.D. *cum laude*, University of Michigan Law School, 1982

Journal Articles:

“The UK and EU Cross-Border Insolvency Recognition: From Empire to Europe to ‘Going It Alone’,” 40 *Fordham International Law Journal* ____ (2017) (forthcoming).

“Reaching to Restructure Across Borders (Without Over-Reaching), Even After Brexit,” ____ *Brooklyn Journal of Commercial & Financial Law* ____ (2017) (forthcoming).

Book Chapters & Other Writings:

“Consumer Financial Protection, Inclusion and Education: Connecting the Local to the Global” in *Law Between Buildings: Emerging Global Perspectives in Urban Law* (Nestor Davidson & Nisha Mistry, eds., New York: Routledge, 2017).

“Contracts and Private Law in the Emerging Ecology of International Lawmaking” in *Contractual Knowledge: One Hundred Years of Legal Experimentation in Global Markets* (Gregoire Mallard & Jerome Sgard, eds., Cambridge: Cambridge University Press, 2016) [with Terence Halliday].

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Professor of Law

B.A., Amherst College, 1971; B.A., M.A., Oxford University, 1973; J.D., Yale Law School, 1979

Journal Articles:

“Protean Statutory Interpretation in the Courts of Appeals,” 58 *William & Mary Law Review* 681-763 (2017) [with Lawrence Baum].

“Legislative Underwrites,” 103 *Virginia Law Review* ____ (2017) (forthcoming) [with Ethan Leib].

“The Internationalization of Sources of Labor Law,” 39 *University of Pennsylvania Journal of International Law* ____ (2017) (forthcoming).

Book Chapters & Other Writings:

“Decent Labour Standards in Corporate Supply Chains: The Immokalee Workers Model,” in *Temporary Labour Migration in the Global Era: The Regulatory Challenges* (Joanna Howe & Rosemary Owens, eds., Oxford: Hart Publishing, 2016).

“Essay: Contextualizing Shadow Conversations,” 166 *University of Pennsylvania Law Review Online* 37-52 (2017).

DANIEL J. CAPRA

Reed Professor of Law

A.B., Rockhurst University, 1974; J.D., Boalt Hall School of Law, University of California-Berkeley, 1977

Books:

Best Practices for Authenticating Digital Evidence, St. Paul, MN: West Academic Press, 2016 [with Paul W. Grimm & Gregory P. Joseph].

2016 Cumulative Supplement: New York Evidence Handbook, 2d ed. New York: Aspen Law & Business, 2014 [with Michael M. Martin].

December 2016 Cumulative Supplement: Federal Rules of Evidence Manual, 11th ed. San Francisco, CA: LexisNexis, 2015 [with Stephen A. Saltzburg & Michael M. Martin].

June 2017 Cumulative Supplement: Federal Rules of Evidence Manual, 11th ed. San Francisco, CA: LexisNexis, 2015 [with Stephen A. Saltzburg & Michael M. Martin].

New York Evidence Handbook: Rules, Theory, and Practice, 3d ed. New York: Wolters Kluwer Law & Business, 2017 (forthcoming) [with Michael M. Martin].

American Criminal Procedure, Cases and Commentary, 11th ed. St. Paul, MN: West Academic Press, 2017 (forthcoming) [with Stephen A. Saltzburg].

Federal Rules of Evidence, 2017-2018 ed. St. Paul, MN: West Academic Press, 2017.

Black Letter Outline on Criminal Procedure, 7th ed. St. Paul, MN: West Academic Press, 2017 [with Stephen A. Saltzburg & Angela A. Davis].

Journal Articles:

“Expanding (or Just Fixing) the Residual Exception to the Hearsay Rule,” 85 *Fordham Law Review* 1577-1613 (2017).

“Authenticating Digital Evidence,” 87 *Baylor Law Review* 1-55 (2017) [with Paul W. Grimm & Gregory P. Joseph].

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Associate Professor of Law

B.A., Yale University, 1975; J.D., Harvard Law School, 1982

Books:

The Law of Financial Institutions, 6th ed. New York: Wolters Kluwer Law & Business/Aspen Publishers, 2017 [with Jonathan R. Macey & Geoffrey P. Miller].

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A.B., College of the Holy Cross, 1967; M.A., Boston University, 1971; J.D., Rutgers University-Newark School of Law, 1974

Journal Articles:

“Deadly Dust: Occupational Health and Safety as a Driving Force in Workers’ Compensation Law and the Development of Tort Doctrine and Practice,” 70 *Rutgers Law Review* ____ (2017) (forthcoming).

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Professor of Law

B.A. *summa cum laude*, Yale University, 1983; J.D., Yale Law School, 1987; M.L.T., Georgetown University, 1993

Journal Articles:

“The Great ETF Tax Swindle: The Taxation of In-Kind Redemptions,” 122 *Penn State Law Review* ____ (2017) (forthcoming).

Book Chapters & Other Writings:

“Prejudgment Interest” in *Litigation Services Handbook: The Role of the Financial Expert* (Roman Weil et al., eds., Hoboken, NJ: John Wiley & Sons, 2017) [with Michael Knoll].

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A.B. *magna cum laude*, Harvard College, 1990; J.D., Columbia University, 1997

Books:

Law Between Buildings: Emergent Global Perspectives in Urban Law. New York: Routledge, 2017 [ed. with Nisha Mistry].

Property Law: Rules, Policies and Practices, 7th ed. New York: Wolters Kluwer Law & Business/Aspen Publishers, 2017 [with Joseph W. Singer, Eduardo M. Peñalver & Bethany Berger].

The Legal Power of Cities: Global Perspectives in Urban Law. New York: Routledge, 2018 (forthcoming) [ed. with Gilberto Vargas].

The Cambridge Handbook of the Law of the Sharing Economy. Cambridge: Cambridge University Press, 2018) (forthcoming) [with John Infranca & Michèle Finck, eds.].

Journal Articles:

“Localist Administrative Law,” 126 *Yale Law Journal* 564-634 (2017).

“Affordable Housing Law and Policy in an Era of Big Data,” 44 *Fordham Urban Law Journal* 277-300 (2017).

Book Chapters & Other Writings:

“Department of Housing and Urban Development v. Rucker: Public Housing as Housing of Last Resort” in *The Poverty Law Canon: Exploring the Major Cases* (Marie Failinger & Ezra Rosser, eds., Ann Arbor: University of Michigan Press, 2016).

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Arthur A. McGivney Professor of Law

B.A., University of Virginia, 1974; M.A., University of Toronto, 1975; Ph.D., University of Pennsylvania, 1982; J.D., University of Pennsylvania Law School, 1989

Books:

Changing Law’s Mind: How Neuroscience Can Help Us Punish Criminals More Fairly and Effectively. Oxford: Oxford University Press, 2018 (forthcoming).

Journal Articles:

“Concocting Criminal Intent,” 105 *Georgetown Law Journal* 323-378 (2017).

“How Prosecutors and Defense Attorneys Differ In their Use of Neuroscience Evidence,” 84 *Fordham Law Review* 453-479 (2016).

“Foreword: Criminal Behavior and the Brain: When Law and Neuroscience Collide,” 84 *Fordham Law Review* 399-422 (2016).

Book Chapters & Other Writings:

“Courting Abolition.” Review of *Courting Death: The Supreme Court and Capital Punishment* by Carol Steiker & Jordan Steiker, 130 *Harvard Law Review* 1827-1876 (2017).

“Andrea Yates: A Continuing Story about Insanity” in *The Insanity Defense: Multidisciplinary Views on Its History, Trends, and Controversies* (Mark D. White, ed., Santa Barbara, CA: Praeger, 2017).

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A.B. *magna cum laude*, Harvard University, 1981; J.D. *magna cum laude*, Harvard University, 1985

Journal Articles:

“The Second Circuit and Social Justice,” 85 *Fordham Law Review* 73-110 (2016) [with Alexander A. Reinert].

Book Chapters & Other Writings:

“Law Schools Must Focus on Access to Justice,” *New York Law Journal*, September 27, 2016, at 6 [with Jonathan Lippman & David Udell].

HOWARD M. ERICHSON

Professor of Law

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

Books:

Inside Civil Procedure: What Matters and Why, 3d ed. New York: Wolters Kluwer, 2017 (forthcoming).

Journal Articles:

“Aggregation as Disempowerment: Red Flags in Class Action Settlements,” 92 *Notre Dame Law Review* 859-911 (2016).

“Settlement in the Absence of Anticipated Adjudication,” 85 *Fordham Law Review* 2017-2031 (2017).

Book Chapters & Other Writings:

“What MDL and Class Actions Have in Common,” 70 *Vanderbilt Law Review En Banc* 29-38 (2017).

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LL.B. with honors, University of Ghana, 1973; LL.M., University of Ghana, 1976; B.L., University of Ghana, 1976; LL.M., New York University School of Law, 1982; J.S.D., New York University School of Law, 1985

Book Chapters & Other Writings:

Review of *The Intersection of International Law and Domestic Law* by David Thor Bjorvinsson. 45 *International Journal of Legal Information* ____ (2017) (forthcoming).

“Regulating Transnational Corporations: An Unending Quest for Global Economic Justice” in *A Commitment to Law, Development and Public Policy: A Festschrift in Honor of Nana Dr. SKB Asante* (Richard Frimpong Oppong & William Kissi Agyebeng, eds., London: Wildy, Simmons & Hill, 2016).

Review of *The Cuban Embargo Under International Law* by Nigel D. White. 44 *International Journal of Legal Information* 209 (2016).

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B.A., Fordham University, 1958; LL.B., Fordham Law School, 1961; LL.D. (Honorary), Fordham Law School, 2002

Journal Articles:

“Second Circuit Court of Appeals, Conversation on Mediation Series,” ____ *Cardozo Law Review* ____ (2017) (forthcoming).

Book Chapters & Other Writings:

"Pro-Bono for Corporate Lawyers," 34 *Inside: Corporate Counsel Section Newsletter* (Fall 2016).

“Foreword” in *The John F. Sonnett Memorial Lectures at Fordham University School of Law: A Half-Century of Advocacy and Judicial Perspectives* (Dennis J. Kenny & Joel E. Davidson, eds., New York: Fordham University Press, 2017).

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B.A., Princeton University, 1981; M.A., Yale University, 1982; M. Phil., Yale University, 1987; J.D., Columbia University, 1988

Books:

The Supreme Court and Foreign Affairs. Princeton: Princeton University Press, 2018 (forthcoming).

Journal Articles:

“But Maybe Everything That Dies Someday Comes Back,” 32 *Constitutional Commentary* ____ (2017) (forthcoming).

Book Chapters & Other Writings:

Review of *The Futility of Law and Development: China and the Dangers of Exporting American Law* by Jedidiah Kroncke. 104 *Journal of American History* 163-64 (2017).

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Books:

The City as Commons: Reconceiving Urban Space, Common Goods, and City Governance. 2018 (forthcoming).

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B.S. *summa cum laude*, Cornell University, 2009; J.D. *magna cum laude*, Harvard Law School, 2012

Journal Articles:

“Towards Patent Standardization,” 30 *Harvard Journal of Law & Technology* 233-256 (2017) [with Jay P. Kesan].

“Patent Clutter,” 103 *Iowa Law Review* ____ (2018) (forthcoming).

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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

Book Chapters & Other Writings:

“Centros, the Freedom of Establishment for Companies, and the Court’s Accidental Vision for Corporate Law” in *EU Law Stories: Contextual and Critical Histories of European Jurisprudence* (Fernanda Nicola & Bill Davies, eds., Cambridge: Cambridge University Press, 2017).

“Vorbemerkungen vor § 189 UGB (General Introduction to Accounting Law); §§ 190-192 UGB (Bookkeeping, Inventory)” in *Wiener Kommentar zum UGB, Band II: Rechnungslegung, 3d ed. [Treatise on the Business Enterprise Code, 3d ed.]* (Manfred Straube, Thomas Ratka & Roman Rauter, eds., Vienna: Manz, 2017).

“The Protection of Minority Investors and the Compensation of their Losses” in *General Reports of the XIXth Congress of the International Academy of Comparative Law* (Martin Schauer & Bea Verschraegen, eds., New York: Springer, 2017).

“Konzern und Konzernrecht aus rechtsökonomischer und rechtsvergleichender Sicht [Corporate Groups and the Law of Corporate Groups from a Law and Economics and Comparative Perspective]” in *Konzernrecht* (Thomas Haberer & Heinz Krejci, eds., Vienna: Manz, 2016).

“§§ 84-95 GmbHG (Auflösung und Liquidation) [§§ 84-95 of the Austrian LLC Act (Dissolution and Liquidation)]” in *GmbHG-Kommentar, 2d ed.* (Michael Gruber & Friedrich Harrer, eds., Vienna: Linde) (forthcoming).

“Corporate Opportunities in the US and in the UK” in *Research Handbook on Fiduciary Law* (Andrew Gold & D. Gordon Smith, eds., Northampton, MA: Edward Elgar, 2017) (forthcoming) [with Geneviève Helleringer].

“History of Law and Economics” in *Encyclopedia of Law and Economics* (Jürgen Backhaus, ed., 2019) (forthcoming) [with Kristoffel Grechenig].

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Clinical Associate Professor of Law

B.A., University of Michigan, 1962; MA, Yale University, 1966; LL.B., Yale University, 1966

Journal Articles:

“Two, Three, Many Rosas! Rebellious Lawyers and Progressive Activist Organizations,” 23 *Clinical Law Review* 611-634 (2016).

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B.A., Manhattan College, 1957; LL.B., New York University, 1960; LL.M., New York University, 1961

Journal Articles:

“Adding a Little Gold to the Golden Years: Should the European Union Prohibit Compulsory Retirement As Age-based Discrimination in Employment?” 23 *Columbia Journal of European Law* 305-367 (2017).

JENNIFER GORDON

Professor of Law

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

Journal Articles:

“Regulating the Human Supply Chain,” 102 *Iowa Law Review* 445-504 (2017).

“Immigration as Commerce: A New Look at the Federal Immigration Power and the Constitution,” 93 *Indiana Law Journal* ____ (2018) (forthcoming).

Book Chapters & Other Writings:

“Roles for Workers and Unions in Labor Recruitment in Mexico” in *Temporary Labour Migration in the Global Era: The Regulatory Challenges* (Joanna Howe & Rosemary Owens, eds., Oxford: Hart Publishing, 2016).

BRUCE A. GREEN

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A.B. *summa cum laude*, Princeton University, 1978; J.D., Columbia Law School, 1981

Books:

Professional Responsibility: A Contemporary Perspective, 3d ed. St. Paul, MN: West, 2017 [with Russell G. Pearce, Renee Newman Knake, Peter A. Joy, et al.].

Teacher’s Manual, Professional Responsibility: A Contemporary Perspective, 3d ed. St. Paul, MN: West, 2017 [with Russell G. Pearce, Renee Newman Knake, Peter A. Joy, et al.].

Journal Articles:

“Prosecutorial Accountability 2.0,” 92 *Notre Dame Law Review* 51-116 (2016) [with Ellen Yaroshefsky].

“Disciplinary Regulation of Prosecutors as a Remedy for Abuses of Prosecutorial Discretion: A Descriptive and Normative Analysis,” 14 *Ohio State Journal of Criminal Law* 143-182 (2016) [with Samuel Levine].

“Should There Be a Specialized Ethics Code for Death-Penalty Defense Lawyers?” 29 *Georgetown Journal of Legal Ethics* 527-558 (2016).

“Candor in Criminal Advocacy,” 44 *Hofstra Law Review* 1105-1125 (2016).

“Rethinking Prosecutors’ Conflicts of Interest,” 58 *Boston College Law Review* 463-538 (2017) [with Rebecca Roiphe].

“Prosecutorial Ethics in Retrospect,” 30 *Georgetown Journal of Legal Ethics* ____ (2017) (forthcoming).

“Urban Policing and Public Policy – the Prosecutor’s Role,” 51 *Georgia Law Review* ____ (2017) (forthcoming).

Book Chapters & Other Writings:

“The flood of US lawyers: natural fluctuation or professional climate change?” in *Too Many Lawyers? The Future of the Legal Profession* (Eyal Katvan, et al., eds., New York: Routledge, 2016).

KAREN GREENBERG

Director, Fordham Center on National Security
B.A., Cornell University; Ph.D., Yale University

Journal Articles:

“Counter-Radicalization via the Internet,” 668 *Annals of the American Academy of Political and Social Science* 165-179 (2016).

Book Chapter and Other Writings:

“Skin in the Game,” 304 (12) *The Nation* 34-37 (2017).

ABNER GREENE

Leonard F. Manning Professor of Law

B.A. *magna cum laude*, Yale University, 1982; J.D. *summa cum laude*, University of Michigan Law School, 1986

Journal Articles:

“The Concept of the Speech Platform: *Walker v. Texas Division*,” 68 *Alabama Law Review* 337-394 (2016).

SEAN J. GRIFFITH

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B.A., Sarah Lawrence College, 1996; J.D. *magna cum laude*, Harvard Law School, 2000

Books:

Handbook on Shareholder Litigation. Northampton, MA: Edward Elgar, 2018 (forthcoming) [ed. with Jessica Erickson, David Webber & Verity Winship].

Journal Articles:

“Corporate Governance in an Era of Compliance,” 57 *William & Mary Law Review* 2075-2106 (2016).

“Dead Hand Proxy Puts and Shareholder Value,” 84 *University of Chicago Law Review* ____ (2017) (forthcoming) [with Natalia Reisel].

Book Chapters & Other Writings:

“The Question Concerning Technology in Compliance,” 11 *Brooklyn Journal of Corporate, Financial & Commercial Law* 25-38 (2016).

“Objections to Disclosure Settlements: A “How To” Guide,” ___ *Oklahoma Law Review* ___ (2017) (forthcoming) [with Anthony A. Rickey].

“Private Ordering Post-*Trulia*: Why No Pay Provisions Can Fix the Deal Tax and Forum Selection Provisions Can’t” in *The Corporate Contract in Changing Times* (Steven Davidoff Solomon & Randall Thomas, eds., Chicago: University of Chicago Press, 2017) (forthcoming).

“Product Differentiation in the Market for Corporate Law: A Regulatory Alternative to Delaware Corporate Law” in *Can Delaware Be Dethroned? Evaluating Delaware’s Dominance of Corporate Law* (Iman Anabtawi, Stephen Bainbridge, Sung Hui Kim, & James Park, eds., Cambridge: Cambridge University Press, 2017) (forthcoming).

“Who Collects the Deal Tax, Where, and What Delaware Can Do About It” in *Handbook on Shareholder Litigation* (Jessica Erickson, Sean Griffith, David Webber & Verity Winship, eds., Northampton, MA: Edward Elgar, 2018) (forthcoming) [with Anthony A. Rickey].

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Professor of Law & Director, Fordham Intellectual Property Institute

A.B., Rutgers University, 1968; J.D., Georgetown University, 1972; LL.M., Yale University, 1977

Books:

Intellectual Property Law. St. Paul, MN: West Academic Publishing, 2018 (forthcoming) [with Daryl Lim & Susan Scafidi].

Book Chapters & Other Writings:

Brief of Professor Hugh C. Hansen as *Amicus Curiae* in Support of Respondent, *Lee v. Tam*, 582 U.S. ___ (2017) (No. 15 -1293).

BARRY HAWK

Founder, Fordham Competition Law Institute

A.B. *magna cum laude*, Fordham University, 1962; LL.B. *cum laude*, University of Virginia School of Law, 1965

Journal Articles:

“Attempt to Monopolize: An American Anomaly,” 62 *Antitrust Bulletin* ___ (2017) (forthcoming).

TANYA KATERÍ HERNANDEZ

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B.A., Brown University, 1986; J.D., Yale Law School, 1990

Books:

Multiracials and Civil Rights. New York: NYU Press, 2017 (forthcoming).

Subordinação racial no Brasil e na América Latina: o papel do Estado, o Direito Costumeiro e a Nova Resposta dos Direitos Cíveis. Salvador, Brazil: Federal University of Bahia Press, 2017 (Portuguese translation of Racial Subordination in Latin America: The Role of the State, Customary Law and the New Civil Rights Response, 2012).

Journal Articles:

“Racially-Mixed Personal Identity Equality,” 15 *Law, Culture, and Humanities* 1-11 (2017).

Book Chapters & Other Writings:

“Michael Olivas, the Critical Race Theory Lat-Crit Activist Scholar” in *Law Professor and Accidental Historian: The Scholarship of Michael A. Olivas* (Ediberto Roman, ed., Durham, NC: Carolina Academic Press, 2017).

“Latino-Black Inter-Ethnic Conflict: Segregated Together with ‘Fair’ Housing” in *Minority Relations: Intergroup Conflict and Cooperation* (Greg Robinson & Robert S. Chang, eds., Jackson, MS: University Press of Mississippi, 2016).

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B.A., Oberlin College, 1990; J.D., Columbia Law School, 1996

Journal Articles:

“Nonmarital Families and the Legal System’s Institutional Failures,” 50 *Family Law Quarterly* 247-259 (2016).

“Early Childhood Development and the Law,” 90 *Southern California Law Review* 755-814 (2017).

“Familial Gender Norms in the Age of Trump,” 55 *Family Court Review* ____ (2017) (forthcoming).

“The Empirical Turn in Family Law,” 118 *Columbia Law Review* ____ (2018) (forthcoming).

Book Chapters & Other Writings:

“Foreword: *Moore* Kinship,” 85 *Fordham Law Review* 2551-2557 (2017) [with Robin Lenhardt].

“Affective Family Law” in *The Emotional Dynamics of Law and Legal Discourse* (John Stannard & Heather Conway, eds., Oxford: Hart, 2016).

“New Knowledge in Child Protection: Neuroscience and Its Impact on Practice” in *Beyond the Risk Paradigm: Current Debates and New Directions in Child Protection* (Marie Connolly, ed., New York: Palgrave, 2016).

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Books:

The Legal Professional Persona. St. Paul, MN: West Academic, 2018 (forthcoming).

NICHOLAS JOHNSON

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B.S.B.A., West Virginia University, 1981; J.D., Harvard Law School, 1984

Books:

Firearms Law and the Second Amendment: Regulation, Rights, and Policy. New York: Aspen Law & Business, 2d ed., 2017 [with David B. Kopel, George A. Mocsary & Michael P. O'Shea].

Teacher's Manual, Firearms Law and the Second Amendment: Regulation, Rights, and Policy. New York: Aspen Law & Business, 2d ed., 2017 [with David B. Kopel, George A. Mocsary & Michael P. O'Shea].

Journal Articles:

“Lawful Gun Carriers (Police and Armed Citizens): License, Escalation, and Race,” 80 *Law and Contemporary Problems* 209-231 (2017).

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Journal Articles:

“Inherent National Sovereignty Constitutionalism: An Original Understanding of the US Constitution,” 101 *Minnesota Law Review* 699-787 (2016).

“From Petitions for Gratuities to Claims for Damages: Personal Injuries and Railroads During the Industrialization of the United States,” 57 *American Journal of Legal History* ____ (2017) (forthcoming).

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Professor of Law

A.B., Harvard College, 1993; J.D., Yale Law School, 1999

Journal Articles:

“The Jury and Empire: The Insular Cases and the Anti-Jury Movement in the Gilded Age and Progressive Era,” 91 *Southern California Law Review* ____ (2018) (forthcoming).

Book Chapters & Other Writings:

“*Bivens* in National Security Cases, Before and After *Ziglar v. Abassi*” in *Courts at War: Judicial Accountability for U.S. National Security and Counterterrorism Policies* (Robert M. Chesney & Stephen I. Vladeck, eds., Oxford: Oxford University Press, 2018) (forthcoming).

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Journal Articles:

“The Right to Regulate in Investor-State Arbitration: Slicing and Dicing Regulatory Carve-Outs,” 50 *Vanderbilt Journal of Transnational Law* 355-414 (2017).

Book Chapters & Other Writings:

“Corporate Interest and the Right to Regulate in Investor-State Arbitration” in *Contemporary Issues in International Arbitration and Mediation: The Fordham Papers 2015* (Arthur W. Rovine, ed., Leiden: Brill, 2017).

JOSEPH LANDAU

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B.A., Duke University, 1995; J.D., Yale Law School, 2002

Journal Articles:

“New Consensus Constitutionalism,” 103 *Iowa Law Review* ____ (2017) (forthcoming).

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Journal Articles:

“Natural Born Citizen,” 67 *American University Law Review* ____ (2017) (forthcoming).

Book Chapters & Other Writings:

“International Arbitration of Patent Claims” in *Contemporary Issues in International Arbitration and Mediation: The Fordham Papers 2015* (Arthur Rovine, ed., Leiden: Brill-Nijhoff, 2016).

“Fair Winds and Following Seas, Shipmate”, 42 *Ohio Northern University Law Review* 877-881 (2016).

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B.A., Swarthmore College, 1995; J.D. *magna cum laude*, Harvard University, 1999

Journal Articles:

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Journal Articles:

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Journal Articles:

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Books:

December 2016 Cumulative Supplement: Federal Rules of Evidence Manual, 11th ed. San Francisco, CA: LexisNexis, 2015 [with Stephen A. Saltzburg & Daniel J. Capra].

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Book Chapters & Other Writings:

“Prostitution/Sex Work in Africa” in *Oxford Research Encyclopedias: African History* (Thomas Spear, ed., Oxford: Oxford University Press, 2018) (forthcoming).

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Books:

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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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Books:

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Books:

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Book Chapters & Other Writings:

Clinical Legal Education Association Handbook for New Clinical Teachers, 8th ed., 2017 [with Cynthia Batt, D’Lorah Hughes & Kele Stewart].

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Book Chapters & Other Writings:

“The Pennsylvania Supreme Court and Modern American Tort Law” in *The Pennsylvania Supreme Court in the Life and Law of the Commonwealth, 1684-2017* (John Hare, ed., University Park, PA: Pennsylvania State University Press, 2017) (forthcoming).

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Books:

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B.A., Harvard University, 1984; J.D., New York University School of Law, 1988

Journal Articles:

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Books:

The Life and Times of Arthur Browne in Ireland and America, 1756-1805: Civil Law and Civil Liberties. Dublin: Four Courts Press, 2017.

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Journal Articles:

“Intermediary Design Duties,” 50 *Connecticut Law Review* ____ (2018) (forthcoming).

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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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