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5-29-2015

## Collected Works, May 29, 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

Monday, June 1

**Faculty Brown Bag**

Monday, June 8

**Faculty Brown Bag**

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## Top 5 Repository Downloads: April 29- May 29

1. 233 downloads: **Reuven Avi-Yonah & Oz Halabi**. "[US Subpart F Legislative Proposals: A Comparative Perspective](#)." (2012). *Law & Economics Working Papers*.
  2. 187 downloads: **Reuven Avi-Yonah**. "[The Three Goals of Taxation](#)." *Tax L. Rev.* 60, no. 1 (2006): 1-28.
  3. TIED 129 downloads: **Phoebe Ellsworth & Samuel Gross**. "[Hardening of the Attitudes: Americans' Views on the Death Penalty](#)." *J. Soc. Issues* 50, no. 2 (1994): 19-52.
  3. TIED 129 downloads: **Reuven Avi-Yonah**. "[Globalization, Tax Competition, and the Fiscal Crisis of the Welfare State](#)." *Harv. L. Rev.* 113, no. 7 (2000): 1573-676.
  4. 127 downloads: **J.J. White**. "[The Pros and Cons of Getting to YES](#)." Review of Getting to YES, by R. Fisher and W. Ury. *J. Legal Educ.* 34 (1984): 115-24.
  5. 121 downloads: **Hwa-Jin Kim**. "[Concentrated Ownership and Corporate Control: Wallenberg Sphere and Samsung Group](#)." (2014). *Law & Economics Working Papers*.
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## SCHOLARSHIP

### Published

**Nicholas Bagley**, co-author. "No Good Options: Picking Up the Pieces After *King v. Burwell*." Jones, D. K., co-author. *Yale L. J. F.* 125 (2015): 13-30. [Full Text](#)

**Nina Mendelson**. "The Uncertain Effects of Senate Confirmation Delays in the Agencies." *Duke L. J.* 64, no. 8 (2015): 1571-606. [Full Text](#)

**J.J. Prescott**. "Process Costs and Police Discretion." C. Gerstein, co-author. *Harvard L. Rev. F.* 128 (2015):

## MEDIA

**Samuel Bagenstos** quoted on Law360 – [EEOC Wellness Program Proposal 'Troubling,' Law Prof Says](#), ThinkProgress.org – [Supreme Court Hands Victory To Police Who Use Deadly Force](#)

**Michael Barr** quoted in BloombergPolitics – [Why Obama Is Wrong and Warren Is Right on Trade Bill Quarrel](#), MarketWatch – [JPMorgan Chase Launches Global Think Tank Dedicated to Delivering Data-Rich Analyses and Expert Insights for the Public Good](#)

268-88. [Full Text](#)

**Margo Schlanger.** "Against Solitary Confinement: Jonah's Redemption and Our Need for Mercy." *Rutgers J. L. & Relig.* 16, no. 2 (2015): 345-51. [Full Text](#)

**Margo Schlanger.** "Prisoners' Rights Lawyers' Strategies for Preserving the Role of the Courts." *U. Miami L. Rev.* 69, no. 2 (2015): 519-57. [Full Text](#)

**Margo Schlanger.** "Stealth Advocacy Can (Sometimes) Change the World." Review of *Below the Radar: How Silence Can Save Civil Rights*, by A. L. Gash. *Mich. L. Rev.* 113, no. 6 (2015): 897-916. [Full Text](#)

**Margo Schlanger.** "Trends in Prisoner Litigation, as the PLRA Enters Adulthood." *UC Irvine L. Rev.* 5, no. 1 (2015): 153-78. [Full Text](#)

**Steven Ratner**, co-author. *International Law: Norms, Actors, Process: A Problem-Oriented Approach*. 4th ed. J. Dunoff and D. Wippman, co-authors. New York: Aspen, 2015.

## Forthcoming

**Samuel Bagenstos.** "Who is Responsible for the Stealth Assault on Civil Rights?" Review of *No Day in Court: Access to Justice and the Politics of Judicial Retrenchment*, by S. Staszak. *Mich. L. Rev.* 114 (Forthcoming). [SSRN](#)

**Ellen Katz.** "Dignity and Discriminatory

**Michael Bloom** and Transactional Lab students contributed to *Corporate Counsel – Reflective Deal Lawyering and Proactive Planning*

**Debra Chopp** interviewed on Michigan Radio's *State of Opportunity – When the doctor's prescription is a lawyer*

**Daniel Crane** mentioned on Ecomento.com – [FTC argues against a Tesla ban in Michigan](#)

**James Hathaway** quoted in *The New York Times* – [E.U.'s Migrant Plan Strikes Many as Another Barrier](#); interviewed for Verfassungsblog – ["Germany should take up a leadership role towards a global solidarity system of refugee protection"](#)

**Vikramaditya Khanna** quoted on TheVerge.com – [How Apple's court-appointed monitor became Cupertino's most wanted](#)

**Richard Lempert** interviewed on *Bloomberg Law* podcast – [Asian-American Allege Discrimination \(Audio\)](#)

**Kyle Logue** mentioned on InsuranceJournal.com – [New Study Shows How Florida Citizens Subsidizes the Rich](#)

**J.J. Prescott** quoted in *Detroit Free Press* – [Does Michigan's sex offender registry keep us safer?](#), WXYZ – [Are There Problems with Michigan's Sex Offender Registry?](#); interviewed on Michigan Radio's *Stateside with Cynthia*

Intent: What the Marriage Equality Cases Tell Us About Voter ID.” *U. Chi. Legal F.* (Forthcoming). [SSRN](#)

*Canty* – [Is Michigan's sex offender registry actually protecting us?](#); mentioned on Reason.com – [Do Sex Offender Registration Law Do Any Good?](#)

**Margo Schlanger** quoted in *The Atlantic* – [Obama's Missing Police-Reform Proposal](#), *Bloomberg Business* – [A 'Pattern or Practice' of Violence in America](#)

**David Uhlmann** quoted in *LA Times* – [With new EPA water rule, Obama again takes executive action on environment](#); mentioned on NMPoliticalReport.com – [Obama admin finalizes sweeping water protection rule](#)

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## ACTIVITIES

**Kate Andrias** and **Michael Barr**, along with coauthors Professors Robert Jackson and Gillian Metzger of Columbia Law School, filed an [amicus brief](#) in *MetLife v. Financial Stability Oversight Council* on behalf of 15 professors of law and finance. [Background](#)

**Andrew Buchsbaum** will receive The Helen and William Milliken Distinguished Service Award—Michigan’s highest environmental honor—from the Michigan Environmental Council on June 24.

**Deborah Burand** spoke as a lecturer and moderator on the topic of Impact Investment Funds at the Thomson Reuters Foundation's "[Social Enterprise and Impact Investment Training](#)" on May 19 in New York.

**Timothy Dickinson** served as moderator for the session "International Law in

Domestic Legal Systems" and commentator for the session "Judicial Independence and Outside Influence" at the [2015 International Judicial Conference](#), May 20-23, in Turkey.

**Daniel Halberstam** served as a moderator for the session "The 'War on Terror' and the Rule of Law" and commentator for the session "Docket Management and the Role of Highest Courts" at the [2015 International Judicial Conference](#), May 20-23, in Turkey.

**Nicholas Howson's** English language article, "Enforcement Without Foundation?—Insider Trading and China's Administrative Law Crisis," which appeared in the *American Journal of Comparative Law* (2012) and caused a significant change in the design and enforcement of China's insider trading prohibition, is the subject of a [2015 Chinese language blog post](#).

**Kyle Logue** presented "The Perverse Effects of Subsidized Weather Insurance" at the [American Law and Economics Association Annual Meeting](#) at Columbia University Law School on May 16.

**Julian Davis Mortenson** was named the [recipient](#) of the 2015 L. Hart Wright Award for Teaching Excellence.

**Julian Davis Mortenson** served as a moderator for the session "Docket Management and the Role of Highest Courts" and commentator for the session "The 'War on Terror' and the Rule of Law" at the [2015 International Judicial Conference](#), May 20-23, in Turkey.

**John Pottow**, representing the petitioner, was awarded a 6-3 decision by the U.S. Supreme Court in the case of *Wellness International Network, Limited v. Sharif*.

**Amy Sankaran** was a co-presenter at the [AALS Conference on Clinical Legal Education](#) for the concurrent session "New to the New Normal: Externship Professor Edition" on May 7 in California.

**Vivek Sankaran** presented "Getting a Seat at the Table: How Parents Attorneys Can Use Data and Tell Stories to Reframe Our Role" at the Office of Regional Counsel Parent Attorney Training on May 15-16 in Florida.

**David Santacroce** sat on two plenary sessions—"Leading Experiential Learning" and "Who Does the Work in the New Normal"—at the [AALS Conference on Clinical Legal Education](#) Law Clinic Directors Workshop held May 4-7 in California. He also

presented at the plenary session "A Statistical Profile of Applied Legal Education" at [the Clinical Legal Education Association New Clinicians Conference](#) on May 4 in California.

**Dana Thompson** was a speaker at the Institute of Continuing Legal Education's First Annual [Entrepreneurial Law Institute on Interviewing an Entrepreneur](#) on May 28 in Detroit.

**David Uhlmann** served as a steering committee member, panelist, and breakout leader for the [2015 Michigan Meeting on Academic Engagement in Public and Political Discourse](#) on May 13-15 in Ann Arbor.

The **International Transactions Clinic** co-hosted a conference May 11 at the Washington, D.C., office of Morgan Lewis on "[Legal Issues in Impact Investing \(At Home and Abroad\)](#)." **Deborah Burand** spoke in the "Opening Plenary: A Conversation about the State of the Impact Investment Market—Where is it Today and Where is it Heading?"; **Mary Rose Brusewitz** participated as a panelist on "Growing the Risk Mitigation Toolbox to 'Manage Risk' in Impact Investments for Investors and Investees"; **Don Crane** moderated a panel on "How to Involve Retail Investors through Crowdfunding, Internet Portals, and Social Stock Exchanges"; **David Guenther** moderated a panel on "Regulating the Formation and Activities of Social Enterprises—A Comparison of the U.S. and UK Approaches"; and **Carl Valenstein** moderated a panel on "Use of Private Equity/Venture Capital Funds and Other Private Investment Vehicles."

