

faculty file

NEWS BRIEFS

PUBLICATIONS

Michael B. Abramowicz is co-editor, with **F. Scott Kieff**, and James E. Daily of *Perspectives on Patentable Subject Matter*, forthcoming from Cambridge University Press. He also published "Screening Legal Claims Based on Third-Party Litigation Finance Agreements and Other Signals of Quality" (with Omer Alper), *Vanderbilt Law Review* (2013).

Donna Attanasio published "PURPA's Public Power Impact (and What to Do About It)," *George Washington Journal of Energy and Environmental Law* (2014).



John F. Banzhaf III's recent writings include "Prof. Banzhaf Claims FDA's E-Cigarette Rules Have Major Omissions—'Candy Cigarettes on Steroids' May Continue to Endanger Health"; "Students Accused of Rape Can Fight Back: Court OKs Suits Against University, Employees, and Female"; "Law Schools Being Forced to Make Radical Changes: More Lawyers, But Maybe Even Less Justice"; "E-Cigarettes Increasingly Banned in Public: Causing Epidemics Among Young Children and Teens"; "NFL Hypocrisy: Banning the N-Word, but Supporting the R-Word"; "How Fans Convince Themselves 'Redskins' Isn't Racist"; "Paula Deen's N****rs vs. Dan Snyder's R****ns:

What's the Difference?"; "FDA to Spend \$600M Fighting Smoking, but Inefficiently"; and "ACA's 50% Smoker Surcharge—Q & A."

Jerome A. Barron and co-author **C. Thomas Dienes** published the eighth edition of *Constitutional Law in a Nutshell* (Thomson/West Group, 2013).

Paul Schiff Berman published "Global Legal Pluralism: Mapping a Hybrid World" in *Governance and Risk: Challenges of Global Regulation* (2013); "How Legal Pluralism Is and Is Not Distinct From Liberalism: A Reply to Denis Patterson and Alexis Galán," *International Journal of Constitutional Law* (2013); "Le Nouveau Pluralisme Juridique," *Revue Internationale de Droit Économique*; and "Jurisgenerative Constitutionalism: Procedural Principles for Managing Global Legal Pluralism," *Indiana Journal of Global Legal Studies* (2013).

Francesca Bignami published "Rethinking the Legal Foundations of the European Constitutional Order: The Lessons of New Historical Research" in *American University International Law Review* (2013). Her *Research Handbook on Comparative Law and Regulation* (with David Zaring) is forthcoming in 2015.

Robert Brauneis published an essay titled "National Treatment in Copyright and Related Rights: How Much Work Does It Do?" as a chapter in *The Principle of National Treatment in International Economic Law Trade, Investment, and*

Intellectual Property (Anselm Kamperman Sanders, ed.) (Edward Elgar, 2014).

Eleanor Marie Brown published "The Blacks Who 'Got Their Forty Acres': A Theory of Black West Indian Migrant Asset Acquisition," *New York University Law Review* (2014); "Outsourcing Criminal Deportees," *University of Chicago Law Review* (2013); and "How the U.S. Selected for a Black British Bourgeoisie," *Georgetown Immigration Law Journal* (2013).

Karen B. Brown published "Beyond Economic Efficiency" in *United States Tax Law* (with David A. Brennan and Darryll K. Jones) (Wolters Kluwer Law & Business, 2013).



Neil H. Buchanan published *The Debt Ceiling Disasters: How the Republicans Created an Unnecessary Constitutional Crisis and How the Democrats Can Fight Back* (Carolina Academic Press, 2013); an essay, "Thomas Piketty's Book Is Masterful and Important, but Ultimately a Sideshow" (with Michael Dorf) (online in Jotwell, July 2014); and "Borrowing by Any Other Name: Why Presidential 'Spending Cuts' Would Still Exceed the Debt Ceiling," *Columbia Law Review* (2014).

Naomi R. Cahn published *Marriage Markets* (with June Carbone) (2014) and *Finding Our Families* (with Wendy Kramer) (December 2013). She also published numerous articles, including, with June Carbone, "Who's the Father?" in *Boston University Law Review* (2013); "The Past, Present and Future of the Marital Presumption," *International Survey of Family Law* (2013);

"The Gender/Class Divide: Reproduction, Privilege, and the Workplace," *Florida International University Law Review* (2013); "The End of Men or the Rebirth of Class? How Hanna Rosin Leaves Out the 1% & Family Law Fails the Other 99%," *Boston University Law Review* (2013); "Is Marriage for Rich Men?" in *Nevada Law Journal* (2013); and "Inequality and Marriage," *Chronicle Review* (2014). She published, with Gerry W. Beyer, "When You Pass on, Don't Leave the Passwords Behind: Planning for Digital Assets," *Probate & Property* (2012), and "Digital Planning: The Future of Elder Law," *National Academy of Elder Law Attorneys Journal* (2013); and, with Jennifer Collins, "Fully Informed Consent for Prospective Egg Donors," *Virtual Mentor* (2014).

Arturo J. Carrillo published "Comparative Law Study and Analysis of National Legislation Relating to Crimes Against Humanity and Extraterritorial Jurisdiction" (with Annalise K. Nelson), *George Washington International Law Review* (2014) and "Re-Imaginando la Clínica Jurídica de Derechos Humanos" (with Nicolás Espejo Yaksic), *Revista Academia de la Universidad de Buenos Aires* (2014).



W. Burlette Carter published "The Federal Law of Marriage: Deference, Deviation, and DOMA," *American University Journal of Gender, Social Policy and the Law* (2013).

Steve Charnovitz published the chapter "Trade and Environment" in *Handbook of Trade Policy for Development* (Oxford University Press, 2013); "International Trade and Investment Law and Carbon Management Technologies"

(with co-authors), *Natural Resources Journal* (2013); and a book review of *International Economic Law in the 21st Century* by Ernst-Ulrich Petersmann, *Journal of International Economic Law* (2014). Steve Charnovitz's paper "Green Subsidies and the WTO" was published in September as a World Bank Policy Research Working Paper. His article titled "The Field of International Economic Law" was published in the *Journal of International Economic Law* in September.

Bradford R. Clark published "Tel-Oren, Filartiga, and the Meaning of the Alien Tort Statute," *University of Chicago Law Review Dialogue* (2013), and "Two Myths About the Alien Tort Statute" (with A.J. Bellia), *Notre Dame Law Review* (2014).

Jessica L. Clark published empirical research on law school grades—using data from the GW Law Class of 2011—in "Grades Matter: Legal Writing Grades Matter Most," *Mississippi College Law Review* (2014); "Peer Review: Using Time, Place, and Manner Constraints to Maximize Learning," *Perspectives: Teaching Legal Research & Writing* (2013); and "The Theoretical and Practical Underpinnings of Teaching Scholarly Legal Writing" (with Kristen Murray), *Texas A&M Law Review*. She also contributed to several chapters of the electronic legal research and writing textbook, *Teachinglaw.com*.

Donald C. Clarke published "China's Stealth Urban Land Revolution," *American Journal of Comparative Law* (2014). He also presented "Legal Aspects of Entrepreneurship in China," at U.S.-China Legal Exchange (co-organized by the U.S. Department of Commerce and PRC Ministry of Commerce).

Thomas Colby published "Originalism and the Ratification of the Fourteenth Amendment," *Northwestern University Law Review* (2013).

Robert J. Cottroll published "In the Civic Republic: Crime, the Inner City, and the Democracy of Arms—Being a Disquisition on the Revival of the Militia at Large" (with Raymond T. Diamond), *Connecticut Law Review* (2013).

Charles B. Craver published his 15th book, *The Art of Negotiation in the Business World* (LEXIS, 2014); *Skills & Values: Alternative Dispute Resolution* (LexisNexis, 2013); "How to Conduct Effective Transnational Negotiations Between Nations, Nongovernmental Groups, and Business Firms," *Washington University Journal of Law & Policy* (2013); and "Initiating and Conducting Meaningful Dispute Resolution Procedures," *Alternatives to the High Cost of Litigation* (2013).

Lawrence A. Cunningham published *Berkshire Beyond Buffett: The Enduring Value of Values* (Columbia University Press, 2014); "Deferred Prosecutions and Corporate Governance: An Integrated Approach to Investigation and Reform," *Florida Law Review* (2014); *Introductory Accounting for Lawyers* (West, 2014); and *Corporations and Other Business Associations: Cases and Materials* (LEXIS, 2014). In December 2013 the *Washington Law Review* published a symposium issue featuring Professor Cunningham's book, *Contracts in the Real World: Stories of Popular Contracts and Why They Matter* (Cambridge University Press, 2012).



Christy H. DeSanctis published *Advanced Legal Writing*, (Foundation Press, 2d, December 2013), which included significant new material on rhetorical and narrative

theory, including new chapters on visual rhetoric and storytelling. A new edition of her primary text, *Legal Writing and Analysis*, will be published at the end of 2014. Professor DeSanctis is also working with her co-author on a revamped research text and an article about the democratization of legal research information. She published, with co-author **Jessica L. Clark**, "Toward a Unified Grading Vocabulary: Using Rubrics in Legal Writing Courses," *Journal of Legal Education* (2013).

Laura A. Dickinson published "Regulating the Privatized Security Industry: The Promise of Public/Private Governance," *Emory Law Journal* (2013).

Lisa M. Fairfax published "Mandating Board-Shareholder Engagement," *University of Illinois Law Review*, and "Sue on Pay: Say on Pay's Impact on Directors' Fiduciary Duties," *Arizona Law Review*. Her book chapter "The Elusive Quest for Director Independence" was published in *Research Handbook on the Economics of Corporate Law*.

Roger Anthony Fairfax published "Searching for Solutions to the Indigent Defense Crisis in the Broader Criminal Justice Reform Agenda," *Yale Law Journal*, and an essay, "Challenges and Choice in Basic Criminal Law Course Design," *Ohio State Journal of Criminal Law*.

David Fontana published "Perpetual Constitutional Moments: A Reply to Hostovsky Brandes and Weintal" in *Israeli Constitutional Law in the Making* (Oxford/Hart Publishing, 2013); "The People's Justice?" in *Yale Law Journal Forum* (2014); and "Relational Federalism: An Essay in Honor of Heather Gerken," *Tulsa Law Review* (2013).

Jack Harlan Friedenthal published the latest edition of *Civil Procedure: Cases and*

Materials (with Arthur R. Miller, John E. Sexton, and Helen Hershkoff) (West Group, 2013).

Theresa A. Gabaldon published the fifth edition of *Securities Law* (with Larry D. Soderquist) (Foundation Press, 2014); the eighth edition of *Securities Regulation* (Foundation Press, 2013); and "The Role of Competitive Disclosure in Preventing the Abuse of Financial Consumers," *Banking and Financial Services Policy Report* (2013).

Kristelia A. García, 2012-2014 Marks Fellow and visiting associate professor of law, wrote an article titled "Penalty Default Licenses: A Case for Uncertainty," that is forthcoming in *New York University Law Review* (2014). The article is ranked as a top ten SSRN download in the categories of intellectual property: copyright; microeconomics: production, market structure and pricing; auctions, rationing, and licensing; international intellectual property protection; IO: and productivity, innovation, and technology. Professor García's article, "Private Copyright Reform," was published in the *Michigan Telecommunications and Technology Law Review* (2013) and was named "one of the best works of recent scholarship in Cyberlaw" for 2013 by Jotwell.

Iselin Gambert published "Duty to Rescue? Exploring Legal Analysis Through the Lens of Photojournalists' Storytelling Dilemmas" in *The Law Teacher: The International Scholarly Journal of the Association of Law Teachers* (2014).

Robert L. Glicksman published "Regulatory Safeguards for Accountable Ecosystem Service Markets in Wetlands Development," *Kansas Law Review* (2014); "Functional Government in 3-D: A Framework for Evaluating Allocations of Government Authority," *Harvard Journal on Legislation* (2014); "Wilderness

Management by the Multiple Use Agencies: What Makes the Forest Service and the Bureau of Land Management Different?" in *Environmental Law* (2014); "Energy Transmission Across Wild and Scenic Rivers," *Public Land & Resources Law Review* (2013); and "A Comparative Analysis of Accountability Mechanisms for Ecosystem Service Markets in the U.S. and the EU," *Transnational Environmental Law* (2013). He also published "Landscape Level Management of Parks, Refuges, and Preserves for Ecosystem Resilience" in *Social-Ecological Resilience and Law* (Garmestani & Allen eds.) (Columbia University Press) (2014); and "EPA's Retreat from Enforcement Will Harm the Chesapeake Bay" in the *Center for Progressive Reform Issue Alert #1402* (2014).

Phyllis Goldfarb's article "Demography and Democracy" is forthcoming in the *Berkeley Journal of African-American Law & Policy*.

Daniel I. Gordon's article "Bid Protests: The Costs Are Real, but the Benefits Outweigh Them" was published in *Public Contract Law Journal* (2013) and was reprinted in full in the September and October 2013 issues of *Contract Management* and in the December 2013 issue of *The Clause*. He also published "Anti-Corruption Internationally: Challenges in Procurement Markets Abroad—Part II: The Path Forward for Using Procurement Law to Help With Development and the Fight Against Corruption," as part of the *West Government Contracts Year in Review Conference Covering 2012* (Thomson Reuters, 2013). He also published "Integrity Challenges in the EU and U.S. Procurement Systems" (with Gabriella M. Racca) in *Integrity and Efficiency in Sustainable Public Contracts: Corruption, Conflict of Interest, Favoritism, and Inclusion of Non-Economic Criteria in Public Contracts* (Gabriella M. Racca and Christopher R. Yukins, eds.) (Bruylant, 2014); "Avoid-

ing Bid Protests: Some Advice to Agency Counsel," in *The Government Contractor*, Vol. 56, No. 28 (July 2014); "Protecting the Integrity of the U.S. Federal Procurement System: Conflict of Interest Rules and Aspects of the System That Help," in *Corruption and Conflicts of Interest: A Comparative Law Approach* (J.-B. Auby, E. Breen & T. Perroud) (2014); and "Dissecting GAO's Bid Protest 'Effectiveness Rate,'" in *The Government Contractor*, Vol. 56, No. 4 (January 2014).

David M. Johnson's article "An Introduction to Effective Advocacy in the U.S. Federal Courts: From Trial to Appeal" was accepted for publication by the Universidad Del Salvador in Buenos Aires, Argentina. The article will be translated into Spanish and published in one of the school's two publications, *Aequitas* or *La Vey*.

Susan R. Jones published "Enriching the Law School Curriculum: The Rise of Transactional Legal Clinics in U.S. Law Schools" (with Jacqueline Lainez), *University of Washington Journal of Law & Policy* (2013) and "Clinical Collaborations: Going Global to Advance Social Entrepreneurship" (with Deborah Burand, Jonathan Ng, and Alicia Plerholpes), *International Journal of Clinical Legal Education* (2014). During the AALS Annual Meeting in New York City in January, she presented a paper, "Viewing Value Creation by Business Lawyers Through the Lens of Transactional Legal Clinics," which is forthcoming in the *University of California, Davis Business Law Journal*.



Susan L. Karamanian published "Economic-Legal Perspectives on the Armenian Genocide," *International Criminal Law Review* (2014).

Orin S. Kerr published "The Next Generation Communications Privacy Act," *University of Pennsylvania Law Review* (2014).

F. Scott Kieff is on leave from GW for service as a Commissioner on the U.S. International Trade Commission, and is co-editor, with **Michael B. Abramowicz** and James E. Daily, of *Perspectives on Patentable Subject Matter*, forthcoming from Cambridge University Press. With co-authors **Arthur E. Wilmarth Jr.** and James E. Daily, he published *Perspectives on Financing Innovation* (Routledge, 2014). Professor Kieff also published "Incentive Effects From Different Approaches to Holdup Mitigation Surrounding Patent Remedies and Standard-Setting Organizations" (with Anne Layne-Farrar), *Journal of Competition Law & Economics* (November 2013), and "Benefits of Patent Jury Trials for Commercializing Innovation" (with James E. Daily), *George Mason Law Review* (2014).



Laird Kirkpatrick published the fourth edition of his five-volume treatise, *Federal Evidence* (with Christopher B. Mueller) (Thomson/West, December 2013). The book is also published digitally on Westlaw. He and his co-author also just published a new edition of their widely adopted coursebook *Evidence Under the Rules* (8th ed. Aspen 2014) and a new edition of their *Black Letter Outline on Evidence* (West 4th ed. 2014).

Laurie S. Kohn published "Engaging Men as Fathers: The Courts, the Law, and Father-Absence in Low-Income Families," *Cardozo Law Review* (2013).

Cynthia Lee's article "The Trans Panic Defense: Heteronormativity, Masculinity, and the Murder of Transgender Women" (with Peter Kwan) has been accepted for publication in the *Hastings Law Journal*. Her essay "(E) Racing Trayvon Martin" is forthcoming in an *Ohio State Criminal Law Journal* symposium titled "Twenty-Plus Years of Critical Race Theory and Criminal Justice: Looking Backward, Looking Forward." She published "Making Race Salient: Trayvon Martin and Implicit Bias in a Not Yet Post-Racial Society," *North Carolina Law Review* (2013); "Honoring Angela Harris: A Review of Gender, Violence, Race, and Criminal Justice," *University of California Davis Law Review* (2014); and "Masculinity on Trial: Gay Panic in the Criminal Courtroom," *Southwestern Law Review* (2013). Her book chapter "Denying the Significance of Race: Colorblindness and the Zimmerman Trial" will be published in *Trayvon Martin, Race, and "American Justice," Writing Wrong* (Sense Publishers, forthcoming 2015). The third edition of Professor Lee's *Criminal Law: Cases and Materials* casebook (with Angela Harris) was published in June by West. An encyclopedic entry, "Self-Defense," in *The Encyclopedia of Criminology and Criminal Justice* (Jay S. Albanese ed.) is forthcoming this year.

Renée Lettow Lerner published "The Failure of Originalism in Preserving Constitutional Rights to Civil Jury Trial," *William & Mary Bill of Rights Journal* (2014).

Ira C. Lupu and **Robert Tuttle** published *Secular Government, Religious People* (Eerdmans Publishing Co., 2013).

Gregory E. Maggs published "A Concise Guide to Using Dictionaries From the Founding Era to Determine the Original

Meaning of the Constitution," *George Washington Law Review* (2014).

Jeffrey Manns published "The Merger Agreement Myth," *Cornell Law Review* (2013) and "Insuring Against a Derivative Disaster: The Case for Decentralized Risk Management," *Iowa Law Review* (2013).

In June, **Joan Meier** co-wrote an amicus brief to the Supreme Court in support of a petition for certiorari in *Ohio v. Clark*, a confrontation clause case involving children's statements. She also co-wrote an amicus brief in a Maryland case on behalf of a mother who was ordered to pay damages to her batterer as a result of his tort action against her.

Thomas D. Morgan published the latest edition of his book *Professional Responsibility: Problems and Materials* (with Ronald D. Rotunda and John S. Dzienkowski) (Foundation Press, 2014), and the fifth edition of his book *Cases and Materials on Modern Antitrust Law and its Origins* (Thomson/West, 2014).

Alan B. Morrison published "The Sounds of Silence: The Irrelevance of Congressional Inaction in Separation of Powers Litigation," *George Washington Law Review* (2014), and "Revisiting Judicial Activism: The Right and Wrong Kinds," *The Journal of the ACS Issue Groups* (2013).

Sean D. Murphy published the sixth edition of *International Law: Cases and Materials* (with Lori F. Damrosch) (West, 2014); "Deconstructing Fragmentation: Koskenniemi's 2006 ILC Project," *Temple International and Comparative Law Journal* (2013); and "International Judicial Bodies for Resolving Disputes Between States," *The Oxford Handbook of International Adjudication* (Oxford University Press, 2013).



Dawn C. Nunziato published "The Beginning of the End of Internet Freedom," *Georgetown Journal of International Law*. Her book chapter "Principles of Digital Due Process for ICT Companies" is forthcoming in *Protection of Information and the Right to Privacy—A New Equilibrium* (Oxford Internet Institute/Springer). She published a commentary, "I'm Still Dancing: The Continued Efficacy of First Amendment Precedent and Values in the Internet Age," in *Harvard Law Review*, and prepared an expert report on "The FCC's Proposed Rulemaking in the Matter of Protecting and Promoting the Open Internet" for the Representative on Freedom of the Media for the Organization for Security and Co-Operation in Europe (OSCE).

Spencer A. Overton published "Political Law," *George Washington Law Review* (2013), and "Voting Rights Disclosure," *Harvard Law Review Forum* (2013).

Lee Paddock and **Jessica Wentz** were co-authors of "Hydraulic Fracturing in the United States: A Study in Contrasts," *The Law of Energy Underground* (Oxford University Press, 2014); their article "Environmental Law Netherlands," was published in the American Bar Association's *International Environmental Law* (2014). Associate Dean Paddock published "An Integrated Framework for Governing Emerging Technologies such as Nanotechnology and Synthetic Biology" (with Molly Masterton, JD '14) in *Innovative Governance Models for Emerging Technologies* (Edward Elgar Press, 2013).

Richard J. Pierce Jr. published the second edition of *Federal*

Administrative Law: Cases and Materials; the sixth edition of *Administrative Law & Process*; the 2014 supplement to *Administrative Law Treatise*; "Natural Gas Fracking Addresses All of Our Major Problems," *George Washington Journal of Energy and Environmental Law* (2013), and "District Court Review of Findings of Fact Proposed by Magistrates: Reality Versus Fiction," *George Washington Law Review* (2013).



Peter Raven-Hansen published the second edition of *Civil Procedure: A Coursebook* (with Joseph W. Glannon and Andrew M. Perlman) (Aspen). He completed manuscripts for the accompanying *Civil Procedure* rulebook and teacher's manual, as well as the 2014-2015 supplement to *National Security Law and Counterterrorism Law*.

Jeffrey Rosen published "Symposium Keynote Address," *Rutgers Law Review* (2013), and "Keeping Google Good: Remarks on Privacy Regulation and Free Speech," *George Mason Law Review* (2013).

As a senior fellow in the human and civil rights of children at the Center for Children and Social Engagement, **Catherine Ross** published "The Long Road From Rights to Reality" in the center's online periodical, *The Child*. The article focuses on access to education under international agreements using Kenya as a case study.

Stephen A. Saltzburg published *Trying Cases to Win: In One Volume* (with former federal district Judge Herbert J. Stern) (American Bar Association, 2014), the 10th edition of *American Criminal Procedure: Cases and Commentary* (with Daniel J. Capra) (Thomson/

West, 2014); and the fifth edition of *Military Evidentiary Foundations* (with David A. Schleuter, Lee D. Schinas, and Edward J. Imwinkelried) (LexisNexis, 2013). He published three articles in *Criminal Justice* (American Bar Association): "Someone Must Be Lying" (2013), "Child Testimony and the Right to Present a Defense" (2013), and "Judicial Innovations to Screen Eyewitness Identifications" (2013).

Joan E. Schaffner published "Canine Profiling" in *The Global Guide to Animal Protection* (University of Illinois Press, 2013) and "Americans Working on Behalf of the UnderDOGS" in *Searching for the American Dream: How a Sense of Place Shapes the Study of History* (Cambridge Scholars Publishing, 2013).

Lisa M. Schenck published two articles in the *Ohio State Journal of Criminal Law*: "Sex Offenses Under Military Law: Will the Recent Changes in the Uniform Code of Military Justice (UCMJ) Re-Traumatize Sexual Assault Survivors in the Courtroom?" (2014) and "Informing the Debate About Sexual Assault in the Military Services: Is the Department of Defense Its Own Worst Enemy?" (2014). She also published an op-ed, "Military Rape Fix Is No Fix at All" (with Major General [ret.] John D. Altenburg), *USA Today*, Nov. 6, 2013.

Naomi Schoenbaum published "The Family and the Market at Wal-Mart," *DePaul Law Review* (2013); and "Mobility Measures," *Brigham Young Law Review* (2012).

Steven L. Schooner, with David J. Berteau, published *West Government Contracts Year in Review Conference Covering 2013 Conference Briefs* (Thompson Reuters, 2014) and *West Government Contracts Year in Review Conference Covering 2012 Conference Briefs* (Thompson Reuters,

2013). He also published, with **Neal Couture**, "The Contract Management Body of Knowledge: Understanding an Essential Tool for the Acquisition Profession," *Contract Management* (2013).

Joshua I. Schwartz's chapter "International Protection of Foreign Bidders Under GATT/WTO Law" is forthcoming in *Internationalization of Public Contracts* (Bruylant). He completed an annual update of his self-published *Government Contracts* casebook for use in his introductory survey class and is continuing to work on a manuscript for a government procurement law casebook.

Michael Selmi published, as editor, *Age and Equality Law* (Ashgate, 2013); "The Obama Administration's Civil Rights Record: The Difference an Administration Makes," *Indiana Journal of Law and Social Equality* symposium issue (2014); "Can All Women Be Pharmacists? A Critique of Hanna Rosin's *The End of Men*," *Boston University Law Review* symposium issue (2013); and "Hostess and the Search for Workplace Dignity," *Washburn Law Journal* (2013).

Dinah L. Shelton published, as editor, *The Oxford Handbook of International Human Rights Law* with new essays by more than 40 leading experts in the field (Oxford University Press, 2013) and *The UN System for Protecting Human Rights, Vol. IV: The Library of Essays on International Human Rights* (Ashgate Publications, 2014). She also published "Trade and Environment" in the *Handbook of Trade Policy for Development* (Oxford University Press, 2013); "International Trade and Investment Law and Carbon Management Technologies" (with Nigel Bankes, Anatole Boute, Shi-Ling Hsu, Sarah McCalla, Nicolas Rivers, and Elizabeth Whitsitt), *Natural Resources Journal* (2013); "Remedies and Reparation" in

Global Justice, State Duties: The Extraterritorial Scope of Economic, Social, and Cultural Rights in International Law (Cambridge University Press, 2013); "The Inter-American Human Rights Law of Indigenous Peoples," *University of Hawaii Law Review* (2013); "Réflexion Introductive: Environnement International et Patrimoine Commun de L'humanité," *Marché et Environnement* (Editions Bruylant, 2014); and "International Law and 'Relative Normativity,'" *International Law* (M. Evans, ed., 2014). Her book, *Remedies in International Human Rights Law*, specifically about the "principles" behind awarding damages, was cited by the U.K. Supreme Court in the case of *R (on the application of Faulkner) (FC) (Appellant) v. Secretary of State for Justice and another (Respondents)* [2013] UKSC 23.

Jonathan R. Siegel submitted an amicus curiae brief on the federal savings statute in the case of *Norex Petroleum v. Blavatnik* before the New York Court of Appeals. He published "What if the Universal Injury-in-Fact Test Already Is Normative?" in *Alabama Law Review* (2013); "The REINS Act and the Struggle to Control Agency Rulemaking," *New York University Journal of Legislation and Public Policy* (2013); and "Clearing the Path to Justice: The Need to Reform 28 U.S.C. § 1500" (with Emily S. Bremer), *Alabama Law Review* (2013).

Daniel J. Solove published "The FTC and the New Common Law of Privacy" (with Woodrow Hartzog), *Columbia Law Review* (2014); "Reconciling Personal Information in the United States and European Union" (with Paul M. Schwartz), *California Law Review* (2014); "The FTC as Data Security Regulator: *FTC v. Wyndham* and Its Implications" (with Woodrow Hartzog), *BNA Privacy and Security Law Reporter* (2014); "The FTC and Privacy and Data Security Duties

in the Cloud" (with Woodrow Hartzog), *BNA Privacy and Security Law Reporter* (2014); "Privacy Self-Management and the Consent Dilemma," *Harvard Law Review* (2013); "HIPAA Turns 10: Analyzing the Past, Present, and Future Impact," *Journal of AHIMA* (2013); and "HIPAA Mighty and Flawed: Regulation Has Wide-Reaching Impact on the Healthcare Industry," *Journal of AHIMA* (2013). A Japanese translation of his book *Understanding Privacy* was published in 2013. Professor Solove was selected by LinkedIn to be one of its "Influencer Bloggers," and his blog now has more than 760,000 followers: <http://linkd.in/1ta5zcz>.

John A. Spanogle Jr. published the fourth edition of *Consumer Law: Cases and Materials* (with Ralph J. Rohner, Dee Pridgen, Jeffrey Sovern, and Christopher L. Peterson) (West Publishing Co., 2013) and the third edition of *Principles of International Business Transactions* (with Ralph H. Folsom and Michael Wallace Gordon) (Thomson/West, 2013).

Jessica K. Steinberg's "Demand Side Reform in the Poor People's Court" is forthcoming in the *Connecticut Law Review*.



Ralph G. Steinhardt published "Kiobel and the Multiple Futures of Corporate Liability for Human Rights Violations," *Maryland Journal of International Law* (2013) and "Kiobel and the Weakening of Precedent: A Long Walk for a Short Drink," *American Journal of International Law* (2013).

Sonia Suter published "Did You Give the Government Your Baby's DNA? Rethinking Consent in Newborn Screening"

in the *Minnesota Journal of Law Science and Technology* (2014); "Interest Creep: The Constitution, Common Law, and Politics" in the *George Washington Law Review*; "Arguendo; How Big a Problem Is Genetics Exceptionalism in Employment?" in *The Hastings Center Report* (Nov.-Dec. 2013); and "The Politics of Information: Informed Consent in Abortion and End-of-Life Decision Making" in *American Journal of Law & Medicine* (2013). Her article "The First Amendment and Physician Speech in Reproductive Decision Making" is forthcoming in *The Journal of Law Medicine and Ethics*.

Jessica Tillipman published "The Congressional War on Contractors," *George Washington International Law Review* (2013) and "Gifts, Hospitality, and Government Contractors," *Thomson Reuter's Briefing Papers*.

Jonathan Turley published "Recess Appointments in the Age of Regulation," *Boston University Law Review* (2013) and "Constitutional Adverse Possession: Recess Appointments and the Role of Historical Practice in Constitutional Interpretation," *Wisconsin Law Review* (2013).

Jessica A. Wentz's article "Balancing Economic and Environmental Goals in Distributed Generation Procurement: A Critical Analysis of California's Renewable Auction Mechanism" is forthcoming in the *George Washington Journal of Energy and Environmental Law*. With co-editor **Lee Paddock**, she published *Next Generation Environmental Compliance and Enforcement* (2014). Their book chapter "Emerging Regulatory Frameworks for Hydraulic Fracturing and Shale Gas Development in the United States" was published in *The Law of Energy Underground* (Oxford University Publishers, 2014), and their chapter "The

Netherlands" was published in *International Environmental Law* (2014).

Arthur E. Wilmarth Jr. published "Citigroup: A Case Study in Managerial and Regulatory Failures," *Indiana Law Review*, and "Turning a Blind Eye: Why Washington Keeps Giving In to Wall Street," *University of Cincinnati Law Review* (2013). His forthcoming book chapter "The Dodd-Frank Act Does Not Solve the Too-Big-to-Fail Problem" will be published in *Global Financial Governance and the Role of Soft Law* (A. Kammel & F. Weiss, eds.) (Martinus Nijhoff Publishers).



Christopher R. Yukins published "Rethinking the World Bank's Sanctions System," *Government Contractor* (2013); "Cross-Debarment: A Stakeholder Analysis," *George Washington International Law Review* (2013); "Featured Comment: Considering the Effects of Public Procurement Regulations on Competitive Markets" (with Lt. Col. Jose A. Cora), *Government Contractor* No. 9 (2013). He is also submitting an accompanying chapter on procurement-related measures under NAFTA and the proposed Transatlantic Trade and Investment Partnership (T-TIP) for the book *Internationalization of Public Contracts*.

ACTIVITIES

John F. Banzhaf III helped introduce a 50 percent smoker surcharge into the Affordable Care Act that has helped lead to a decrease in smoking; his work also helped lead to bans on e-cigarette use in no-smoking sections in many cities. He attracted three former FCC commissioners to his project to ban the word "Redskins" from

the nation's airwaves. The legal movement he helped start that sues food companies for misrepresentation is expanding, and is likely to explode because of a recent U.S. Supreme Court decision. Professor Banzhaf appeared frequently on radio and TV, both here and in many other countries, and was quoted in more than 100 publications on topics ranging from "stand your ground" laws and capital punishment to law school reform.

During the past year, **Paul Schiff Berman** gave 12 invited presentations: in Germany at Humboldt University, the University of Bremen, and the University of Bonn; in the Netherlands at the University of Tilburg and the University of Rotterdam; in the United Kingdom at the University of London; in Canada at York University and the University of Windsor; and at a special roundtable on "Theorizing Law in the Transnational and the Global," at the Law and Society Association Annual Meeting.

Francesca Bignami, together with Professor David Zaring of the Wharton School, University of Pennsylvania, convened a two-day book conference at GW Law in 2014 on their forthcoming volume, *Research Handbook on Comparative Law and Regulation*. She participated on the following panels: "The Administrative State, the Rule of Law, and Democracy: Comparative Models of Judicial Review" at the Conference on Comparative Law and Regulation at GW Law (January 2014); "Conflict and Cooperation in the Privacy Sector" at the Symposium on New Approaches to International Regulatory Cooperation at New York University School of Law (February 2014); "The Legal Environment and Institutional Origins: Comparative Law and the Rise of the European Court of Justice" at the EU Roundtable at Columbia Law School (April 2014); "The Administrative State, the Rule of Law, and Democracy: Comparative Models of Judicial Review" at the Annual

Meeting of the Law and Society Association in Minneapolis (June 2014); and was a commentator for the panels "EU Institutions: Democratization and Constitutionalization" at the Conference on EU Law Stories at American University Washington College of Law (March 2014) and "International Administrative Law in a Plural Legal Order: The Future of International Administrative Law" at the International Monetary Fund in Washington, D.C. (April 2014).

Christopher A. Bracey lectured on "Constitutional Conversations in Contested Times" and introduced Justice Ruth Bader Ginsburg at GW's annual Constitution Day Event. He also spoke at a university-wide interdisciplinary event at GW—"Framing Ferguson: A Panel and Audience Discussion of the Michael Brown Shooting."

In January **Neil H. Buchanan** gave a keynote speech at the Australian Tax Teachers' Association annual meeting in Brisbane, Australia, after which he delivered an invited speech to the Japan Tax Association in Tokyo. Professor Buchanan also made presentations at the Critical Tax Conference in April and the Law and Society Conference in May. In June he was a commentator on three panels at the Tax Justice and Human Rights conference at McGill University in Montreal.

Arturo J. Carrillo was a participant in the 2013 Learning Forum co-sponsored by The Global Network Initiative and the Telecommunications Industry Dialogue on Freedom of Expression and Privacy in Brussels, Belgium. In November he was an invited expert at the "Workshop on Human Rights Law Clinics in Comparative Perspective: United States, Latin America, and Africa," a module in a training program on "Establishing, Running, and Growing a Public Interest/Human Rights Law Clinic," sponsored by the Human Rights Development

Initiative in Pretoria, South Africa. He was a panelist for "Does the World Need More Crimes Against Humanity Legislation?" held at GW Law in October 2013. Professor Carrillo and students launched their latest International Human Rights Clinic report, "Comparative Law Study and Analysis of National Legislation Relating to Crimes Against Humanity and Extraterritorial Jurisdiction" (2014).

Steve Charnovitz co-presented a paper on energy subsidies and trade law at the Workshop on World Trade Organization Caselaw at the European University Institute in Florence, Italy, and spoke on a panel for the International Labour Organization at the Conference on Work at the University of Montreal. With the increasing attention to the Transatlantic Trade and Investment Partnership, he gave a talk on TTIP models to the Ecologic Institute in Berlin, and participated in a panel at GW Law commenting on presentations by European and U.S. negotiators. He also assisted the State Department's International Visitor Leadership Program by giving a lecture on trade adjustment assistance to visitors from Russia.



Bradford R. Clark's 2012 article with co-author Professor A.J. Bellia of Notre Dame Law School, "The Law of Nations as Constitutional Law," was one of only four featured articles at a University of Virginia Law School symposium celebrating the "Best of the *Virginia Law Review*" for the 100th anniversary of the journal.

Jessica L. Clark completed a two-year visiting professorship at Georgetown University Law

Center. Professor Clark was recently promoted to lead editor at the *Legal Communication & Rhetoric: Journal of the Association of Legal Writing Directors*, and she is co-chair of the Idea Bank Committee, Legal Writing Institute.

In April, **Donald C. Clarke** testified on Capitol Hill before the Congressional-Executive Commission on China about "Understanding China's Crackdown on Rights Advocates: Personal Accounts and Perspectives," which can be viewed at 1.usa.gov/1kt3tPL. He moderated a panel on "Wider Implications of Asian Maritime Tensions," at the Mansfield Foundation conference on Maritime and Territorial Disputes in East Asian Waters in Washington, D.C., and was a speaker at Third Annual China Intellectual Property Conference.

In June, **Charles B. Craver** taught a weeklong session at GW Law on negotiating skills to a group from the Thailand National Broadcasting and Telecommunications Commission. In May he made a plenary presentation on "Supreme Court Labor and Employment Decisions" at the Upper Midwest Labor and Employment Law Conference in Minneapolis and a plenary presentation on "The Ethics of Negotiation and Bargaining" at the Pacific Coast Labor and Employment Law Conference in Seattle. He also made presentations on Effective Legal Negotiations to legal groups in several locations around the country.

In May, **Lawrence A. Cunningham** presented a paper and commented on others' papers at Columbia Law School in preparation of a multivolume treatise on the state of corporate law forthcoming from Oxford University Press.

Christy H. DeSanctis was invited to participate on several panels at the AALS Meeting for New

Law Teachers in June and to speak about the importance of both intra- and extra-institutional service and commitments in forming relationships within the legal writing academy and the larger legal academy.

Laura A. Dickinson spoke about her book *Outsourcing War and Peace* (Yale 2011) at a conference at Ohio State University.

Lisa M. Fairfax was an invited participant at the Investment Fund Roundtable at the University of Chicago Law School. She presented her paper on directors' duties to monitor corporate wrongdoing at the Business and Economics Law Workshop at the University of Texas Law School. She was a panelist at a conference on the Competing Models of Corporate Governance at UCLA School of Law where she examined the impact of shareholder activism on corporate governance. Professor Fairfax was a participant at the Law and Capital Markets Seminar at the Ohio State College of Law where she spoke on the propriety of separating the board chair and CEO functions. She presented her paper on the relationship between increased shareholder activism and corporate governance to the faculties at the School of Law, Trinity College Dublin in Ireland and the University of Edinburgh, Edinburgh Law School in Scotland. She was co-organizer and a panelist at a conference critiquing cost-benefit analysis of financial regulation at GW Law, and she also organized and moderated the Center for Law Economics & Finance's Fourth Annual Junior Faculty Business and Financial Law Workshop and Junior Faculty Scholarship Prize.

Roger Anthony Fairfax testified on federal criminal code reform before the U.S. House of Representatives Judiciary Committee, Subcommittee on Overcriminalization (to view the C-SPAN coverage, visit

cs.pn/1tJljqR). Professor Fairfax presented research at the School of Law, Trinity College Dublin in Ireland, University of Edinburgh, Edinburgh Law School in Scotland, Wake Forest University School of Law, and the Criminal Law Research Collective at the Vera Institute of Justice. He served as a panelist at the Southeastern Association of Law Schools annual meeting, the Mid-Atlantic People of Color Legal Scholarship Conference, and Stanford in Washington. He delivered a lecture on criminal justice reform at the U.S. Attorney's Office for the District of Columbia.

Iselin Gambert presented a series of workshops on strategies for providing effective written feedback to junior attorneys. The workshop audiences included LRW professors at the 2014 Capital Area Legal Writing Conference, partners and senior lawyers at the Australian law firm of Clayton Utz, and supervising attorneys at Victoria Legal Aid in Melbourne, Australia. She was also recently promoted to co-editor-in-chief of *The Second Draft*, the official magazine of the Legal Writing Institute.

In March **Phyllis Goldfarb** gave a presentation on "Demography and Democracy" at a Touro College Jacob D. Fuchsberg School of Law symposium titled "The End of Voting Rights?" In April she presented "Race, Exceptionalism, and the American Death Penalty" at New England Law School on a panel featuring Harvard Law School Professor Carol Steiker, Northeastern Law School Professor Michael Meltsner, John Jay College of Criminal Justice Professor Evan Mandery, and U.S. District Court Judge Michael Ponsor.

Robert L. Glicksman made conference presentations on wilderness management by the multiple-use agencies at "Wilderness at 50" at Lewis and Clark Law School; on adaptation to climate change

by the multiple-use agencies at "The Role of Planning in Federal Land Management" at GW Law; on federal government responses to sea-level rise and coastal flooding at "Energy, Climate Disruption and Sea Level Rise" at Nova Southeastern University Law Center; on agency dysfunction and environmental enforcement at the "Scholars Meeting of the Center for Progressive Reform" in New York; and on regulatory safeguards for ecosystem service markets at "Waters of the United States: Adapting Law for Degradation and Drought" at the University of Kansas School of Law. He also made presentations on federalism and renewable energy for the State Department's International Visitor Leadership Program.

Daniel I. Gordon spoke at World Bank programs on procurement issues in Geneva, Switzerland, and Tunis, Tunisia, in November 2013. Senior Adviser Gordon and **Steven L. Schooner** spoke at procurement workshops conducted in China in September 2013 by the World Trade Organization. Professor Schooner spoke in Xi'an, and Mr. Gordon spoke in Beijing. While in China, Mr. Gordon also made a presentation to graduate students and met with the dean of the Central University for Finance and Economics where Professor Cao Fuguo, a regular lecturer and former Fulbright Scholar at GW Law, was his host.

Jeffrey S. Gutman and the Public Justice Advocacy Clinic successfully represented the family of a journalist captured abroad in helping them obtain a conservatorship over the journalist's financial affairs. Professor Gutman recently completed his term on the Board of Governors of the District of Columbia Bar. He continues to represent Donald Gates, Kirk Odom, and Santae Tribble, all wrongfully convicted of crimes that they did not commit, in civil actions against the District of Columbia.

David M. Johnson made three presentations to international audiences during the first half of 2014. He discussed "U.S. Lessons to Consider When Implementing the New Buenos Aires Province Criminal Jury System" with judges, professors, and graduate students specializing in criminal law at the Universidad Del Salvador in Buenos Aires, Argentina. He also taught "Introduction to U.S. Trial Advocacy" to the professor and students in a legal English course at the Universidad Del Salvador in Buenos Aires. He was filmed by Voice of America, Chinese Service, for a discussion on *U.S. News & World Report's* law school rankings, which was translated into Chinese.

Susan R. Jones was a speaker on "Social Enterprises: Formation & Financing" at the ABA Forum on Affordable Housing and Community Development Law in Asheville, N.C., in October 2013. She also presented on two panels, "Social Justice Through Social Entrepreneurship" and "Including Economic Justice in a Social Justice Teaching Agenda: The Role of Clinics Representing Nonprofits, Small Businesses, and Social Enterprises," at the Global Alliance for Justice Education conference held at Jindal Global Law School in Sonipat, India, in December. She was the keynote speaker at the October 2013 Joint Council Meeting of the ABA Section of Individual Rights and Responsibilities and the Commission on Homelessness and Poverty where she spoke on "The Role of Lawyers in Building Healthy Communities." She was also a presenter on "Entrepreneurship and Reentry" at a November program co-sponsored by the U.S. Probation Office, the D.C. and Workforce Development Program, and American University Washington College of Law. During the AALS Annual Meeting in New York City in January she spoke at a program of the Section on

Transactional Law and Skills titled "Value Creation by Business Lawyers in the 21st Century," and presented a paper, "Viewing Value Creation by Business Lawyers Through the Lens of Transactional Legal Clinics," which is forthcoming in the *University of California, Davis Business Law Journal*. In March she gave a talk on "Legal Clinics, Entrepreneurship, and Commerce," at a program in Santo Domingo, Dominican Republic, co-sponsored by the Community Legal Services Center, the Autonomous University of Santo Domingo-Judicial and Political Sciences School, and the Dominican Republic Ministry of Industry and Commerce and its office of the Vice-Minister for the Promotion of Small and Medium-Sized Businesses.

In November and May, **Laird Kirkpatrick** participated as a member of the Evidence Committee of the National Conference of Bar Examiners preparing final questions for the 2015 and 2016 Multistate Bar Examinations, which are expected to test more than 60,000 recent law graduates. As part of the Members Consultative Group, Professor Kirkpatrick also participated in the American Law Institute meeting in May, which considered a new draft of the "Model Penal Code: Sexual Assault and Related Offenses."

In January, **Laurie S. Kohn** trained the incoming and returning judges of the Superior Court of the District of Columbia's Domestic Violence Unit. In April, she presented on a panel at the AALS Clinical Conference focusing on academic careers and professional transitions. At the annual Law and Society Conference in Minneapolis in May, she moderated and commented on a roundtable about new books in family law.

In August, **Cynthia Lee** was invited to serve on the

ABA's Task Force on Stand Your Ground Laws Advisory Committee. She served as the Fall 2013 Diversity Lecturer at Santa Clara University School of Law's Center for Social Justice and Public Service. She presented a paper last fall at the University of Iowa School of Law as part of its faculty workshop series. She spoke on a panel about self-defense at the American Bar Association's Criminal Justice Fall Workshop in November. In January she was invited by several student organizations to speak about the shooting of Trayvon Martin at the University of Chicago Law School. Also in January she gave the final address at the 2014 Mid-Atlantic People of Color Legal Scholarship Conference at the University of Baltimore School of Law and spoke on a panel titled "Self-Defense, Stand Your Ground Laws, and the Shooting of Trayvon Martin," at the AALS Annual Meeting in New York City. In March she presented a paper on the trans panic defense at the University of California at Davis School of Law as part of its faculty workshop series. In April she spoke on a panel about intentional homicide hosted at Texas Tech School of Law's annual criminal law symposium and on "The Interplay of Race, Gender, Class, Crime and Justice" at the University of California, Irvine School of Law's Center for Law, Equality, and Race.

Gregory E. Maggs spoke about the Supreme Court's recent criminal law and procedure cases at the Fulton Military Judges Conference in September. He also participated in a panel discussion in January at the Federalist Society's Annual Faculty Conference on the question "Are Agencies Entitled to Deference in Determining the Limits of Their Own Power?"

In November, **Joan Meier** hosted a successful 10th Anniversary Celebration of the Domestic Violence Legal

Empowerment & Appeals Project (DV LEAP), the nonprofit organization she founded. GW Law was a co-sponsor and was given special recognition in thanks for its generous support over the years. In May she was a panelist at the APA-ABA Conference on Confronting Community and Family Violence, speaking on "An Evidence-Based Approach to Cross-Allegations of Alienation and Abuse." Also in May she spoke at a roundtable at the Law and Society conference about her holistic domestic violence legal clinic and at the Themis Justice Recognition Reception held on Capitol Hill to honor public officials who have shown outstanding leadership on child safety. In June she received a favorable decision in *EC v. RCM of Washington, Inc.*, a case of first impression in the D.C. Court of Appeals, favorably construing D.C.'s new unemployment compensation and domestic violence statute. At the invitation of the Legal Aid Society, DV LEAP produced a key amicus brief and participated in oral argument in the case. In 2013 DV LEAP was honored by the Montgomery County Abused Persons Program at its Volunteer Recognition annual reception.

Blake D. Morant, dean and Robert Kramer Research Professor of Law, delivered the 2014 Huffman Lecture at Texas Tech University School of Law.

Sean D. Murphy attended the May-July 2014 session of the United Nations International Law Commission in Geneva, Switzerland. He lectured on "Punishing Crimes Against Humanity in the 21st Century" at the University of Alabama Law School in March and appeared on panels in April concerning "Treaty Survival" at GW Law and "Aggression and the Use of Force" at the Annual Meeting of the American Society of International Law. Professor Murphy also participated in meetings of the

International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy, in September 2013; the State Department Advisory Committee on Public International Law in Washington, D.C., held at GW Law in June; and the American Law Institute on the Restatement (Fourth) of U.S. Foreign Relations Law in Philadelphia in February.

In May, **Dawn C. Nunziato** was part of "First Amendment Implications of the Regulation of Broadband Providers, Search Engines, and Social Media Sites" at George Mason University School of Law's Conference on Competition, Search, and Social Media. In June she spoke on "The New Equilibrium for Balancing Freedom of Speech, Freedom of Information, and the Right to Informational Privacy" at the Conference of Experts on the Protection of Information and the Right to Privacy, organized by the UNESCO chair in information and computer ethics, at the European University Institute in Fiesole, Italy. In October 2013, she was on the panel "U.S. Internet Policy on Regulating Content and Protecting the Free Flow of Information on the Internet," which was part of the distinguished delegation from Shandong, China, hosted by the U.S.-China Business Training Center. Also in October, she spoke on "Protecting the Free Flow of Information on the Internet" as part of a distinguished delegation from the People's Republic of China seminar on "Internet Policy, Governmental Internet Strategies, and New Media in the United States," hosted by GW's Institute for Public Diplomacy and Global Communication. In February she spoke on "The Continued Efficacy of First Amendment Precedent and Values in the Internet Age" at the *Harvard Law Review* Symposium on Freedom of the Press. In March, she was a moderator and commentator on an expert panel on "ICT Industry Policy Making on

Free Expression and Privacy," hosted by GW Law's Global Internet Freedom and Human Rights Project.

In November, **Lee Paddock** presented a paper on "Regional Environmental Enforcement Networks in the United States" at an International Network for Environmental Compliance and Enforcement conference in Brussels and a paper on "Private Environmental Regulation" to an American Society of International Law-European Society of International Law conference in Geneva, Switzerland. In May, he presented a paper on hydraulic fracturing in the United States, comparing the practices in Pennsylvania with proposed regulations for New York state, at an International Bar Association Section on Environment, Energy, Resources, and Infrastructure Law conference in Berlin and at a symposium at Oxford University.

Scott B. Pagel served on the ABA Standards Review Committee, which has been tasked with a comprehensive revision of the ABA Standards and Rules of Procedure for Approval of Law Schools. He also served as chair of the ABA site team conducting a sabbatical inspection of the Duquesne University School of Law. He was appointed chair of the AALS Committee on Libraries and Technology for 2014.

Richard J. Pierce Jr. testified before congressional committees on FCC regulatory reform and the Social Security disability decision making process, taught a course on the U.S. legal system to Cambodian judges, and chaired a program on the presidential role in agency rule-making at an ABA meeting.

Peter Raven-Hansen argued an appeal to the U.S. Court of Appeals for the Second Circuit in an action brought by victims of terrorism under the civil remedy provision of the

Anti-Terrorism Act in addition to dispositive motions in similar cases in U.S. District Court. He participated in a panel on "Teaching the Lawyer's Role in the National Security Process" at the ABA Standing Committee on Law and National Security's Fourth Annual Seminar on Teaching National Security Law, held in Charlottesville, Virginia, and moderated a panel on "Prospects for Reform of FISA" in a program on "Foreign Intelligence Surveillance in an Era of 'Big Data': Is There a Need to Recalibrate Boundaries?"; co-sponsored by GW Law and the ABA Standing Committee on Law and National Security.

Stephen A. Saltzburg has been serving as a special master for Chief Judge David Herndon of the U.S. District Judge for the Southern District of Illinois in a multidistrict litigation involving lawsuits against Bayer and its birth control drugs, Yaz and Yasmin. Thousands of cases have already been settled in the litigation.

Joan Schaffner presented her paper, "Blackfish and Public Outcry: A Unique Political and Legal Opportunity for Fundamental Change to the Legal Protection of Cetaceans in the United States," at the international roundtable *Animal Law: International Perspectives* in December in Coolangatta, Australia. The papers from the conference will be compiled in a book and published in 2015.

In February, **Lisa M. Schenck** was appointed by the Department of Defense (DoD) general counsel to serve without compensation for a three-year term on the Uniform Code of Military Justice Code Committee, pursuant to 10 U.S.C. § 946, as one of two non-DoD civilian members identified by statute as "a recognized authority in military justice or criminal law." The Code Committee conducts an annual review and recommends changes to the secretary

of defense, president, and Congress to improve military justice. The secretary of defense also appointed her as an unpaid special government employee to the DoD's Response Systems to Adult Sexual Assault Crimes Panel (RSP) Victim Services Subcommittee. In 2013, the secretary of the Air Force appointed Associate Dean Schenck an unpaid special government employee to participate in the Air Force Scientific Advisory Board's recent chartered study, "The Combating of Sexual Assault."

Steven L. Schooner delivered the keynote address, "Combating Corruption in Public Procurement: Global Challenge, Domestic Concerns, and Solutions," at the Latin America and Caribbean Regional Forum on Tackling Corruption and Collusion in Public Procurement: Latin America and the Caribbean in Panama City, Panama, in September 2013. In October, he presented a keynote luncheon address at the Coalition for Government Procurement's 2013 fall training conference, "The New Federal Market," in Falls Church, Va. In November, Professor Schooner discussed "Failed Government.... Budget Uncertainty.... Declining Spending... And Business As Usual," at the Army Judge Advocate General School's annual symposium, now called the Contract and Fiscal Law New Developments Course, in Charlottesville, Va. In December he gave a luncheon talk to the Procurement Division of the National Defense Industrial Association in Washington, D.C.

In June, **Joshua I. Schwartz**, together with **Susan L. Karamanian**, presented commentary on the Supreme Court's May decision in *Hall v. Florida*, concerning the application of the death penalty to mentally handicapped defendants, at GW Law's Summer Workshop Series. In August, with co-author **Christopher**

R. Yukins, Professor Schwartz presented their paper “The EU and the U.S.—Two Procurement Regimes Separated by a Common Language” at the Sixth International Public Procurement Conference held in Dublin, Ireland.

Michael Selmi delivered “Title VII at 50” before the Labor Law Group at Cornell University in June and “Caregiving and Parenthood 2014: A Retrospective” at Denver University’s symposium on “Revisiting Sex Discrimination” in January.

Jonathan R. Siegel organized more than 100 law professors to oppose a potential change to the Federal Rules of Civil Procedure. The Advisory Committee on Civil Rules recently proposed eliminating the “Appendix on Forms” currently in the Rules. Professor Siegel argued, “The forms are more needed than ever to serve as models for lawyers and judges of just how simple and brief complaints can be under the federal rules.”

Jessica K. Steinberg presented a paper on an empirical access to justice project at the University of Wisconsin School of Law and the Law and Society conference. Professor Steinberg also served as the chair of the Poverty Law Section of the AALS this past year.

In April, **Sonia Suter** presented her paper “The First Amendment and Physician Speech in Reproductive Decision Making” as part of the Northeastern University School of Law conference, A Clash of Rights: Free Speech and Reproductive Autonomy.

Jessica Tillipman spoke at the September 2013 Food and Drug Law Institute’s Advertising and Promotion Conference about the Foreign Corrupt Practices Act. In November, she made a presentation during a program titled “Integrity in

Aid-Financed Procurement—A Look at Anti-Corruption Standards for Aid-Financed Procurement,” during the World Bank Group’s Law, Justice, and Development Week. In December she made a presentation at the Board of Contract Appeals Bar Association Annual Conference during a program titled “Protecting the Whistleblower.” She also spoke about the Foreign Corrupt Practices Act at the Food and Drug Law Institute’s Enforcement, Litigation, and Compliance Conference, in a panel discussion titled “Criminal and Civil Enforcement: Domestic and International Developments.” Also in December, she moderated a panel on the U.N. Convention Against Corruption at a program hosted by GW Law and spoke about Edward Snowden and the sufficiency of government whistleblower protections at the Board of Contract Appeals Bar Association Annual Conference. In January she moderated a panel discussion for the ABA regarding the SEC, CFTC, and IRS whistleblower offices. In March, she made a presentation on the corruption risks associated with foreign military sales at the Federal Procurement Institute, and later that month made a presentation on legislative and litigation developments in suspension and debarment before the Council of the Inspectors General on Integrity and Efficiency and the Interagency Suspension and Debarment Committees. In May, she made a presentation at the World Bank Colloquium on Suspension & Debarment about debarment due process standards.

Jessica Tillipman and **Christopher R. Yukins** moderated two panel discussions during a daylong conference titled “The International Fight Against Corruption: Are the OECD and UN Conventions Achieving Their Objectives?” at GW Law in December.



The James F. Humphreys Complex Litigation Center’s Symposium on “Class Actions and Access to Justice,” organized and hosted by **Roger H. Trangsrud**, resulted in 17 papers by leading scholars and practitioners of class action litigation, which were published in Volume 82, Issue 3 of the *George Washington University Law Review* and in the inaugural issue of *Arguendo*, the Law Review’s new digital publication.



In February **Jonathan Turley** testified before the House Judiciary Committee for its hearing “Enforcing the President’s Constitutional Duty to Faithfully Execute the Laws,” which explored the options for Congress in resisting the encroachment of executive power, something Professor Turley was critical of under President George W. Bush and that has expanded under President Barack Obama. In July, he gave expert testimony on the same topic to the House Rules Committee for its hearing “House Will Defend the Constitution Against Presidential Overreach.”

Jessica A. Wentz was selected to give a presentation at the 2014 IUCN Academy of Environmental Law Colloquium on “Scaling Up Local Solutions: Creating an Enabling Legal Framework for Public and Private Investment in Microgrids.” Professor Wentz is also the lead on the Community of Practice on Sustainable Energy for All (part of the

Global Forum on Law, Justice, and Development) where she recently created a website and legal resource database for the community.

In December, **Arthur E. Wilmarth Jr.** participated in a panel discussion analyzing the Federal Reserve System’s responses to financial crises at a GW conference commemorating the Federal Reserve’s centennial. He is currently assisting the Volcker Alliance’s Project on Structural Reform of the Federal Financial Regulatory Agencies.

In May, **Christopher R. Yukins**, **Daniel I. Gordon**, **Steven L. Schooner**, and **Joshua I. Schwartz** served together on a panel titled “The New WTO Government Procurement Agreement—Its Impact on World Procurement Markets,” part of an event co-sponsored by GW Law and the International Procurement Committees of the ABA Section of International Law and the ABA Public Contract Law Section.

AWARDS/HONORS

John F. Banzhaf III was called “A Crusading Lawyer Against the Tobacco Industry,” “One of America’s Premier Legal Activists,” the “Most Prominent Champion” of “Potty Parity,” and a “Legal Terrorist.” He found his quotations being collected on the Internet, his mathematics featured in articles and studied in schools, his accomplishments the subject of a case study, and information about him on flash cards. Professor Banzhaf was featured in a PBS special and on a VoA program in China, and he was also discussed in pieces in Brazil, Ukraine, and even Mongolia. His first law article was recently credited for contributing to hacker slang.

Paul Schiff Berman received the George Washington University Valor Excellence Award for demonstrated excellence in learning and service

to the benefit of GW student military members, veterans, and their families. He was also named Distinguished Scholar in Residence by the Center for Transnational Studies at the University of Bremen in Germany.



Arturo J. Carrillo was elected alternate academic board member of the Global Network Initiative (GNI).

The American Library Association designated **Lawrence A. Cunningham's** book *Contracts in the Real World: Stories of Popular Contracts and Why They Matter* (Cambridge University Press 2012) the winner of the Choice Award for Outstanding Title. *Contracts in the Real World* was also the subject of a nine-paper symposium published in the *Washington Law Review* (2013). His 2001 book, *How to Think Like Benjamin Graham and Invest Like Warren Buffett*, was again honored in the 15-year retrospective of the semi-annual "JP Morgan Reading List," where Professor Cunningham was asked about the writing process and inspiration along with authors including Malcolm Gladwell, Jim Collins, Tom Friedman, and Clive Davis.

Lisa M. Fairfax was elected chair of the Securities Regulation Section of the Association of American Law Schools.

Roger Anthony Fairfax was elected to the Council of the American Bar Association Criminal Justice Section. He was featured as one of the "50 Most Influential Minority Law Professors Under 50" by *Lawyers of Color* magazine.

The Australian government awarded the prestigious

Endeavour Executive Fellowship to **Iselin Gambert**, who spent two months in the spring as a visiting scholar at Melbourne Law School. The fellowship is awarded to high-achieving professionals with the goal of allowing them to further develop their skills and international engagement. During her time in Australia, she collaborated with faculty on innovative ways to bring legal writing and professional development training into the law school curriculum.

Phyllis Goldfarb was appointed to a three-year term (2014-17) by Daniel Rodriguez, dean of Northwestern University School of Law and president of the Association of American Law Schools (AALS), to the AALS Committee on Clinical Legal Education. The committee advises the AALS Executive Committee on issues related to clinical legal education.

Chief Justice of the United States John G. Roberts appointed **Orin S. Kerr** to a three-year term on the Judicial Conference Advisory Committee for the Federal Rules of Criminal Procedure.

Laurie S. Kohn was appointed by D.C. Mayor Vincent C. Gray and confirmed by the D.C. Council to serve on the Domestic Violence Fatality Review Board. The board reviews and analyzes all domestic violence fatalities in the District in an effort to identify gaps in services and ultimately to enhance victim safety.

In April, **Sean D. Murphy** was elected a counselor of the American Society of International Law for a three-year term.

The Joint Center for Political and Economic Studies named **Spencer A. Overton** as its new interim president and CEO. The D.C.-based organization provides research and analysis to inform major policy debates,

with an overarching mission to improve the socioeconomic status and political participation of people of color.

Abraham Pollack was elected to the board of directors of the Association for Legal Career Professionals (NALP).



Alfreda Robinson, JD '78, received the Heman Marion Sweatt Award from the National Bar Association (NBA). The award honors individuals engaged in barrier-breaking work who display a commitment to excellence. In June, she was named a Champion of Justice of Judicial Diversity by the Greater Washington Area Chapter of the NBA's Women Lawyers Division. Presently, she serves as the special assistant to the NBA president for finance and also as liaison to the American Bar Association's Commission on the Future of Legal Services.

Catherine J. Ross became the senior fellow in the human and civil rights of children at the Center for Children and Social Engagement, a new international think tank and public interest group devoted to children's educational, legal, health, nutritional, and other needs, with special focus on children in developing nations. The center has received initial funding from Feed the Children. Among other things, Professor Ross will be helping to develop the center's agenda and writing regularly for the center's online periodical, *The Child*.

Stephen A. Saltzburg was presented the ABA Grassroots Advocacy Award, given by the ABA Standing Committee on Governmental Affairs, which recognizes individuals and organizations that demonstrate

leadership on matters of primary importance to the bar. He received the award for his outstanding efforts in support of some of the association's most important policy positions as they relate to criminal justice.

In May, **Lisa M. Schenck** received the George Washington University Valor Excellence Award for demonstrated excellence in learning and service to the benefit of GW student military members, veterans, and their families.

Pázmány Péter Catholic University in Budapest, Hungary, awarded **Dinah L. Shelton** with the honorary title of Doctor Honoris Causa for her outstanding activity in the fields of human rights and environmental protection. Professor Shelton was also awarded the Goler T. Butcher Medal by the American Society of International Law (ASIL) for outstanding contributions to the development and effective realization of international human rights law.

Sophia Sim was elected a trustee of the Law School Admission Council, the national organization that administers the LSAT and provides services for prospective JD and LLM students.

Daniel J. Solove was selected to be a reporter for the American Law Institute's Restatement of Privacy Law Principles, and will be leading the drafting of this project over the next few years.

The American Law Institute (ALI) announced the election of 69 new members, among them **Daniel J. Solove** and **Edward T. Swaine**. ALI elects individuals who "reflect the excellence and diversity of today's legal profession" and who have demonstrated an interest in law reform. As part of the institute, Professors Solove and Swaine will produce scholarly work that clarifies, modernizes, and otherwise improves the law.