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Collected Works, May 1, 2015

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To keep you informed of important updates, below is a summary of faculty activities, publications, and news that has been collected in the last two weeks. *Collected Works* is compiled by the Law Library and the Law Communications Office based on faculty submissions.

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Upcoming Faculty Lunches and Events

Wednesday, May 6

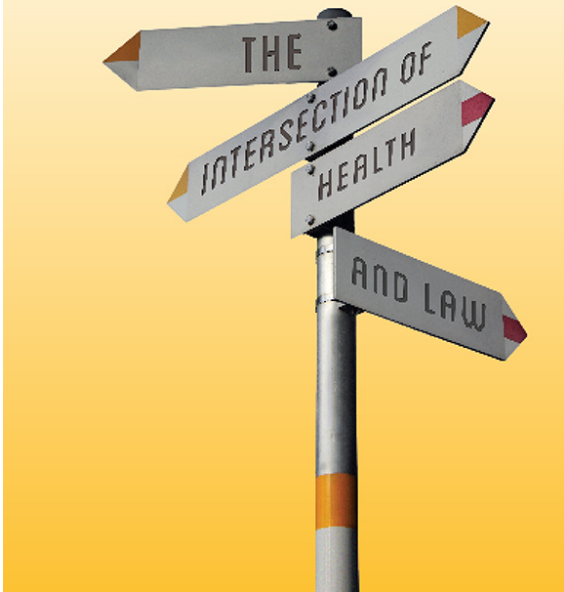
Jim Hines: Impartial Investing

Friday, May 8

Honors Convocation: 4:30 p.m., Honigman Auditorium

Saturday, May 9

Senior Day: 2 p.m., Hill Auditorium



Read more faculty news and scholarship in the [Law Quadrangle online](#). Some features include:

- Michael Bloom – [Transactional Lab & Clinic Opens Doors into Corporate World](#)
- Debra Chopp and L. Kate Mitchell – [Doctor's Orders: Call Your Lawyer](#)
- Richard Primus and Theodore J. St. Antoine – [Theodore J. St. Antoine Collegiate Professorship Established with Support from Seyfarth Shaw](#)
- Carl Schneider – [The Failure of Mandated Disclosure](#)

SCHOLARSHIP

Published

Reuven Avi-Yonah. "All or Nothing? The Obama Budget Proposals and BEPS." *Int'l Tax J.* 41, no. 2 (2015). [Full Text](#)

James Hathaway, co-author. "Non-Refoulement in a World of Cooperative Deterrence," T. Gammeltoft-Hansen, co-author. *Colum. J. Transnat'l L.* 53, no. 2 (2015): 235-84. [Full Text](#)

Jessica Litman. "Silent Similarity." *Chi.-Kent J. Intell. Prop. L.* 14, no. 1 (2015): 11-47. [Full Text](#)

Gil Seinfeld. "Reflections on Comity in

ACTIVITIES

Amanda Alexander was the keynote speaker for the Detroit Mayor's Task Force for the Well Being of Children & Families' Annual Community Leadership Breakfast on April 24. The program's theme was "Protecting Our Families in the Era of Mass Incarceration."

Reuven S. Avi-Yonah's article, "Just Say No: Corporate Taxation and Corporate Social Responsibility," was identified by Kathleen DeLaney Thomas as one of the best works of recent scholarship relating to tax law, in a review published in [Jotwell: The Journal of Things We Like \(Lots\)](#).

Mary Rose Brusewitz was named one

the Law of American Federalism.” *Notre Dame L. Rev.* 90, no. 1 (2015): 1309-43. [Full Text](#)

Peter Westen. “Lex Mitior: Converse of Ex Post Facto and Window into Criminal Desert.” *New Crim. L. Rev.* 18, no. 2 (Forthcoming): 167-213. [Full Text](#)

Forthcoming

Nina A. Mendelson, “The Uncertain Effects of Senate Confirmation Delays in the Agencies.” *Duke L. J.* 64. (Forthcoming.)

Mark K. Osbeck, *Using Data Analytics Tools to Supplement Traditional Research and Analysis in Forecasting Case Outcomes.* U of Michigan Public Law & Legal Theory Research Paper No. 446; *J. Legal Writing.* (Forthcoming.) [Full Text](#)

Mark K. Osbeck & Howard Bromberg, co-authors. *Marijuana Law in a Nutshell.* (West, Forthcoming.)

of Latin America's Top 50 Female Lawyers by [Latinvex](#) for the third year in a row.

James Hathaway delivered a series of talks on refugee and asylum issues in Ecuador and Chile throughout April. He will offer similar presentations in New Zealand, Israel, and Germany in May.

Yale Kamisar was awarded the Purple Heart Medal, the Presidential Unit Citation, the National Defense Service Medal, and the Republic of Korea—Korea War Service Medal for his service in the Korean War. [Read More](#)

Nina Mendelson spoke on agency preemption of state law to the National Association of Attorneys' General in Indianapolis in March, presented a paper on private control over public law at the Environmental Law and Policy Annual Review conference in Washington, D.C., in April, and presented a paper on confirmation delays at a University of Chicago Law School faculty workshop in April.

L. Kate Mitchell co-presented “Practicing Law Upstream: Transforming Legal Care” at the 10th Anniversary Medical-Legal Partnership Summit in McClean, Virginia, on April 9.

Len Niehoff spoke on Legal Ethics at “Rules of Engagement: Journalists, Police and the Daze of Disorder—First Amendment Implications of Ferguson and Its Aftermath,” an April 17 seminar sponsored by the University of Kansas

School of Law in Kansas City, Missouri.

Mark K. Osbeck presented "Law 420: Cannabis and Legal Writing" at the Southeast Regional Writing Conference at the University of Tennessee Law School on April 18 and "Bringing Marijuana (Law) into the Legal Writing Classroom" at the Rocky Mountain Legal Writing Conference at the University of New Mexico School of Law on March 7. He also was chosen as one of four professors nationally to receive a 2015 Lexis/Nexis/LWI/ALWD Scholarship Grant to pursue work on research memoranda, data analytics, and the future of case forecasting.

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Media

Nicholas Bagley contributed to The Incidental Economist – [Could new state exchanges qualify for subsidies?](#); mentioned in *The New York Times* – [Federal Push for Privacy Hampers Addiction Research and Care](#)

Michael Barr quoted in *American Banker* – [Will Volcker Consolidation Plan Gain Traction?](#), Institutional Investor – [Will Brokers Bow to Higher Fiduciary Standard?](#)

Michael Bloom and Transactional Lab students contributed to *Corporate Counsel* – [Leveraging In-House Lawyers in the Contracting Process](#)

Dan Crane contributed to *The Hill* – [Making antitrust help, not harm workers abroad](#); mentioned in *The New Yorker* – [When Bots Collude](#)

Richard Friedman quoted in *Detroit Free Press* – [Meet the lawyers who will face off in same-sex marriage case](#), Mainstreet.com – [Gay Marriage Goes to the Supreme Court](#).

But What If the Justices Say "We Don't"?

Sam Gross quoted in TheSouthern.com – The high price of justice: Sixth Amendment guarantee deteriorating under current U.S. legal system; mentioned in *Chicago Tribune* – Execute Tsarnaev? Whatever. But kill the death penalty

Monica Hakimi contributed an editorial to *The New York Times* – A Drone Court Wouldn't Rein in a President or Set Standards

James Hathaway interviewed on TBS eFM's *This Morning with Alex Jensen* (April 22, Hour 1) – Mediterranean refugee crisis & human smuggling

Nicholas C. Howson quoted in *The Wall Street Journal/Dow Jones* – Foreign Companies at Risk From Proposed Chinese Law

David Moran mentioned in *Detroit Free Press* – Pay those wrongfully imprisoned? New push in Michigan, *Detroit News* – Finley: In Wayne County, justice falls to expediency, *VoiceofDetroit.net* – Davontae Sanford Moves Giant Step Closer to Freedom as Innocence Clinics Come to His Aid

Bryce Pilz quoted on WalletHub.com – 2015's Best Cities to Start a Business

John Pottow quoted on Marketplace.org – Bankruptcy shields GM from some liability cases

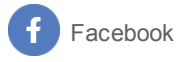
Richard Primus participated in a *Detroit Free Press* live blog – Same-sex marriage, Michigan's case; quoted in *Detroit Free Press* – Legal experts predict how Supreme Court will rule on gay marriage, Q&A: A few key questions about the same-sex marriage debate, and Supreme Court justices appear divided on gay marriage

Amy Sankaran mentioned on law.umich.edu – Emma Cheuse, '06, Offers Words of Wisdom to MLaw Public Service Students

Vivek Sankaran quoted in *The Atlantic City Lab* – The Murky Law on Free-Range Kids

Margo Schlanger quoted on Yahoo! Politics – As arguments near, Justice Ginsburg has already made up her mind on gay marriage

Dana Thompson mentioned on law.umich.edu – Students Learn How Lawyers Can Serve Social Enterprises



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