2017

Luxembourg Forum 2017

University of Michigan Law School

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LUXEMBOURG FORUM 2017

COURT OF JUSTICE OF THE EUROPEAN UNION VISIT TO THE UNIVERSITY OF MICHIGAN LAW SCHOOL

April 15–17, 2017

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WELCOME

It is a great pleasure and honor to welcome the Court of Justice of the European Union to Ann Arbor for discussions with the Law School faculty, the Michigan Supreme Court, and judges from the U.S. Court of Appeals for the Sixth Circuit and the U.S. District Court for the Eastern District of Michigan.

The visit comes as part of a series of exchanges between the U.S. Supreme Court and the European Court of Justice, which have been taking place for nearly two decades, and which have more recently become known as the “Luxembourg Forum.” The Law School, which pioneered the study of European Union law and whose collective faculty scholarship places Michigan Law among the leaders in international legal education, has a special and longstanding connection to these exchanges, having facilitated the meetings on both sides of the Atlantic since their inception.

We look forward to deep and sustained engagement, and to building bridges.

Daniel Halberstam
Associate Dean for Faculty and Research
Eric Stein Collegiate Professor of Law

Theresa Kaiser-Jarvis
Assistant Dean for International Affairs
SATURDAY, APRIL 15

3:45 P.M. Please meet law students Emerson Bursis, Mayté Salazar Ordoñez, and Joshua Rothenberg in the lobby of the Graduate Hotel. They will escort you to campus for your tour.

4:00-5:00 P.M. University of Michigan Campus and Law Quadrangle Tour

5:45 P.M. Please meet law students Varun Aery and Erin Collins in the lobby of the Graduate Hotel. They will ride with you in a private coach to dinner.

6:00 P.M. Welcome Dinner
Vinology Restaurant and Wine Bar
110 S. Main St.

Remarks
Associate Dean Daniel Halberstam, University of Michigan Law School
Regent Mark Bernstein, University of Michigan Board of Regents
Regent Ronald Weiser, University of Michigan Board of Regents
Judge Siniša Rodin, Court of Justice of the European Union

SUNDAY, APRIL 16

9:30 A.M. Please meet Jenny Rickard and Professor Claire Zimmerman in the lobby of the Graduate Hotel for private coach transportation to the Detroit Institute of Arts.

10:30 A.M. Arrive at Detroit Institute of Arts
10:45 A.M. Detroit Institute of Arts Guided Tour

12:30 P.M. Lunch Seminar: The Detroit Bankruptcy
Moderator: Professor John A.E. Pottow, University of Michigan Law School
Panel: Director Emeritus Graham W.J. Beal, Detroit Institute of Arts
The Hon. Steven W. Rhodes, U.S. Bankruptcy Court, Eastern District of Michigan
The Hon. Gerald E. Rosen, U.S. District Court, Eastern District of Michigan

3:00 P.M. Bus Departs Detroit Institute of Arts for Return to Ann Arbor

5:45 P.M. Please meet law students Andrew Eberle and Katrien Wilmots in the lobby of the Graduate Hotel. They will escort you to the Law School for dinner.

6:00 P.M. Dinner with University Faculty and Officials
Lawyers Club Lounge
551 S. State St.

Dinner Lecture: Lines Drawn in Sand and Sea, a Long Time Ago in a Land Far Away (a discussion about Icelandic Sagas)
Professor William I. Miller, University of Michigan Law School
CONFERENCE SCHEDULE

7:45–8:45 P.M.  
Post-Dinner Entertainment: Jazz Demonstration/Performance

PERFORMERS
Professor Andrew Bishop, saxophone, University of Michigan Department of Jazz and Contemporary Improvisation

with

Sean Dobbins, drums, University of Michigan Department of Jazz and Contemporary Improvisation

Ian Finkelstein, BFA '13, piano

Marion Hayden, AB '77, bass, University of Michigan Department of Jazz and Contemporary Improvisation

MONDAY, APRIL 17

All sessions take place in South Hall 1025, 701 S. State St., unless otherwise noted.

8:15 A.M.  
Continental Breakfast

9:00–10:15 A.M.  
Session I: The Limits of Extraterritorial Jurisdiction


MODERATOR
Professor Monica Hakimi, University of Michigan Law School

OPENING COMMENTS
The Hon. Jean-Claude Bonichot, Court of Justice of the European Union

Professor Mathias W. Reimann, University of Michigan Law School

PARTICIPANTS
Court of Justice of the European Union delegation and University of Michigan Professors Daniel Crane, Timothy L. Dickinson, James C. Hathaway, Nicholas C. Howson, Vikramaditya S. Khanna, Barbara McQuade, Adam C. Pritchard, Steven R. Ratner, Bruno Simma, Sonja B. Starr, and John A.E. Pottow
10:15—10:30 A.M.  
**Break**

10:30—11:45 A.M.  
**Session II: Equality and Antidiscrimination Law**  
Beginning with Case C-83/14 *Chez Bulgaria* (2015) and *Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc.*, 576 U.S. ____ (2015), this discussion will focus on disparate impact (or indirect discrimination), in its vindication of, and tension with, the principle of equality. The discussion also may turn to similar questions regarding positive/affirmative action.

**MODERATOR**  
Professor Richard Primus, University of Michigan Law School

**OPENING COMMENTS**  
The Hon. Alexander Arabadjiev, Court of Justice of the European Union  
Professor Catharine A. MacKinnon, University of Michigan Law School

**PARTICIPANTS**  
Court of Justice of the European Union delegation and University of Michigan Professors Samuel Bagenstos, Evan H. Caminker, Richard D. Friedman, Daniel Halberstam, Scott Hershovitz, Don Herzog, Ellen D. Katz, Barbara McQuade, and Margo Schlanger

Noon—1:00 P.M.  
**Student Panel: Judicial Selections: Election, Appointment, Committee Review**  
*South Hall 1225*  
A judge from the Court of Justice of the European Union, the U.S. Court of Appeals for the Sixth Circuit, and the Michigan Supreme Court each will present and offer brief reflections on the procedure for judicial appointment to his or her court.

**MODERATOR**  
Professor Steven P. Croley, University of Michigan Law School

**PANEL**  
The Hon. Raymond M. Kethledge, U.S. Court of Appeals for the Sixth Circuit  
Justice Bridget McCormack, Michigan Supreme Court  
The Hon. Camelia Toader, Court of Justice of the European Union
CONFEERENCE SCHEDULE

1:15–2:30 P.M. **Lunch**
Jeffries Lounge
South Hall 1220

**Keynote: The Refugee Convention’s Enforcement Deficit and the Transnational Judicial Conversation**
Professor James C. Hathaway, University of Michigan Law School

**Remarks:**
The Hon. Lars Bay Larsen, Court of Justice of the European Union

2:45–4:00 P.M. **Session III: Free Movement and Social Benefits**
With a focus on *Saenz v. Roe*, 526 U.S. 489 (1999), Case C-333/13 *Dano* (2014), and Case C-67/14 *Alimanovic* (2015), this roundtable discussion will consider the rights that citizens of one state have to move to another and avail themselves of social benefits provided by that second state to its own citizens.

**MODERATOR**
Professor Samuel Bagenstos, University of Michigan Law School

**OPENING COMMENTS**
Professor Evan H. Caminker, University of Michigan Law School
(co-counsel in *Saenz v. Roe*)

The Hon. Melchior Wathelet, Court of Justice of the European Union

**PARTICIPANTS**
Court of Justice of the European Union delegation and University of Michigan Professors Jenna Bednar, Daniel Halberstam, James C. Hathaway, Timothy G. Lynch, Barbara McQuade, Julian Davis Mortenson, Donald H. Regan, Margo Schlanger, and Gil Seinfeld

4:00–4:15 P.M. **Break**
Session IV: Judicial Exchange: Text, Purpose, and Principle in Statutory Construction

With a focus on Joined Cases C-402/07 and C-432/07 Sturgeon and Böck v. Air France (2009), People v. Harris, 499 Mich. 332, 885 N.W.2d 832 (MI 2016), and Stanovsek v. Holder, 768 F.3d 515 (CA6 2014), a judge from each of the three courts will explore the role of text, purpose, and general principles of law in the construction of statutes in their own jurisdiction, especially in difficult cases where the apparent meaning of a portion of the text considered in isolation is in deep tension with the statute considered as a whole.

Moderator
Professor Nina A. Mendelson, University of Michigan Law School

Opening Comments
Justice Joan Larsen, Michigan Supreme Court
The Hon. Egils Levits, Court of Justice of the European Union
The Hon. John Rogers, U.S. Court of Appeals for the Sixth Circuit

Participants
Court of Justice of the European Union delegation, U.S. Court of Appeals for the Sixth Circuit judges, Michigan Supreme Court justices, and University of Michigan Professors Daniel Crane, Julian Davis Mortenson, and William Novak

6:30 P.M.

Reception and Dinner
Robert B. Aikens Commons
Hutchins Hall
625 S. State St.

With University of Michigan President Mark S. Schlissel, the Court of Justice of the European Union delegation, U.S. Court of Appeals for the Sixth Circuit judges, Michigan Supreme Court justices, and select law faculty

Opening Remarks
Dean Mark D. West, University of Michigan Law School

Dinner Keynote
The Comparative Law Method from a Transatlantic Perspective
President Koen Lenaerts, Court of Justice of the European Union
PARTICIPANT BIOS

Alicia Alvarez is a clinical professor of law at the University of Michigan, where she serves as the director of the Community and Economic Development Clinic. Alvarez specializes in issues affecting nonprofit and community-based organizations. Her area of interest is economic justice.

The Hon. Alexander Arabadjiev has been a judge on the Court of Justice of the European Union since 2007. He previously was a member of the European Commission of Human Rights and the European Convention on the Future of Europe.

Reuven Avi-Yonah, the Irwin I. Cohn Professor of Law and director of the International Tax LLM Program at the University of Michigan, specializes in corporate and international taxation. He has served as a consultant to the U.S. Department of the Treasury and the Organisation for Economic Co-operation and Development on tax competition, and is a trustee of the American Tax Policy Institute.

Samuel Bagenstos is the Frank G. Millard Professor of Law at the University of Michigan. He specializes in constitutional and civil rights litigation. From 2009 to 2011, he was a political appointee in the U.S. Department of Justice, where he served as the principal deputy assistant attorney general for civil rights, the No. 2 official in the Civil Rights Division.

Michael S. Barr teaches at the University of Michigan, where he is the Roy F. and Jean Humphrey Proffitt Professor of Law, faculty director of the U-M Center on Finance, Law, and Policy, and a professor of public policy at U-M’s Gerald R. Ford School of Public Policy. He conducts large-scale empirical research regarding financial services and researches and writes about a wide range of issues in domestic and international financial regulation.

Graham W.J. Beal was the director, president, and CEO of the Detroit Institute of Arts (DIA) from 1999 to 2015. Prior to his tenure at the DIA, he was director of the Los Angeles County Museum of Art from 1996 to 1999. He was director of the Joslyn Art Museum in Omaha, Nebraska, from 1989 to 1996 and served as chief curator at the San Francisco Museum of Modern Art from 1984 to 1989.

Jenna Bednar, BA ’90, is an associate professor of political science at the University of Michigan. Her research is on the analysis of institutions, focusing on the theoretical underpinnings of the stability of federal states. Her most recent book, The Robust Federation, demonstrates how complementary institutions maintain and adjust the distribution of authority between national and state governments.
Mark Bernstein, AB ’93, JD ’96, MBA ’96, is chair of the University of Michigan Board of Regents, to which he was elected in 2012. He is president and managing partner of The Sam Bernstein Law Firm, PLLC. Previously, he was an associate in the investment banking division of Citigroup/Salomon Smith Barney and served as director of press pool operations and trip coordinator in the White House during the Clinton Administration.

Justice Richard Bernstein, BGS ’96, became the first blind justice elected to the Michigan Supreme Court in November 2014. Prior to being elected to Michigan’s highest court, Justice Bernstein was known as a tireless advocate for disabled rights as an attorney heading the public service division for The Sam Bernstein Law Firm, PLLC.

The Hon. Danny Julián Boggs is a senior circuit judge on the U.S. Court of Appeals for the Sixth Circuit. He was appointed to a newly created seat on that court on January 29, 1986, by President Ronald Reagan, confirmed by the U.S. Senate on March 3, and received his commission on March 25. He served as the chief judge from 2003 to 2009. He took senior status on February 28, 2017.

The Hon. Jean-Claude Bonichot has been a judge on the Court of Justice of the European Union since 2006. He is the author of numerous publications on administrative law, community law, and European human rights law.

Evan H. Caminker, the Branch Rickey Collegiate Professor of Law at the University of Michigan, served as dean of Michigan Law from 2003 to 2013. He spent a year serving as a special assistant U.S. attorney for the Detroit office, where he specialized in appellate litigation. Prior to his deanship, Caminker wrote, taught about, and litigated various issues of American constitutional law.

Daniel Crane is the Frederick Paul Furth Sr. Professor of Law at the University of Michigan. He served as the associate dean for faculty and research from 2013 to 2016. He teaches Contracts, Antitrust, Antitrust and Intellectual Property, and Legislation and Regulation.

Steven P. Croley, AB ’88, the Harry Burns Hutchins Collegiate Professor of Law at the University of Michigan, is a partner in the Washington, D.C., office of Latham & Watkins and a member of the litigation and trial and the environment, land, and resources departments. He served as general counsel for the U.S. Department of Energy from 2014 to 2017.

Timothy L. Dickinson, ’79, is an adjunct clinical assistant professor of law at the University of Michigan, where he teaches in the International Transactions Clinic. A partner in the Washington, D.C., office of Paul Hastings LLP, his practice focuses on all aspects of the Foreign Corrupt Practices Act and international anti-corruption law, political risk insurance matters, U.S. export laws, economic sanctions, and ITAR regulations (including enforcement actions).
PARTICIPANT BIOS

Richard D. Friedman, the Alene and Allan F. Smith Professor of Law at the University of Michigan, is an expert on evidence and U.S. Supreme Court history. He is one of a few scholars developing a new field, examining sports and games as legal systems. His textbook, *The Elements of Evidence*, is now in its fourth edition, and he is coauthor of *Evidence: Cases and Materials*, now in its 12th edition.

The Hon. Ralph B. Guy Jr., AB '51, JD '53, is a senior judge on the U.S. Court of Appeals for the Sixth Circuit. He previously served as chief assistant U.S. attorney for the Eastern District of Michigan, as U.S. attorney for the Eastern District of Michigan, and as a judge on the U.S. District Court for the Eastern District of Michigan.

Monica Hakimi is a professor of law at the University of Michigan, where she teaches and writes in the fields of public international law and U.S. foreign relations law. Her research ties together doctrine and theory to examine how international law operates and adapts to contemporary challenges, particularly in the areas of human and national security.

Daniel Halberstam, the Eric Stein Collegiate Professor of Law and associate dean for faculty and research at the University Michigan Law School, teaches and writes about U.S. constitutional law, European Union law, comparative constitutional law, and global governance. He is an internationally recognized expert on constitutional law and federalism, and is one of the principal architects of the theory of constitutional pluralism.

James C. Hathaway, the James E. and Sarah A. Degan Professor of Law at the University of Michigan, is a leading authority on international refugee law whose work is regularly cited by the most senior courts of the common law world. He is the founding director of Michigan Law’s Program in Refugee and Asylum Law and the Distinguished Visiting Professor of International Refugee Law at the University of Amsterdam.

Scott Hershovitz is a professor of law and a professor of philosophy at the University of Michigan. He also directs the Law and Ethics Program. Prior to joining the faculty at Michigan, he was an attorney-adviser on the appellate staff of the Civil Division of the U.S. Department of Justice.

Don Herzog is the Edson R. Sunderland Professor of Law at the University of Michigan. His main teaching interests are political, moral, legal, and social theory; constitutional interpretation; torts; and the First Amendment.

Robert Hirshon, '73, is the Frank G. Millard Professor from Practice and special counsel on developments in the legal profession at the University of Michigan Law School. He is an internationally known lawyer, writer, and speaker. He is also a visiting professor at the Haim Striks Law School in Israel and the Peking University School of Transnational Law in China.
Nicholas C. Howson is a professor of law at the University of Michigan. He writes and lectures widely on Chinese law topics, focusing on Chinese corporate law and securities regulation, Chinese capital markets, Chinese legal history, and the development of constitutionalism in Greater China. He acts regularly as a Chinese law expert or party advocate in U.S. and international litigations and/or U.S. government enforcement actions.

Theresa Kaiser-Jarvis is the assistant dean for international affairs at the University of Michigan Law School. She leads the Center for International and Comparative Law, which oversees the LLM, SJD, and Research Scholars programs, provides global opportunities for JD students, and otherwise serves as the focal point for the internationally related activities of students, faculty, visitors, and alumni.

Ellen D. Katz, the Ralph W. Aigler Professor of Law at the University of Michigan, writes and teaches about election law, civil rights and remedies, and equal protection. Her scholarship addresses questions of minority representation, political equality, and the role of institutions in crafting and implementing anti-discrimination laws.

The Hon. Raymond M. Kethledge, ‘93, is a circuit judge on the U.S. Court of Appeals for the Sixth Circuit and a lecturer at the University of Michigan Law School. He previously worked in the U.S. Senate and later, with two partners, founded a boutique litigation firm, now known as Bush Seyferth & Paige PLLC, in Troy, Michigan. His practice there included a broad mix of trial court, appellate, and class action litigation.

Vikramaditya S. Khanna, the William W. Cook Professor of Law at the University of Michigan, is the faculty director of the Directors’ College for Global Business and Law and codirector of the Joint Centre for Global Corporate and Financial Law & Policy, a collaboration between Michigan Law and India’s Jindal Global Law School. His interest areas include corporate and securities law, corporate crime, law in India, corporate governance in emerging markets, and law and economics.

The Hon. Juliane Kokott has been an advocate general on the Court of Justice of the European Union since 2003. She previously was the director of the Institute for European and International Business Law at the University of St. Gallen.

Justice Joan L. Larsen serves on the Michigan Supreme Court and is an adjunct professor at the University of Michigan Law School. Larsen previously served as deputy assistant attorney general in the U.S. Department of Justice Office of Legal Counsel. Her research and teaching interests include constitutional law, criminal procedure, and presidential power.
PARTICIPANT BIOS

The Hon. Lars Bay Larsen has been a judge on the Court of Justice of the European Union since 2006. He previously served as a judge on Denmark’s Supreme Court.

President Koen Lenaerts became president of the Court of Justice of the European Union in 2015. He previously served as the Court of Justice’s vice president and became a judge in 2003.

The Hon. Egils Levits has been a judge on the Court of Justice of the European Union since 2004. He was elected a judge at the European Court of Human Rights in 1995, and reelected in 1998 and 2001.

The Hon. Judith E. Levy, ’96, is a federal judge on the U.S. District Court for the Eastern District of Michigan and a Public Interest/Public Service Faculty Fellow at the University of Michigan Law School. She previously served as an assistant U.S. attorney in the Eastern District of Michigan, and was the Civil Rights Unit Chief for three years.

Timothy G. Lynch is the University of Michigan’s vice president and general counsel. He joined the University from the U.S. Department of Energy, where he served as acting general counsel and deputy general counsel for litigation and enforcement.

Catharine A. MacKinnon is the Elizabeth A. Long Professor of Law at the University of Michigan Law School and the long-term James Barr Ames Visiting Professor of Law at Harvard Law School. She specializes in sex equality issues under international and domestic law. She pioneered the legal claim for sexual harassment and, with Andrea Dworkin, created ordinances recognizing pornography as a civil rights violation and the Swedish model for abolishing prostitution.

Chief Justice Stephen Markman was chosen by the Michigan Supreme Court to serve as its chief justice on January 6, 2017. Before his appointment to the Supreme Court in 1999, he served as a judge on the Michigan Court of Appeals from 1995 to 1999. Prior to that, he practiced law with the firm of Miller, Canfield, Paddock & Stone in Detroit.

Justice Bridget Mary McCormack serves on the Michigan Supreme Court and is an adjunct clinical professor of law at the University of Michigan. She previously served as Michigan Law’s associate dean for clinical affairs, clinical professor of law, and co-director of the Michigan Innocence Clinic, a non-DNA clinic representing wrongly convicted Michigan prisoners.
Barbara McQuade, ’91, was the first woman to serve as U.S. attorney for the Eastern District of Michigan. She was appointed by President Barack Obama and served from 2010 to 2017. During her tenure, she oversaw many significant cases, including the conviction of former Detroit Mayor Kwame Kilpatrick and more than 30 others on public corruption charges; the conviction and life sentence of an Al-Qaeda operative for attempting to blow up an airliner over Detroit on Christmas Day 2009; and the conviction and $1 billion fine against Takata Corp. for fraudulently concealing defective airbags.

Nina A. Mendelson, the Joseph L. Sax Collegiate Professor of Law at the University of Michigan, teaches and conducts research in the areas of administrative law, environmental law, statutory interpretation, and the legislative process. She previously served as an attorney with the U.S. Department of Justice’s Environment and Natural Resources Division, litigating and advising other federal agencies on legislative and policy matters.

William I. Miller is the Thomas G. Long Professor of Law at the University of Michigan. His research centers on saga Iceland, from whence the materials studied in his course Bloodfeuds and which provides the sources for his book, Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland. He also has written about emotions, mostly unpleasant ones involving self-assessment, and select vices and virtues.

Julian Davis Mortenson is a professor of law at the University of Michigan. He specializes in constitutional and transnational law. His research focuses on the allocation of public authority in both international and domestic governance, frequently from a historical perspective.

William Novak, the Charles F. and Edith J. Clyne Professor of Law at the University of Michigan, is an award-winning legal scholar and historian. He teaches in the fields of legal history, legislation, and regulation, and his research interests focus on the history of the modern American regulatory state.

John A.E. Pottow, the John Philip Dawson Collegiate Professor of Law at the University of Michigan, is an internationally recognized expert in the field of bankruptcy and commercial law. His award-winning scholarship concentrates on the issues involved in the regulation of cross-border insolvencies as well as consumer financial distress.

The Hon. Sacha Prechal has been a judge on the Court of Justice of the European Union since 2010. She is a professor of European law in the Law Faculty of the University of Utrecht and a board member of the University’s Europa Institute.
PARTICIPANT BIOS

Richard Primus, the Theodore J. St. Antoine Collegiate Professor of Law at the University of Michigan, teaches the law, theory, and history of the U.S. Constitution. In 2008, he won the first-ever Guggenheim Fellowship in Constitutional Studies for his work on the relationship between history and constitutional interpretation.

Adam C. Pritchard is the Frances and George Skestos Professor of Law at the University of Michigan. His research focuses on securities class actions, Securities and Exchange Commission (SEC) enforcement, and the history of securities law in the U.S. Supreme Court. He previously served as senior counsel in the Office of the General Counsel of the SEC, where he wrote appellate briefs and studied the effect of recent reforms in the areas of securities fraud litigation.

Steven R. Ratner is the Bruno Simma Collegiate Professor of Law at the University of Michigan. His teaching and research focus on public international law and on a range of challenges facing governments and international institutions since the Cold War, including territorial disputes, counter-terrorism strategies, ethnic conflict, state and corporate duties regarding foreign investment, and accountability for human rights violations.

Gabriel Rauterberg, an assistant professor of law at the University of Michigan, focuses his research on financial trading markets, securities regulation, corporations, and contracts. Current projects include assessing the role of high-frequency trading in the modern stock market; an empirical investigation into corporations’ waivers of the duty of loyalty; and a series of related projects studying the intersection of market microstructure and regulation.

Donald H. Regan is the William W. Bishop Jr. Collegiate Professor of Law and a professor of philosophy at the University of Michigan. He teaches and writes about international trade law, particularly the impact of trade law on national health, safety, and environmental regulation; on moral and political philosophy, with a special interest in the theory of the good; and on constitutional law, concentrating on federalism issues.

Mathias W. Reimann, LLM ’83, the Hessel E. Yntema Professor of Law at the University of Michigan, publishes widely both in the United States and abroad in the areas of comparative law, private international law, and legal history.

The Hon. Steven W. Rhodes, ‘72, was a bankruptcy judge for the U.S. Bankruptcy Court, Eastern District of Michigan. His career included overseeing the case that led the City of Detroit out of bankruptcy. He recently served as the short-term transition manager for the Detroit Public Schools Community District.
PARTICIPANT BIOS

**The Hon. Siniša Rodin, LLM ’12** has been a judge on the Court of Justice of the European Union since 2013. He was president of the working group on EU membership and a member of the Croatian EU membership negotiating team.

**The Hon. John M. Rogers, ’74** is a federal judge on the U.S. Court of Appeals for the Sixth Circuit. Prior to his service as a federal judge, Rogers had been a law professor at the University of Kentucky College of Law for nearly 25 years, where he remains a professor emeritus. Rogers was an officer in the Kentucky Army National Guard from 1970 to 1998.

**The Hon. Gerald E. Rosen** was a U.S. district judge on the U.S. District Court for the Eastern District of Michigan. Prior to taking the bench, he was a senior partner in the law firm Miller, Canfield, Paddock, and Stone, where he specialized in commercial, employment, and constitutional litigation. He has taught at several law schools, including the University of Michigan, Wayne State University, and the University of Detroit.

**Eli Savit, ’10**, is the senior adviser and counsel to Detroit Mayor Mike Duggan, ’83. As senior adviser, Savit maintains a policy portfolio which encompasses, among other things, issues pertaining to consumer protection, education, environmental justice, infrastructure development, and public safety. As counsel, Savit advises the mayor on legal issues concerning the mayor and his administration.

**Margo Schlanger**, the Henry M. Butzel Professor of Law at the University of Michigan, is a leading authority on civil rights issues and civil and criminal detention. Her teaching and research deal with civil rights, prison reform, torts, and surveillance. She also founded and heads the Civil Rights Litigation Clearinghouse. She previously served as the presidentially appointed Officer for Civil Rights and Civil Liberties at the U.S. Department of Homeland Security.

**Dr. Mark S. Schlissel** is the 14th president of the University of Michigan and the first physician-scientist to lead the institution. He became president in July 2014. He previously was provost of Brown University.

**Gil Seinfeld** is a professor of law and the associate dean for academic programming at the University of Michigan Law School. He teaches and writes about federal jurisdiction, the constitutional law of federalism, and civil procedure. His recent scholarly work explores the role of national unity in shaping the contours of our constitutional law.
PARTICIPANT BIOS

The Hon. Eleanor Sharpston has been an advocate general on the Court of Justice of the European Union since 2006. She was senior research fellow at the University of Cambridge Centre for European Legal Studies and is a fellow of King’s College, Cambridge.

The Hon. Rosario Silva de Lapuerta has been a judge on the Court of Justice of the European Union since 2003. She also is a professor of community law at the Diplomatic School in Madrid.

Bruno Simma, a professor of law the University of Michigan, is one of three third-party judges/arbitrators appointed to the Iran-United States Claims Tribunal at The Hague. He previously served a nine-year term as a judge on the International Court of Justice.

Sonja B. Starr is a professor of law and codirector of the Empirical Legal Studies Center at the University of Michigan Law School. Her research interests include prosecutorial conduct, sentencing law and policy, remedies for violations of criminal defendants’ rights, and re-entry of ex-offenders.

Michael J. Steinberg is a Public Interest/Public Service Faculty Fellow at the University of Michigan Law School and the legal director of the American Civil Liberties Union of Michigan. He oversees all ACLU litigation in the state. He has litigated dozens of high-profile cases on a wide range of civil liberties issues including: freedom of speech and expression, racial justice, LGBT rights, police misconduct, reproductive freedom, voting rights, religious freedom, prisoner rights, and the rights of the poor.

Dana A. Thompson, ’99, is a clinical professor of law and the founding director of the Entrepreneurship Clinic at the University of Michigan. She represents U-M student-led startups and other start-up ventures.

The Hon. Camelia Toader has been a judge on the Court of Justice of the European Union since 2007. She is an associate member of the International Academy of Comparative Law and honorary researcher at the Center for European Legal Studies of the Legal Research Institute of the Romanian Academy.

Justice David F. Viviano, ’96, was appointed to the Michigan Supreme Court by Gov. Rick Snyder, ’82, in 2013 and re-elected to the Court in 2014 and 2016. He is the Supreme Court’s point person for judicial training and e-filing. He previously served as chief judge of the Macomb County Circuit and Probate Courts.

The Hon. Thomas von Danwitz has been a judge on the Court of Justice of the European Union since 2006. He previously was a professor of German public law and European law at the University of Cologne and director of the Institute of Public Law and Administrative Science.
The Hon. Melchior Wathelet has been an advocate general on the Court of Justice of the European Union since 2012. He previously served as a judge on the Court of Justice of the European Communities.

Ronald N. Weiser, BBA '66, was elected to the University of Michigan Board of Regents in 2016. He founded McKinley Associates, a national real estate investment firm, in 1968 and served as its chair and CEO until 2001. From 2001 to 2005, under President George W. Bush, he served as the U.S. Ambassador to the Slovak Republic.

Mark D. West is the 17th dean and the Nippon Life Professor of Law at the University of Michigan Law School. He is one of the leading American scholars of the Japanese legal system. His research interests lie primarily in Japanese law. His most recent research examines the norms and constructs that are revealed in Japanese judicial opinions—specifically as they relate to the courts’ visions of love, sex, and marriage, and of individual responsibility.

The Hon. Helene N. White is a federal judge on the U.S. Court of Appeals for the Sixth Circuit. Previously, she was a judge on the Michigan Court of Appeals and served on the Common Pleas Court for the City of Detroit and the Wayne County Circuit Court.

Justice Robert P. Young Jr. is the longest-serving member of the Michigan Supreme Court. He served as chief justice of the Michigan Supreme Court for an unprecedented three two-year terms, ending on January 6, 2017. First selected by his colleagues in 2011 to lead the Court, Young was dedicated to transforming Michigan’s court system into a more efficient and customer-focused institution.

Justice Brian K. Zahra was appointed to the Michigan Supreme Court by Gov. Rick Snyder, '82, in 2011. He was elected to a partial term in 2012 and re-elected to a full term in 2014. He previously served on the Wayne County Circuit Court and the Michigan Court of Appeals.

Claire Zimmerman is an associate professor of history of art and the coordinator of doctoral studies in architecture at the Taubman College at the University of Michigan. She teaches courses on 19th and 20th century European and American architecture with research emphases on architectural media and in Weimar Germany and the United Kingdom.