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## Collected Works, October 7, 2016

University of Michigan Law School

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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* comprises information culled from a variety of sources, but most heavily relies on information submitted directly by faculty. If you have information to submit, please email [lawcommunications@umich.edu](mailto:lawcommunications@umich.edu) or click the large yellow button below. Thank you!

## Upcoming Faculty Lunches/Events

October 11

**Informal Lunch: Anna Nicol: The Geneva Externship Program**

October 17-18

**Fall Break**

## Top 5 Repository Downloads: September 6–October 6

1. **275** downloads. **Kyle Logue**. "[Understanding Insurance Anti-Discrimination Laws](#)." R. Avraham & D.B. Schwarcz, co-authors. (2013). *Law & Economics Working Papers*.
  2. **224** downloads. **Reuven Avi-Yonah**. "[The Three Goals of Taxation](#)." *Tax L. Rev.* 60, no. 1 (2006): 1-28.
  3. **192** downloads. **Scott Hershovitz**. "[Harry Potter and the Trouble with Tort Theory](#)." *Stan. L. Rev.* 63, no. 1 (2011): 67-114.
  4. **191** downloads. **Sonja Starr**. "[Estimating Gender Disparities in Federal Criminal Cases](#)." (2012). *Law & Economics Working Papers*.
  5. **177** downloads. **James 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.
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## SCHOLARSHIP

### PUBLISHED

**Howard Bromberg** and **Mark Osbeck**, co-authors. "Introducing Marijuana Law into the Legal Writing Curriculum." *Perspectives: Teaching Legal Res. & Writing* 24, no. 1 & 2 (2016): 3-7. [Full Text](#)

**Anne Choike**. "Examining Gallery-Supported Art Exhibitions." *Colum. J. Tax L.* 8, no. 2 (Forthcoming). [SSRN](#)

**Kristina Daugirdas** and **Julian Davis Mortenson**, co-editors. "Contemporary Practice of the United States Relating to

## ACTIVITIES

**Steven Ratner** gave the keynote speech on "The Global State of Bilateral Investment Treaties and Investor-State Arbitration" at "The Next" Conference: International Investment and Dispute Resolution sponsored by thebell news service on September 23. His book, *The Thin Justice of International Law*, was reviewed in the October 2016 issue of *Ethics*.

**Dana Thompson** gave a webinar presentation on "Funding Student Legal Clinics for University Start-Ups: A Win-Win for Law School Students, University Entrepreneurs, and Your Tech Transfer

International Law." *Am. J. Int'l L.* 110, no. 2 (2016): 346-89. [Full Text](#)

Office" for *Technology Transfer Tactics* on September 28.

**Bruce W. Frier**, editor. *The Codex of Justinian: A New Annotated Translation, with Parallel Latin and Greek Text* (Volumes 1, 2, and 3). Cambridge: Cambridge University Press, 2016. (He also co-authored introductory material and edited three of the books within.) [MLaw Catalog Record](#)

**Jerold H. Israel**. "[Creating \(and Teaching\) the "Bail-to-Jail" Course](#)." *Ohio St. J. Crim. L.* 13, no. 2 (2016): 475-85.

**Christopher McCrudden**. "On Portraying Human Dignity." In *Menschenrecht. Recht in Context*, 5. Baden-Baden: Nomos, Forthcoming, 2016. [SSRN](#) and "The New Architecture of EU Equality Law after CHEZ: Did the Court of Justice Reconceptualise Direct and Indirect Discrimination?" *Eur. Equality L. Rev.* (Forthcoming). [SSRN](#)

**J.J. Prescott**. "Portmanteau Ascendant: Post-Release Regulations and Sex Offender Recidivism." *Conn. L. Rev.* 48, no. 4 (2016): 1035-78. [Full Text](#)

**Lawrence Waggoner**. "Marriage is on the Decline and Cohabitation is on the Rise: At What Point, If Ever, Should Unmarried Partners Acquire Marital Rights?" *Fam. L. Q.* 50 (Forthcoming, 2016). [SSRN](#)

## FORTHCOMING

**Howard Bromberg** and **Mark Osbeck**, co-authors. *Marijuana Law in a Nutshell*. West, Forthcoming, 2017.

**Thomas Green.** "Lights Hidden Under a Bushel's Case." In *Texts and Contexts in Legal History: Essays in Honor of Charles Donahue*, edited by J. Witte, S. McDougall, and A. di Robilant. UC Berkeley: Robbins Collection, Forthcoming, 2016.

**Eve Brensike Primus.** "Federal Review of State Criminal Convictions: A Structural Approach to Adequacy Doctrine." *Mich. L. Rev.* (Forthcoming) [SSRN](#)

**Adam Pritchard.** "Toward a Theory of Motion Practice and Settlement: Comment." *J. Inst. & Theoretical Econ.* (Forthcoming).

**Adam Pritchard.** "The SEC's Shift to Administrative Proceedings: an Empirical Assessment." S.J. Choi, co-author. *Yale J. Reg.* 34, no. 1 (Forthcoming, 2017). [SSRN](#)

**Adam Pritchard.** "The SEC, Administrative Usurpation, and Insider Trading." *Stan. L. Rev. Online* 69 (Forthcoming).

**Gabriel Rauterberg.** "Contracting Out of the Fiduciary Duty of Loyalty: An Empirical Analysis of Corporate Opportunity Waivers." E. L. Talley, co-author. *Colum. L. Rev.* (Forthcoming) [SSRN](#)

**Peter Westen.** "How to Think (Like a Lawyer) About Rape." K.K. Ferzan, co-author. *Crim. L. & Phil.* (Forthcoming) [SSRN](#)

**WORKS IN PROGRESS & WORKING**

## PAPERS

**Veronica Santarosa.** *Beyond the Personal-Anonymous Divide: Agency Relations in Powers of Attorney in France, 18th–19th Centuries.* F. Eloire & C. Lemerrier, co-authors. Working Paper (under review). [SSRN](#)

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## MEDIA

**Reuven Avi-Yonah** quoted in *Worldwide Tax Daily* – [Panel Explores Role of Human Rights Consideration in Tax Policy and Coordination or Competition? A BEPS Score Card](#); mentioned in *Tax Notes* – [Panel Explores role of Human Rights Considerations in Tax Policy](#), *The Exempt Organization Tax Review* – [Tax Professors Voice Opposition to Koskinen Impeachment Attempts](#)

**Samuel Bagenstos** quoted in *The Huffington Post* – [Elite NYC Private School Faces Gay Rights Lawsuit](#)

**Evan Caminker** mentioned in the *Lansing State Journal* – [Nationwide legal team takes on Detroit](#), *Detroit Free Press* – [Nationwide legal team to fight Detroit schools lawsuit](#)

**Daniel Crane** quoted in *Windsor Star* – [Tesla suing Michigan to end ban on direct sales](#), Michigan Radio – [Michigan’s law banning Tesla sales is an innovation killer](#)(audio available), *The Detroit News* – [Tesla sues for right to sell cars in Michigan](#), *The Michigan Daily* – [Tesla sues Michigan over 2014 legislation](#)

**Richard Friedman** quoted in the *Lansing State Journal* – [Sheriff’s office misled prosecutors about evidence issues](#)

**Monica Hakimi** authored post on *Lawfare* – [Joint Series on International Law and Armed Conflict: Hakimi on Fair Trial Guarantees in Armed Conflict](#)

**Don Herzog** quoted in Bloomberg Businessweek – [Fighting for the Right to Run Sex](#)

## Ads

**Richard Lempert** authored piece for *The American Prospect* – [Six Ways to rewrite America's Rules](#)

**Catharine MacKinnon** mentioned in *The Sydney Morning Herald* – [For a textbook definition of indignity, look at the gender pay gap](#)

**David Moran** quoted on Fox 2 Detroit – [New evidence, suspect in 1996 murder could mean new trial for Lamarr Monson, Roseville-Eastpoint Eastsider](#) – [Wrongfully convicted compensation bill heads to house](#)

**J.J. Prescott** quoted by the *Texas Observer* – [Making the Case Against Banishing Sex Offenders](#), The Marshall Project – [Making the Case Against Banishing Sex Offenders](#)

**Richard Primus** authored pieces in *Politico* – [The Unexpected Importance of Clarence Thomas](#) and ["The Debate" What We Just Saw](#)

**Adam Pritchard** interviewed on Bloomberg Law – [Insider Trading Returns to High Court](#) (audio available); quoted in *The Wall Street Journal* – [Marc Andreessen's Sudden Silence on Twitter Stumps Silicon Valley](#)

**Margaret Jane Radin** quoted in *Corporate Crime Reporter* – [Tort Law and Mass Deception by Fine Print](#)

**Sonja Starr** quoted in the *Los Angeles Times* – [L.A. Wants to Delay when employers may ask about criminal histories](#)

**Imran Syed** quoted on Michigan Radio – [Innocence Clinic gets grant to tackle child abuse cases](#)

**David Uhlmann** quoted in *Texas Monthly* – [Blowout](#)

**Frank Vandervort** quoted by *The Daily Mail* – [Supreme Court refuses to intervene in case of teenager who admitted killing his violent drug-addicted neo-Nazi father when he was 10 - despite lawyers arguing children can't understand their right to remain silent](#), *The San Francisco Chronicle* – [Supreme Court refuses case of teen boy who killed neo-Nazi father](#)