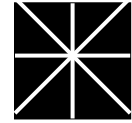




RES IPSA LOQUITUR FACULTY NEWS



Chapman University School of Law
Spring 2009 Faculty Update

Compiled by the Office of the Associate Dean for Academic Affairs
Available online at: www.chapman.edu/law/news/resipsa.asp

SPRING EDITION

MAY 2009

DEEPA BADRINARAYANA published an article, *The Emerging Constitutional Challenge of Climate Change: India in Perspective*, in the **FORDHAM ENVIRONMENTAL LAW REVIEW**. Deepa presented on a panel on international law and climate change to the Environmental Law and Natural Resources Law Joint Field Trip at the annual meeting of the Association of American Law Schools in San Diego in January. She also presented on transportation energy policy at the Cumberland School of Law at Samford University in Birmingham, Alabama in February, and on climate change and human rights at the University of Washington School of Law in May.

MICHAEL J. BAZYLER published a chapter, *International Human Rights Litigation and Professional Responsibility: Lessons and Questions from the Holocaust Cases*, in **INTERNATIONAL HUMAN RIGHTS LAWYERING: CASES AND MATERIALS** (Steinhardt, Hoffman & Camponovo) (West 2009). He co-organized and presented at a conference on litigating genocide at the Loyola Law School of Los Angeles in February. He also spoke at Pomona College on international human rights law in March, at the Annual Commemoration of the Armenian Genocide in Glendale in April, and as the featured speaker 2009 at the International Law Section of Orange County Bar Association in May.

TOM BELL recently published an article, *Private Prediction Markets and the Law*, in the **JOURNAL OF PREDICTION MARKETS**. His article, *Codifying Copyright's Misuse Defense*, was re-published in India in **COPYRIGHT INFRINGEMENT: NEW MYSTIFICATIONS** (Narayana Vavili, ed. Icfai University Press 2008-09).

Tom has continued his learning in statistical analysis through participation at the "Empirical Scholarship Workshop" at Northwestern University School of Law in May. In June he will teach three sessions at the week-long workshop, "Cinematic & Literary Traditions of Liberty," sponsored by the Institute for Humane Studies. He will also take part in two upcoming Liberty Fund seminars, the first on "Liberty and the Family," the other, "Liberty, Investiture, and the Papal Revolution."

DANIEL BOGART recently published **INSIDE PROPERTY: WHAT MATTERS AND WHY** (Aspen), co-authored with John Makdisi. Danny's book **COMMERCIAL LEASING: A TRANSACTIONAL PRIMER** (Carolina Academic Press) has been adopted at several schools, including the University of Chicago and Hofstra University Law Schools. Danny has also co-authored the most recent supplement to the **FRIEDMAN ON LEASES (PLI)**, the most widely used national treatise on commercial leasing law.

Danny is a Contributing Editor of Law Developments for DIRT, a widely distributed listserv in the Real Estate Transactions Community. He presented on property and mortgage issues for the Practising Law Institute in Chicago, on March 27, 2009, as part of a PLI program on commercial real estate financing.

As **chair of the Association of American Law Schools Real Estate Section**, Danny moderated a program entitled “Real Estate Transactions in Troubled Times” that was jointly sponsored with the AALS Section on Creditors’ and Debtors’ Rights at the 2009 AALS Annual Meeting in San Diego

Danny was one of four Chapman University professors to recently receive the prestigious **Chapman University Valerie Scudder Award** in recognition of outstanding achievement in teaching, scholarship, advising, and service by a faculty member at Chapman University. Each recipient receives a monetary award in recognition of their accomplishment.

HEIDI K. BROWN recently published the 6th edition of **FUNDAMENTALS OF FEDERAL LITIGATION**, a leading litigation manual published by Thomson-West.

TOM CAMPBELL recently published *Bilateral Monopoly: Further Comment* in the **ANTITRUST LAW JOURNAL**.

In March, Tom participated in a panel on the California Budget Mess at the **Stanford Institute for Economic Policy Research**, and he delivered the keynote address on Economic Trends at the Global Technology Symposium at Stanford University. In April, he delivered addresses on the economy at the Fisher Center for Real Estate at the Haas School of Business at the University of California at Berkeley, and at the Pacific

Merchant Shipping Association (PMSA), Long Beach.

In April, Tom also participated in a panel discussion on “The First 100 Days of the Obama Administration” at the **USC Annenberg School of Journalism**, and delivered the keynote address on “Stare Decisis, the Duty to Rule, and Statutory Construction” at the **Annual San Francisco Law Society Supreme Court luncheon**, with the Justices of the California Supreme Court in attendance.

In May, Tom delivered the 23rd Annual Bollens Ries Hoffenberg Lecture on “The Budget Processes of the United States and the State of California” at the UCLA School of Public Affairs.

TIMOTHY A. CANOVA presented on the financial crisis and the economics of control at the recent **Law and Society Association** annual meeting in Denver. This spring he also presented at a symposium on “Financial Markets and Systemic Risk” at the University of Iowa, and on a panel on Wartime Finance and Economics at the **CHAPMAN LAW REVIEW** symposium on Lincoln’s Constitutionalism. In January, he was the featured speaker at the **Orange County Labor and Employment Relations Association** dinner in Anaheim; and he presented on the subprime lending crisis to a program of the Section on Socio-Economics at the annual AALS meeting in San Diego.

Tim presented a work in progress, *Financial Market Failure and the Economics of Control: Rethinking a New Bretton Woods for the Twenty-First Century*, which was selected on the basis of a blind peer review process by the American Society of International Law (ASIL) International Economic Law Interest Group (IELIG) for the **2009 ASIL Research Colloquium on International Economic Law** at the UCLA School of Law in February.

Tim presented at a conference on “The Financial Services Bailout: Cause, Effect and the Limits of Government Action” at the National Press Club, in Washington, D.C. in March. In April, he moderated a program of the World Affairs Council of Orange County featuring James D. Wolfensohn, former president of the World Bank.

Tim was the keynote speaker on “Ethics, Trust & Loyalty” at the 3rd Annual Latino/a Youth Personal and Leadership Development Conference of the **League of United Latin American Citizens (LULAC)** at Coastline Community College in Garden Grove, California in March.

Tim has been interviewed and quoted widely on the financial crisis in newspapers and on National Public Radio affiliates in Los Angeles, San Francisco, Berkeley, Boston and elsewhere and overseas, including BBC-London, Iranian World Service, and NewsTalk in Kingston, Jamaica. His work has recently been cited in articles in a number of journals, including the *GEORGETOWN LAW JOURNAL*, *CONNECTICUT LAW REVIEW*, *COLUMBIA JOURNAL OF ENVIRONMENTAL LAW*, and the *AMERICAN JOURNAL OF COMPARATIVE LAW*.

MARISA S. CIANCIARULO published an article, *What Is Choice? Examining Sex Trafficking Legislation Through the Lenses of Rape Law and Prostitution*, in the **ST. THOMAS LAW JOURNAL**. Her article, *The Trafficking and Exploitation Victims Assistance Program: A Proposed Early Response Plan for Victims of International Human Trafficking in the United States*, was recently published in the **NEW MEXICO LAW REVIEW**.

Marisa moderated a panel on “Proposition 8, Legal Challenges and The Future Of Marriage Between Same-Sex Couples,” at the **AALS annual meeting** in San Diego in January. She was also a Concurrent Session

Panelist, “Collaboration in Progress: Facilitating Productive Dialogue in Clinical Rounds Discussions,” at the **AALS Clinical Conference** in Cleveland, Ohio in May. She also contributed to production of the Clinicians’ Desk Reference as part of her work on the Outreach Committee of the AALS Section on Clinical Legal Education.

Marisa’s work has been cited in articles in various law journals, including the *EMORY INTERNATIONAL LAW REVIEW*, *HOUSTON LAW REVIEW*, *OHIO STATE LAW JOURNAL*, and the *VILLANOVA LAW REVIEW*.

Marisa was invited to serve on the program committee of the AALS Section on Teaching, on the advisory committee of the Assistance League of Orange, and on the board of directors of Concern America, a nonprofit development and refugee aid organization.

KATHERINE DARMER published an article, *Scalian Skepticism and the Sixth Amendment in the Twilight of the Rehnquist Court* in the **UNIVERSITY OF SAN FRANCISCO LAW REVIEW**.

Katherine organized and participated in a “hot topics” panel entitled, “Proposition 8, Legal Challenges and the Future of Marriage Between Same-Sex Couples,” at the **annual meeting of the Association of American Law Schools** in San Diego in January. She also spoke about Proposition 8, marriage equality and other issues affecting the lesbian, gay, bisexual, and transgendered (LGBT) community in numerous other forums at Chapman University, University of California at Irvine, Pitzer College, and Texas Tech University Law School.

Katherine participated in the widely-followed debate with visiting professor John Yoo on Presidential Powers in Wartime at Chapman University’s Memorial Hall in April.

Katherine was the founding board member and chair of the legal team of the **Orange County Equality Coalition (“OCEC”)** which was formed after the passage of Proposition 8, and along with several other Chapman law professors, filed an amicus brief in opposition to Proposition 8 on behalf of seven married gay and lesbian couples, OCEC and numerous other Orange County-affiliated organizations and individuals, including Chapman University organizations, faculty, staff, and students. The brief was featured in a LOS ANGELES DAILY JOURNAL feature story entitled “Fighting Back” and was also discussed in the ORANGE COUNTY BUSINESS JOURNAL.

Katherine served as **co-counsel to the American Civil Liberties Union** on behalf of a lawsuit filed by Jane Doe and OCEC regarding failure of the Newport-Mesa School District to adequately protect female and LGBT students at Corona del Mar High School. She published several op-eds in the LOS ANGELES DAILY JOURNAL on a variety of issues, including torture, Proposition 8, and the production of *Rent* at Corona Del Mar High School and other issues related to LGBT rights

BOBBY DEXTER recently published an article, *Tenure Buyouts*, in the **PITTSBURGH LAW REVIEW**. He presented his work on two panels at the recent annual meeting of the **Law & Society Association** in Denver Colorado. Bobby also made two recent presentations at the Southern California Junior Faculty Workshop at Pepperdine School of Law and at the Junior Tax Faculty Workshop at Brooklyn Law School.

FRANK J. DOTI is working on the 2nd edition of his book **CONTRACT LAW: FLOWCHARTS AND CASES** published by Thomson West. He recently celebrated 40 years as an attorney and 28 years as a full-time professor of law.

JOHN C. EASTMAN has published 3rd edition of three co-edited books: **THE AMERICAN CONSTITUTIONAL ORDER: HISTORY, CASES AND PHILOSOPHY; THE HISTORY, PHILOSOPHY, AND STRUCTURE OF THE AMERICAN CONSTITUTION;** and **INDIVIDUAL RIGHTS AND THE AMERICAN CONSTITUTION**. All three books were co-edited with Douglas W. Kmiec, Stephen B. Presser, and Raymond Marcin, and published with LexisNexis, 2009.

John debated Georgetown Law Professor Louis Seidman, “The Founders’ Intent, Constitutional Provisions, and Limits on Spending Power and Delegation,” at a conference on The Financial Services Bailout: Cause, Effect & the Limits of Government Action at the National Press Club in Washington, D.C. in March. The transcript of the debate was recently published in **ENGAGE**.

John was a discussant on the panel, “An Apple of Gold in a Picture of Silver: Abraham Lincoln and Harriet Beecher Stowe,” at The Better Angels of Our Nature: The Legacy of Abraham Lincoln conference commemorating the bicentennial of Lincoln’s birth, Villanova University and the Matthew J. Ryan Center for the Study of Free Institutions and at Villanova, Pennsylvania in February.

John was interviewed on numerous radio programs and in the print media on a wide range of issues, from specific state and federal judicial decisions and Justice Department and Supreme Court nominations to Proposition 8, national security law and economic regulatory issues, including in the **NEW YORK TIMES**, **LOS ANGELES TIMES**, **WALL STREET JOURNAL**, **ABA JOURNAL**, **ASSOCIATED PRESS**, **ORANGE COUNTY REGISTER**, National Public Radio affiliates in Los Angeles and San Francisco, the Religious News Service, the Christian Broadcasting Network, the Hugh Hewitt show, NPR’s Air Talk with Larry Mantle, the

Munhwa Broadcasting Corp. in South Korea. John published an op-ed, "In Defense of John Yoo," in the LOS ANGELES TIMES in April.

KURT EGGERT presented on "Securitization: Problems with Incentives and How to Cure Them" for a **joint program of the Creditors' and Debtors' Rights and Real Estate Transactions Sections of the Association of American Law Schools** at its annual meeting in San Diego in January. He also spoke "Consumer Protection Law and the Elderly: What's New - What's Needed" for the Aging and the Law Section of the AALS at the same meeting.

Kurt presented a paper on gambling and the elderly and moderated a separate panel at the 14th International Conference on Gambling and Risk Taking, held by the University of Nevada, Reno, at Lake Tahoe, Nevada. He participated on a Professor's Roundtable, a discussion of the most significant legal developments in real property, at the California State Bar's Real Property Section's Annual Retreat at Lake Tahoe in May. He also presented on consumer protection in gambling at the Discovery 2009 conference, held by Canada's Responsible Gambling Council, at Niagara Falls, Ontario, Canada in April.

JOHN HALL published **several op-eds** online and in print on the work of the Khmer Rouge Tribunal in Cambodia, including in the FAR EASTERN ECONOMIC REVIEW, the WALL STREET JOURNAL ASIA, and the INTERNATIONAL HERALD TRIBUNE, and an essay on threats to press freedom in Russia in the WALL STREET JOURNAL EUROPE.

John presented on The Fourth Estate in Distress: Press Freedom and National Security Post-9/11 to 300 judicial delegates at **The World Jurist Association**, Twenty-Third Biennial Congress on the Law of the World, in **Kiev, Ukraine** in March. He also

spoke to the International Law Society of the Orange County Bar Association in April.

John has been interviewed by Voice of America and on Dialogue With Doti and Dodge, KOCE TV, in April. He has also been quoted in the NEW YORK TIMES and the PHNOM PENH POST.

ERNESTO HERNÁNDEZ-LOPEZ has recently published an article, *Boumediene v. Bush and Guantánamo, Cuba: Does the "Empire Strike Back"?* in the **SOUTHERN METHODIST UNIVERSITY LAW REVIEW**.

Ernesto played a highly visible role at the recent **Law & Society Association** annual meeting on Law, Power, and Inequality in the 21st Century in Denver, Colorado. At least seven Chapman University law faculty members participated on various panels of this Law and Society meeting, the largest inter-disciplinary legal scholarly conference in the world. Ernesto chaired a roundtable discussion on "Movies and Multiracial Imaginaries: Identity and Sovereignty Between and Beyond Legal Borders." Ernesto was also selected as a discussant for a mini-plenary session, "Law, Empowerment, and Disempowerment." He also presented on "Guantánamo's Racialized Space: Created by "Anglo Superiority" (1898) and Sustained with Detention (2002 - ?)." He delivered an earlier version of this presentation to the Chapman University Faculty Forum in March.

Ernesto also presented his research on international law and Guantánamo as racialized space at a conference on "The Application of International Law in the Domestic Context" at **Valparaiso University** in Indiana in April; and to the annual convention of the **International Studies Association** on "Exploring the Past, Anticipating The Future" in New York City in February.

Ernesto was selected to participate in a global group of promising young scholars in the Brown University Summer Institute on Law, Social Thought and Global Governance.

SCOTT HOWE published a **book chapter** entitled *Roper v. Simmons: Abolishing the Death Penalty for Juvenile Offenders in the Wake of International Consensus* in **DEATH PENALTY STORIES** (Foundation Press, 2009). His op-ed piece, *Two Cases Will Test the Limits on Locking Up Juvenile Offenders*, was published in the LOS ANGELES DAILY JOURNAL in May.

Scott served on an ABA site inspection team of Thomas M. Cooley Law School, in Grand Rapids and Auburn Hills, Michigan in March.

DONALD KOCHAN published an essay, *Law Doesn't Guarantee Equal Outcomes, Only Equal Opportunity*, in the LOS ANGELES DAILY JOURNAL.

MIKE LANG published an article, *Dealing with an Uncooperative Client*, in the Spring 2009 issue of the **ABA SECTION OF TAXATION NEWS QUARTERLY**. Mike spoke at the Midyear Meeting of the **ABA Section of Taxation** in New Orleans in January. In April he spoke on "Patented Tax Strategies, Ethics and Circular 230: Protecting Yourself and Your Client" as a Distinguished Tax Lecture at Hofstra University Law School, and by invitation to the BNA Tax Management Advisory Board Meeting in New York in a presentation that will be published in June in the BNA Tax Management Memorandum.

In May, Mike organized, moderated and spoke at a program on "Client Confidences and Privileges," presented by the Standards of Tax Practice at the ABA Section of Taxation meeting.

Mike was recently quoted in two articles in TAX NOTES TODAY on the disciplinary sanction guidelines of the IRS Office of Professional Responsibility and the Supreme Court's grant of certiorari in the *Bilski* case involving the proper standard for patentable subject matter, including business method patents and tax strategy patents.

Mike was appointed to the **ABA Section of Taxation** Committee on Government Submissions, and to the Nominating Committee. He was also **elected Chair of the AALS Section on Post-Graduate Legal Education**.

Mike also recently organized, moderated and spoke on an ABA Tax Section teleconference that attracted a registered audience of 235.

FRANCINE LIPMAN presented on "The Undocumented Immigrant Tax" at the Western Decision Sciences Institute in April.

Francine spoke in May on "Conservation Easements: A Personal Story" at the speaker series for the Orange County Democratic Party; presented on "Serving ESL Taxpayers: Outreach to Undocumented Immigrants" at the **ABA Tax Section meeting** in Washington, D.C.; and "Taxing Private Ryan" and "The Permanent Tax Revolt: Martins: Reader Meets Author" at the **Law & Society Meeting** in Denver, Colorado.

Francine also served as an expert witness in Greeley, Colorado lawsuit on behalf of the American Civil Liberties Union against the Sheriff and District Attorney for an illegal search warrant.

Francine will be a **visiting professor** at the **University of California School of Law at Hastings** in the Fall 2009 semester.

CELESTINE RICHARDS McCONVILLE served as moderator of the Great Debate on Presidential Power in a Time of Crisis that was held in Chapman University's Memorial Hall in April. She was also a panelist at a Federalist Society Debate on Proposition 8.

Celestine's work has been increasingly cited by other scholars. Her work on the meaninglessness of discretionary grants of capital post-conviction counsel was cited in a recent issue of the *HASTINGS LAW JOURNAL*, and her *WISCONSIN LAW REVIEW* article on the right to effective assistance of capital post-conviction counsel was cited in a recent issue of the *AMERICAN CRIMINAL LAW REVIEW*.

ELIZABETH MacDOWELL was appointed to the editorial board of the *JOURNAL OF CHILD CUSTODY*, a national peer-reviewed journal and the only journal dedicated to the field of child custody

Elizabeth's article, *When Reading Between the Lines is Not Enough: Lessons from Media Coverage of a Domestic Violence Homicide-Suicide* was recently published in the inaugural annual "Gendered Violence" issue of the *AMERICAN UNIVERSITY JOURNAL OF GENDER, SOCIAL POLICY AND THE LAW*.

Elizabeth presented a work in progress entitled "Less than Zero: Child Custody, Domestic Violence, and the Limits of Rule Reform" at the recent **Emerging Family Law Scholars Conference** in Boulder, Colorado. She presented a forthcoming article on media coverage of domestic violence at the recent **Law & Society Association** meeting in Denver, where she also participated in the Gender and Legal Education roundtable on Teaching Gender Inequality in Law School.

HENRY NOYES published an article, *Federal Rule of Evidence 502: Stirring the State Law of Privilege and Professional Responsibility with a Federal Stick*, in the **WASHINGTON & LEE LAW REVIEW**. This article was selected in response to a Call for Papers from the AALS Section on Litigation. His article has been cited in the *ALABAMA LAW REVIEW*, *CALIFORNIA LAWYER*, *LOS ANGELES COUNTY BAR ASSOCIATION UPDATE* and the *NEW YORK LAW JOURNAL*.

Henry presented at the panel, "E-Discovery: A Litigation Revolution?" during the **2009 AALS Annual Meeting** in San Diego, California. In addition to presenting his paper, Henry served as a commentator on the panel with Magistrate Judge Barbara L. Major (U.S.D.C. S.D. Cal.).

RICHARD REDDING has published a book, **THE POLITICALLY CORRECT UNIVERSITY** (AEI Press 2009) with co-authors Robert C. Maranto and Frederick Hess.

Richard published an article, *Evidence-Based Sentencing: The Science of Sentencing Policy and Practice*, in the inaugural issue of the **CHAPMAN JOURNAL OF CRIMINAL JUSTICE**. He recently published *Book Review: 'Juris Types: Learning Law Through Self - Understanding'* in the **JOURNAL OF LEGAL EDUCATION**.

Richard recently presented on "Why Juvenile Transfer Laws Fail it Deter" at the Juvenile Justice Symposium at **John Jay College of Criminal Justice** in New York. Richard's research on the efficacy of self-help books for anxiety, depression, and trauma featured was featured in *MILLER-McCLUNE* magazine on-line. His research on neuroscience and law was cited in 2009 case decided by Supreme Court of South Carolina.

Richard was invited to serve as a grant reviewer for the Social Science & Humanities Research Council of Canada. He was also invited to testify before the D.C. City Council on pending juvenile justice legislation based on his recent report on the deterrence effects of juvenile transfer laws that was published by the U.S. Justice Department.

LARRY ROSENTHAL recently published a book chapter, *Confusing Cause and Effect*, in **CRIMINAL LAW CONVERSATIONS** (Oxford University Press).

Larry participated in the debate on Presidential Powers in Times of Crisis, along with Professor Darmer in opposition to Visiting Professor John Yoo and Dean John Eastman at Chapman University's Memorial Hall in April. He also published op-eds on torture and CIA tactics in the LOS ANGELES TIMES and the SACRAMENTO BEE.

Larry presented on "Incorporation of the Bill of Rights: What Have We Learned, Why Does It Matter?" at the **University of San Diego's Center for Constitutional Originalism** in January. He took part in a Federalist Society debate on Gun Control and the Second Amendment at California Lutheran University in April, and presented at a conference on "The Second Amendment after *Heller*" at the Joyce Foundation in Chicago in February.

Larry filed a brief on behalf of the U.S. Conference of Mayors as amicus curiae in *McDonald v. City of Chicago*, U.S. Court of Appeals for the Seventh Circuit, on the question whether the Second Amendment applies to state and local gun control laws.

KYNDRA ROTUNDA published an essay, *The Origins and Original Meaning of the Spending Clause*, in the **ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES**, vol. 4, 437. Her article, *Applying Geneva Convention Principles to Guantanamo Bay*, was published in the **UNIVERSITY OF RICHMOND LAW REVIEW**.

Kyndra published a number of op-eds on the Law School's new AMVETS clinic as well as homeland security issues, including in the REPUBLICAN NATIONAL LAWYERS ASSOCIATION NEWSLETTER, the CHRISTIAN SCIENCE MONITOR, and the ORANGE COUNTY REGISTER.

In January, Kyndra was a panelist on "Guantanamo Bay, the Problem of Judicial Review Post-Boumediene" at The Federalist Society Faculty Division Annual Faculty Conference in San Diego; she presented at the CHAPMAN LAW REVIEW Symposium on Lincoln Constitutionalism in Time of War: Lessons for the War on Terror; and she was the keynote speaker on "Guantanamo Bay and the Law of War" at the California District Attorneys Association's Annual Winter Conference in Rancho Las Palmas. She was also the **keynote speaker at the AMVETS Conference** in Reno, Nevada in April.

Kyndra appeared on numerous radio shows on a wide variety of issues, including *The Dennis Miller Show*, *The G. Gordon Liddy Show*, *The Patriot Radio Network*, *Christian Radio Network*, *Dateline Washington*, and *CBS News Radio*. She also appeared on *Dialogue with Doti and Dodge*, March 31, 2009. She was also interviewed and quoted online and in print, including by the WORLDNETDAILY EXCLUSIVE and the AMERICAN VETERAN MAGAZINE.

RONALD ROTUNDA published an article, *Judicial Transparency, Judicial Ethics, and a Judicial Solution: An Inspector General for the Courts* in the **LOYOLA UNIVERSITY OF CHICAGO LAW REVIEW**.

Ron also published several op-eds, including in the LOS ANGELES DAILY JOURNAL, the AMERICAN SPECTATOR, the CHICAGO TRIBUNE, and the Chapman University PANTHER.

Ron's essay on the *Dormant Commerce Clause* was published in volume 2 of the **ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES**. He also published the 2009 Pocket Part to his TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE (Thomson- West 2009) (with John E. Nowak), and his 2009 SELECTED STANDARDS ON PROFESSIONAL RESPONSIBILITY (Foundation Press 2009) (with Thomas D. Morgan).

Ron made a CLE presentation before Cummins & White in May, and he spoke in April at the Loyola University Chicago Symposium on The Judiciary in the 21st Century, celebrating the centenary of Loyola University Chicago School of Law.

Ron was selected as the **Best Lawyer in Washington, DC, in 2009 in Ethics and Professional Responsibility Law**, and was the only academic on the list compiled by the LEGAL TIMES and WASHINGTON POST.

Ron filed briefs in a number of cases, including cases in the California Supreme Court (filed on behalf of the National Organization of African Americans in Housing), in the U.S. Court of Appeals for the Ninth Circuit and the Fourth Circuit, and the *Caperton v. A.T. Massey Coal Co., Inc.* case before the United States Supreme Court. Ron appeared on numerous radio and TV programs including Fox News to speak on the *Caperton* case.

In the past several months, Ron's work was cited by more than a dozen state and federal courts, and in nearly a hundred law review articles.

NANCY SCHULTZ was elected to the Board of Directors of the **International Academy of Dispute Resolution**, and was also asked to **Chair the International Law School Mediation Tournament** for the next two years. She continues in her role on the Executive Committee of the International Negotiation Competition and on the International Client Counseling Competition Committee.

Nancy and her co-author are moving their textbooks, INTRODUCTION TO LEGAL WRITING AND OTHER LAWYERING SKILLS and PERSUASIVE WRITING FOR LAWYERS, from LexisNexis to Aspen, and new editions of both texts will be forthcoming in the next couple of years.

ROBIN WELFORD SLOCUM published an article, *The Dilemma of the Vengeful Client: A Prescriptive Framework for Cooling the Flames of Anger*, in the **MARQUETTE LAW REVIEW**.

VERNON SMITH published an article, *The Design, Testing and Implementation of Virginia's NOx Allowance Auction*, in the **JOURNAL OF ECONOMIC BEHAVIOR AND ORGANIZATION** (co-authored with David Porter, Stephen Rassenti, William Shobe, and Abel Winn).

Vernon published an article, *From Bubble to Depression?*, in the WALL STREET JOURNAL on April 16 (co-authored with Steven Gjerstad).

Vernon's work was recognized in April with the opening of the Centro Vernon Smith de Economía at the Universidad Francisco

Marroquín in Guatemala, the first experimental economic lab to open in Latin America.

Vernon was honored in a ceremony to dedicate the Vernon L. Smith Reading Alcove in the Leatherby Libraries in May. The alcove will house the Vernon L. Smith Archive, including his 2002 Nobel Prize in Economic Sciences.

RON STEINER published an article, *Understanding the Prop 8 Litigation: The Scope of Direct Democracy and Role of Judicial Scrutiny*, in **NEXUS: JOURNAL OF LAW AND PUBLIC POLICY**. This was based on his presentation to the NeXus Symposium on Judicial Activism: Same Sex Marriage and the Aftermath of Proposition 8.

Ron also published an invited review, *Book Review of Kevin Bruyneel, THE THIRD SPACE OF SOVEREIGNTY: THE POSTCOLONIAL POLITICS OF U.S.-INDIGENOUS RELATIONS* (2007), in the **NEW POLITICAL SCIENCE**.

JOHN TEHRANIAN published a recent article, *The Last Minstrel Show? Racial Profiling, the War on Terrorism and the Mass Media*, in the **CONNECTICUT LAW REVIEW**.

John has given a number of presentations related to the recent publication of his book, **WHITEWASHED: AMERICA'S INVISIBLE MIDDLE EASTERN MINORITY** (New York University Press 2009), including at the recent **Law & Society** annual meeting; to the Chapman University Faculty Forum in March; as an address on Whiteness in American History to the Analysis Research & Planning for Armenia (ARPA) in Sherman Oaks, California; and a presentation on "Regimes and Politics of Whiteness" at the Re-Orienting Whiteness Conference at the School of Historical Studies at Monash University and the Australia Critical Race

and Whiteness Studies Association in Melbourne, Australia.

In March, John presented on "The Hapa Presidency" at the 15th Annual Conference of Asian Pacific American Law Faculty (CAPALF), University of California at Davis School of Law in March; and on "Et Tu, Fair Use? Copyright Law and the Academy in the Digital Age" as part of the Digital Humanities Lecture Series at the Academic Technology and Digital Media Program at Chapman University.

In April, John presented on "Form over Function: Privileged Texts and the Copyright Act" at the Conference on the 100th Anniversary of the 1909 Copyright Act at the **Berkeley Center for Law & Technology** at the University of California at Berkeley School of Law and High Technology Law Institute of the Santa Clara University School of Law; on "Colorblind Race Formations: Law, Foreign Policy and the Making of Terrorists" at the Association of Asian American Studies Annual Conference in Honolulu, Hawai'i; and on "Classifying a Community: Definitions of Race and Ethnic Identity" at the 4th Annual International Conference on the Iranian Diaspora at the Iranian Alliances Across Borders at the University of California at Berkeley. In May, John presented on "Copyright in the Library" at the Leatherby Libraries at Chapman University.

GEORGE WILLIS published a revised chapter, *Litigation of Tax Matters of Low Income Taxpayers*, in Diana Leyden's book entitled **ADVOCATING FOR LOW INCOME TAXPAYERS**.

George moderated a panel discussion on Identity Theft at the Low Income Taxpayer committee's meeting at the ABA Section of Taxation 2008 Joint Fall CLE Meeting.

George was recently appointed **Vice Chair of the ABA Section of Taxation Low Income Taxpayer Committee**, and he continues as co-Moderator of the ABA section of Taxation listserv for Low Income Taxpayers.

BART WILSON published an online essay, “Fair’s fair” on the Atlantic’s Business Channel in January. He spoke on “How Undergraduates Can Teach Experts A Thing or Two about Competition” at a conference on the Foundations and Limitations of an Economic Approach to Competition Law at the **Max Planck Institute for Intellectual Property, Competition and Tax Law** in Munich, Germany in March. Bart also presented at the **Gruter Institute Conference on Law, Behavior, and the Brain** at Squaw Valley, California in May; and at a Workshop on Experimental Economics at the ISM University of Management and Economics in Vilnius, Lithuania in April.

Bart was quoted for his work in experimental economics at SCIENTIFICBLOGGING, THE NEW YORKER, and BEYOND WORDS, THE ALTA BLOG.

JOHN YOO was the **Fletcher Jones Distinguished Visiting Professor of Law** at Chapman in the Spring 2009 semester. John published an article, *Administering War*, in the **DUKE LAW JOURNAL**. He also published *The Bush Doctrine: Can Preventive War be Justified* in the **HARVARD JOURNAL OF LAW & PUBLIC POLICY**, and *Great Power Security* in the **CHICAGO JOURNAL OF INTERNATIONAL LAW** (with Robert Delahunty).

In April, John presented on “Free Markets, Free Minds, Free People” at the California College Republican Convention in San

Francisco in April; and on “Legal Liability of Government Officers” at the Legal Policy Conference of the Heritage Foundation in Los Angeles.

John also made presentations this spring on a wide range of issues, including Globalization and the Constitution, Proliferation and Homeland Security, at the Georgetown University Law Center, the Pepperdine University Law School, the U.S. Coast Guard Academy, Brown University, and the University of Iowa.

John presented on “Presidential Success in Time of Crisis,” as part of the Chapman Dialogue distinguished lecture series and debate with other Chapman law faculty at Chapman University’s Memorial Hall in April. He also presented on “Lincoln, Habeas, and the War on Terrorism” at the annual CHAPMAN LAW REVIEW Symposium in January.

John published a number of essays on Supreme Court nominations, the Senate’s treat power, deficits and bailouts, and issues involving national security, including in the PHILADELPHIA INQUIRER, the WALL STREET JOURNAL, and the NEW YORK TIMES.

CAROLYN YOUNG presented a paper entitled “In Defense of the Externship; or, Overcoming Persisting Challenges to Full Acceptance of the Externship Program as Valuable Legal Education” at the **AALS Clinical Education conference** in May.

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ISA LANG published a book review of *THE RISE OF THE CONSERVATIVE LEGAL MOVEMENT: THE BATTLE FOR CONTROL OF THE LAW* (by Steven M. Teles) in the **LAW LIBRARY JOURNAL**.

Isa also published an article, *Mediation Through the Eyes of a Trial Attorney*, in the **SCALL NEWSLETTER**, a publication of the Southern California Association of Law Libraries.

Isa recently started a web page, "Climate Change News," linked to the Chapman Law Library home page.