

faculty file

NEWS BRIEFS

PUBLICATIONS

Jerome A. Barron published the eighth edition of Barron and Dienes, *Constitutional Law in a Nutshell* (with C. Thomas Dienes) (Thompson Reuters/West 2013).

Francesca Bignami published a chapter, "Comparative Administrative Law," in *The Cambridge Companion to Comparative Law* (Mauro Bussani and Ugo Mattei eds., Cambridge University Press 2012).

Christopher A. Brace is presently conducting interviews for his forthcoming book, *The Fetish for Authentic Race in American Law*.

Donald Braman published "The Polarizing Impact of Science Literacy and Numeracy on Perceived Climate Change Risks" (with Dan M. Kahan, Ellen Peters, Maggie Wittlin, Paul Slovic, Lisa Ouelette, and Gred Mandel), 2 *Nature Climate Change* 732, (2012); "Judicial Backlash or Just Backlash? Evidence From a National Experiment" (with David Fontana) 112 *Columbia Law Review* (2012); and "'They Saw a Protest': Cognitive Illiberalism and the Speech-Conduct Distinction" (with Dan Kahan, David Hoffman, Danielli Evans, and Jeffrey Rachlinski), 64 *Stanford Law Review* (2012).

Neil H. Buchanan published three articles analyzing the constitutional options available to the president if Congress fails to increase the debt ceiling: "Bargaining in the Shadow of the Debt

Ceiling: When Negotiating Over Spending and Tax Laws, Congress and the President Should Consider the Debt Ceiling a Dead Letter" (with Michael C. Dorf), 113 *Columbia Law Review* Sidebar 32 (March 5, 2013); "Nullifying the Debt Ceiling Threat Once and for All: Why the President Should Embrace the Least Unconstitutional Option" (with Michael C. Dorf), 112 *Columbia Law Review* Sidebar 237 (Dec. 21, 2012); and "How to Choose the Least Unconstitutional Option: Lessons for the President (and Others) from the Debt Ceiling Standoff" (with Michael C. Dorf), 112 *Columbia Law Review* 1175 (2012).

Naomi Cahn's book, *The New Kinship: Constructing Donor-Conceived Families*, was published in 2013.

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



Steve Charnovitz published "US-Tyres: Upholding a WTO Accession Contract—Imposing Pain for Little Gain" (with Bernard Hoekman), *World Trade Review*, April 2013, pp. 273-96, and "Environmental Sustainability and Competitiveness: Policy Imperative and Corporate Opportunity" (with Daniel C. Esty), released in March

2013 as part of the Harvard Business School U.S. Competitiveness Project.

Bradford Clark published "The Law of Nations as Constitutional Law," *Virginia Law Review*, and "General Law in Federal Court" (with A.J. Bellia), *William and Mary Law Review*.

Jessica Clark published the second edition of *Scholarly Writing: Ideas, Examples, and Execution* (with Kristen Murray) (Carolina Academic Press 2012) with a new foreword by Steven L. Schooner.

Charlie Craver published *Skills and Values: Alternative Dispute Resolution* (with John Garvey) (LEXIS 2013), his 14th book. He published "The Impact of Gender on Negotiation Performance," *Cardozo Journal of Conflict Resolution* (2013); "The Use of Alternative Dispute Resolution Techniques to Resolve Public Sector Bargaining Disputes," *Ohio State Journal on Dispute Resolution* (2013); and "The Benefits to Be Derived From Post-Negotiation Assessments," *Cardozo Journal of Conflict Resolution* (2012). His report, "The Right to Strike and its Possible Conflict With Other Fundamental Rights in the U.S.," was published in the *Proceedings of the XX World Congress of the International Society for Labor and Social Security Law*. He published the 2013 Supplements to *Labor Relations Law* (with Theodore J. St. Antoine and Marion G. Crain) (LEXIS), *Employment Discrimination Law* (LEXIS), and *Employment Law Treatise* (Thomson/West).

Roger Fairfax's "Batson's Grand Jury DNA" was published in the *Iowa Law Review*. His article titled "The Smart on Crime Prosecutor" was published in the *Georgetown Journal of Legal Ethics*.

The LLM thesis of **Wyatt Feeler**, a Friedman Fellow in the

Federal, Criminal, and Appellate Clinic, titled *Can Fiction Impede Conviction: Addressing Claims of a "CSI Effect" in the Criminal Courtroom*, was accepted for publication in the *Mississippi Law Journal*.



Robert Glicksman published *Modern Public Land Law in a Nutshell* (West fourth ed. 2012), and two book chapters, "Governance of Public Lands, Public Agencies, and Natural Resources," in *The Law of Adaptation to Climate Change: U.S. and International Aspects* (ABA M. Gerrard and K. Kuh, eds.) (2012), and "The Justifications for Nondegradation Programs in U.S. Environmental Law," in *Le Principe de Non-Régression en Droit de l'Environnement* (M. Prieur and G. Sozzo, eds.) (Bruylant 2012). He published two law review articles, "Improving Water Quality Anti-degradation Policies," 4 *Journal of Energy and Environmental Law* 1 (with S. Zellmer) (2013) and "Solar Energy Development on the Federal Public Lands: Environmental Trade-Offs on the Road to a Lower Carbon Future," 3 *San Diego Journal of Energy and Climate Law* 107 (2011-2012). He was co-author of two Center for Progressive Reform white papers: "Letting Nature Work in the Pacific Northwest: A Manual for Protecting Ecosystem Services Under Existing Law" (with Robert W. Adler, Dan Rohl, Robert R. M. Verchick, and Ling-Yee Huang), No.1304 (April 2013); and "No Profit in Pollution: A Comparison of Key Chesapeake Bay State Water Pollution Penalty Policies" (with Aimee Simpson), No.1305 (April 2013).

Phyllis Goldfarb published "Back to the Future of Clinical

Legal Education," 32 *Boston College Journal of Law and Social Justice* 279-308 (2012).

Daniel I. Gordon's empirical research, "Bid Protests: The Costs are Real, but the Benefits Outweigh Them," appeared in the Spring 2013 *Public Contract Law Journal* and, as a reflection of the community's interest in his conclusions, was abridged and republished in two consecutive issues of *Contract Management* magazine (September and October 2013).



Susan Jones published "Innovative Approaches to Public Service Through Institutionalized Action Research: Reflections From Law and Social Work" (with Shirley J. Jones), 33 *University of Arkansas Law Review* 377 (2011), and a book chapter, "The Importance of Microenterprise Development in Community Economic Development Law" (Susan D. Bennett, et al), in *Community Economic Development Law: A Text for Engaged Learning* (Carolina Academic Press 2012).

Susan Karamanian published "The Place of Human Rights in Investor-State Arbitration," 17 *Lewis and Clark Law Review* 423 (2013).

Orin Kerr published articles that appeared in the *Supreme Court Review*, the *Michigan Law Review*, and the *Harvard Journal of Law and Public Policy*.

In addition to articles on patentable subject matter and on how remedies for patent infringement can be used in the context of standard-setting organizations, **F. Scott Kieff**

completed a new, sixth edition of the widely used textbook and treatise *Principles of Patent Law* (with Pauline Newman, Herbert F. Schwartz, and Henry Smith) (Foundation Press).

Laird Kirkpatrick submitted the manuscript for the fourth edition of his five-volume treatise *Federal Evidence* (with Christopher B. Mueller) (Thomson/West and on Westlaw); also with Mueller, he completed the 2013 supplement for the treatise *Evidence: Practice Under the Rules*. In addition, Professor Kirkpatrick published the sixth edition of his treatise *Oregon Evidence* (LexisNexis 2013) and contributed an article to the *National Law Journal* titled "An Unnecessary Hearsay Amendment."

Laurie Kohn's article "What's so Funny About Peace, Love, and Understanding? Restorative Justice as a New Paradigm for Domestic Violence Intervention" appeared in the 2012 edition of *Women and the Law*, Tracy A. Thomas (West 2012).



Cynthia Lee's article, "Making Race Salient: Trayvon Martin and Implicit Bias in a Not Yet Post-Racial Society," is forthcoming in volume 91 of the *North Carolina Law Review*. The third edition of her *Criminal Law* casebook with West Publishing Co. will be published in 2014.

Renee Lerner published the article "The Rise of Directed Verdict: Jury Power in Civil Cases Before the Federal Rules of 1938," 81 *George Washington Law Review* 448 (2013).

Ira C. Lupu published "Teaching *United States v. O'Brien*:"

Three Conversations and the Wisdom of John Hart Ely," 16 *Green Bag* 2nd (Spring 2013).

Jeffrey Manns published "The Merger Agreement Myth," *Cornell Law Review* (2013); "Downgrading Rating Agency Reform" (with Robert Anderson IV), *George Washington Law Review* (2013); and "Insuring Against a Derivative Disaster," *Iowa Law Review* (2013). He also published an opinion piece, "Break Up the Ratings Oligopoly," in Bloomberg, on Feb. 18, 2013.

Michael Matheson published *International Civil Tribunals and Armed Conflict* (Martinus Nijhoff Publishers 2012).

Sean Murphy published *Litigating War: Arbitration of Civil Injury by the Eritrea-Ethiopia Claims Commission* (with Kidane and Snider) (Oxford University Press 2013) and *Principles of International Law* (second ed., West 2012). He also published "The Crime of Aggression," in *Oxford Handbook on the Prohibition on the Use of Force in International Law* (Marc Weller, ed.) (Oxford University Press 2013); "The Expulsion of Aliens and Other Topics: The Sixty-Fourth Session of the International Law Commission," 107 *American Journal of International Law* 164 (2013); and "Jus ad Bellum, Values, and the Contemporary Structure of International Law," 41 *Journal of Religious Ethics* 20 (2012).

Lee C. Paddock published "Stepping Up to Sustainability," 81 *University of Missouri-Kansas City Law Review* 359 (Winter 2012); "Multi-Layered Environmental Governance in the United States" (with Bowmar), and "Water Management and Protection in the United States" (with Colasuonno), *Environmental Protection in Multi-Layered Systems:*

Comparative Lessons from the Water Sector 291-315 (Martinus Nijhoff 2012); "Minimizing Species Disputes in Energy Facilities Siting: Utilizing Natural Heritage Inventories" (with Colusanno), 87 *University of North Dakota Law Review* 603 (2012); and "Beyond Deterrence: Enforcement and Compliance in the Context of Sustainable Development," 42 *Environmental Law Reporter* 10622 (July 2012).

Richard Pierce published "Natural Gas Fracking Addresses All of Our Major Problems" in *Journal of Energy and Environmental Law*; "District Court Review of Findings of Fact Proposed by Magistrates" in *George Washington Law Review*; "Legal Disputes Related to Climate Change Will Continue for a Century" in *Environmental Law*; "Natural Gas: a Long Bridge to a Promising Destination" in *Utah Environmental Law Review*; "Rulemaking Ossification Is Real" in *George Washington Law Review*, and "A Primer on Demand Response and a Critique of FERC Order 745" in *Journal of Energy and Environmental Law*. He also published an annual supplement to his *Administrative Law Treatise* and a new edition of *Administrative Law and Process*.

Peter Raven-Hansen has completed and submitted the manuscripts for *Understanding Civil Procedure* (with Charles Gardner Geyh and Gene R. Shreve) (fifth ed. LexisNexis) and for a California edition of the same treatise (with Charles Gardner Geyh, Walter W. Heiser, and Gene R. Shreve), which are in production.

Joan Schaffner published "Animal Cruelty and the Law: Permitted Conduct" in *Animal Cruelty: A Multidisciplinary Approach to Understanding* (Carolina Academic Press 2013).



Lisa M. Schenck published "From Start to Finish: A Historical Review of Nuclear Arms Control Treaties and Starting Over with the New Start" (with Robert A. Youmans), 20 *Cardozo Journal of International and Comparative Law* 399-435 (2012).

Thomas J. Schoenbaum published *The Age of Austerity: The Global Financial Crisis and the Return to Economic Growth* (Cheltenham, U.K. and Northampton, Mass.: Edward Elgar 2012) and *International Trade Law: Cases and Problems* (with Dan Chow) (New York: Aspen Pub. 2012) with Teachers' Guide and Documentary Supplement. He also published the articles "The Deepwater Horizon Oil Spill in the Context of the Public International Law Regimes for the Protection of the Marine Environment," 25 *University of San Francisco Maritime Law Journal* 1-36 (2012), reprinted in 29 *Nihon University (Japan) Comparative Law* 57 (2012) and "What the Chinese Investor Needs to Know to Enter the United States Market," 99(6) *China Law* 81 (2012).

Steven L. Schooner published the fourth edition of the *Government Contracts Reference Book* (with **Ralph C. Nash Jr.** and Karen O'Brian-Debakey, 2013).

Jonathan R. Siegel published "The REINS Act and the Struggle to Control Agency Rulemaking," in the *New York University Journal of Legislation and Public Policy*.

Anne Smetak, a Friedman Fellow in the Neighborhood Law and Policy Clinic, has had her LLM thesis, *Private*

Funding, Public Housing: The Devil in the Details, accepted for publication in the *Virginia Journal of Social Policy and the Law*.

Daniel Solove published "Privacy Self-Management and the Consent Dilemma," 126 *Harvard Law Review* 1880 (2013). He published the second edition of *Privacy Law Fundamentals* (2013).

Ralph Steinhardt has four articles or chapters and one book coming out in 2013: "Kiobel and the Weakening of Precedent: A Long Walk for a Short Drink," 107 *American Journal of International Law* (October 2013); "What Kind of Human Rights Claims 'Touch and Concern' the United States?," 89 *Notre Dame Law Review*; "Multinational Corporations and Their Responsibilities Under International Law," in *Corporate Accountability for Adverse Human Rights Impacts: New Paradigms and Expectations* (American Bar Association, in press); and "Weapons and the Human Rights Responsibilities of Multinational Corporations" in *Weapons Under International Human Rights Law* (Cambridge University Press, 2013). With his former student and research assistant, Ben Teich, Professor Steinhardt wrote "You Can't Argue Like That": A Case-Based Approach to Jurisprudence and Rhetoric, to be published by West Publishing.

Arthur Wilmarth published "Narrow Banking: An Overdue Reform That Could Solve the Too-Big-to-Fail Problem and Align U.S. and U.K. Regulation of Financial Conglomerates," in *Banking and Financial Services Policy Report*. His forthcoming article "Turning a Blind Eye: Why Washington Keeps Giving In to Wall Street," will be published in the *University of Cincinnati Law Review*.



Solove Named "Thought Leader"

LAST FALL, JOHN MARSHALL HARLAN RESEARCH PROFESSOR of Law **Daniel Solove** was named one of LinkedIn's 150 "influential thought leaders" for his contribution of essays to the professional networking site. You can join Professor Solove's 60,000 followers and read his thoughts on privacy and other legal issues at www.linkedin.com/in/danielsolove. He also was named co-reporter of the ALI's forthcoming Restatement of Information Privacy Principles.

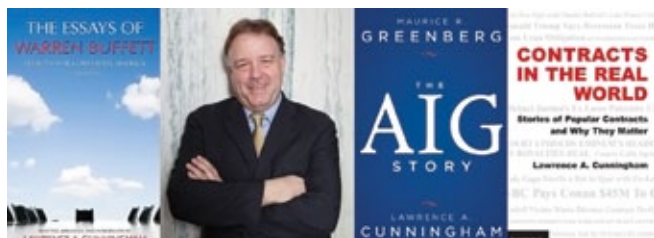
ACTIVITIES

John Banzhaf helped score major legal victories, including more porta potties at the presidential inauguration in January; corrective advertising in a RICO case; rights for nonsmokers, but none for smokers, in Canada; a Norwegian smoking ruling following his analysis; and expanded restroom rights for women in Canada. The 50 percent smoker surcharge he lobbied for under Obamacare is going into effect, and his crusade to use broadcast law against the racially charged term "Redskins" is now supported by the former FCC chairman, as well as several former commissioners and other experts. He helped teach a universitywide food

course; put on a multidisciplinary seminar on the "Banzhaf Index," and worked with Ken Burns on a new documentary about cancer. His work was the subject of two major pieces in the *Wall Street Journal*, and he appeared frequently on Al Jazeera, the Canadian Broadcasting Company, and Fox News, among other television networks.



Paul Schiff Berman's recent book *Global Legal Pluralism, A Jurisprudence of Law Beyond Borders* was the subject of an



Cunningham Publishes Three Books in One Year

LAWRENCE A. CUNNINGHAM, HENRY ST. GEORGE TUCKER III Research Professor of Law, published three books this past year and traveled around the country for various book talks. In order, he released *Contracts in the Real World: Stories of Popular Contracts and Why They Matter*, *The AIG Story*, and the third edition of *Essays of Warren Buffett: Lessons for Corporate America*. His talks took him to his alma mater, Cardozo Law School, in New York City, and to Omaha for the Berkshire Hathaway Annual Shareholders Meeting, among other places.

To learn more about his new books, please visit the GW Law website <http://bit.ly/11eeZrE>

"Author Meets Readers" panel at the annual meeting of the International Law Society Association, held in May.

Francesca Bignami presented her paper "Rediscovering European Law: Direct Effect, Supremacy, and the Comparative Method" at faculty workshops at GW Law in September 2012 and Georgetown Law Center in April 2013. She gave presentations on the legal aspects of the Euro crisis at the State Department in September 2012 and on comparative administrative law at the Transatlantic Law Forum at George Mason Law in February 2013. She was a panelist on comparative privacy law at the 16th Annual Symposium on Antitrust Law at George Mason and on "The Globalization of European Privacy Law" at the annual meeting of the AALS. She served as a commentator on "Morten Rasmussen, Towards a New History of EU Law" at American University in November 2012. She was on a panel discussing "EU Competition Law and State

Aid Regulation: Actors and Institutions" at the biennial meeting of the European Union Studies Association in May 2013.

In October 2012 **Christopher A. Bracey** moderated a universitywide forum on *Fisher v. University of Texas*, a case involving the use of race preferences in student admissions at the University of Texas that was pending before the United States Supreme Court. In December, he was a panelist at "Today's War on Drugs: Prohibition Now and Then," a discussion of the constitutional history of prohibition and current laws governing the use of marijuana, hosted by the National Constitution Center in Philadelphia.

Neil H. Buchanan taught as the PricewaterhouseCoopers Visiting Professor of Law at the University of Business and Economics in Vienna, Austria, in May 2013.

Naomi Cahn was appointed as the reporter for a new Fiduciary Access to Digital Assets Act by the Uniform Law Commission.

In May 2013 **W. Burlette Carter** led a sports law panel on the impact of NBA star Jeremy Lin on perceptions of Asian Americans in American sports. The panel, sponsored by Fried Frank, Harris, Shriver & Jacobson, was part of an internal educational program for Asian American-Asian Pacific American Heritage Month.

Steven Charnovitz was a discussant on the panel "Prospects for the Constitutionalization of the WTO," part of a conference on "Multilateral Trading System in the 21st Century" hosted by GW's Elliott School for International Affairs Institute for International Economic Policy on April 5. He also moderated an ABA Section on International Law on "Trade and Environment Returns: Managing a New Generation of Disputes and Their Implication" on April 25.

Bradford Clark and Notre Dame Law Professor **A.J. Bellia** filed an amicus brief in *Kiobel v. Royal Dutch Shell* in the Supreme Court of the United States. Professor Clark also presented "The Law of Nations in United States Courts" at George Mason University School of Law, and participated in a panel hosted by the American Society of International Law titled "Customary International Law: What Is Its Role in the U.S. Legal System?"

Jessica Clark was invited as one of four Citation Scholars to contribute to the forthcoming second edition of *The ALWD Companion*, a citation exercise book. She serves as the reporter to the Standing Committee on Pattern Jury Instructions, Maryland State Bar Association, facilitating the forthcoming fifth edition. She presented on her various scholarly research projects: "LRW Grades: Using Data to Drive Change

in Legal Education" at the Capital Area Legal Writing Conference held at American University Washington College of Law in March; "The Scholarly Way: Staying the Course" at the Legal Writing Institute One-Day Conference hosted by the George Washington University Law School on Nov. 30, 2012; and "Drinking the Blue(book) Kool-Aid" at the Fifteenth Biennial Conference of the Legal Writing Institute, in Palm Desert, Calif., on June 1, 2012.

Charlie Craver made presentations on effective legal negotiation to various groups around the country.

Lawrence Cunningham presented faculty workshops on his paper "Deferred Prosecution and Corporate Governance" at various New York law schools. He gave the keynote address to the Annual Business Law Scholars Conference at Ohio State.



Roger Fairfax served as a senior legislative fellow with the Senate Judiciary Committee's Subcommittee on Crime and Terrorism, working on criminal justice legislation and policy. He was a panelist at the American Constitution Society Supreme Court Review for the 2011-2012 term, and addressed the plenary session of the American Bar Association Criminal Justice Section's fall meeting. Professor Fairfax presented papers at workshops and symposiums at a number of law schools, including Emory, Fordham, Georgetown, and Yale. He was elected a fellow of the American Bar Foundation, and was appointed a senior fellow at the Harvard Law School Charles Hamilton Houston Institute.

Robert Glicksman made several presentations, including on wild and scenic rivers at the University of Montana and on coercive and cooperative enforcement at an EPA conference on next-generation compliance.

In June 2012, **Phyllis Goldfarb** presented "Future Trends in Experiential Learning," at the AALS Workshop for New Law School Clinical Teachers, Washington, D.C. In addition, Associate Dean Goldfarb is one of the lawyers featured in a new book titled *Breaking Barriers: The Unfinished Work of Women Lawyers and Judges in Massachusetts* (2012). The book details "the extraordinary accomplishments of some of the most impressive members of the Massachusetts bar." All proceeds from the sales of the book support continuing legal education scholarships for legal services attorneys, private lawyers who accept pro bono cases, and other deserving lawyers with financial need.

Daniel I. Gordon serves on the World Bank's International Advisory Group on Procurement, and has been working, along with **Christopher R. Yukins** and **Steven L. Schooner**, on various public procurement efforts at the World Bank. Associate Dean Gordon spoke at a conference held by Government Contracts Advisory Board member Siemens titled "Siemens Federal Symposium: The Federal Market View." In April he and Professor Schooner discussed understanding and reporting on government contracts-related issues at the Society of American Business Editors and Writers spring conference. He co-facilitated a special session of the Procurement Round Table at GW Law. He and Professor Schooner played leading roles in a regional conference in Casablanca, Morocco, on best practices and good governance in public procurement. Associate Dean Gordon, along

with Professors **William E. Kovacic**, Steven Schooner, and Christopher Yukins, hosted a unique international program that investigated the intersection of competition policy and procurement law at GW.

Jeff Gutman is serving the second year of his term on the District of Columbia Bar Board of Governments. Professor Gutman and his students in the Public Justice Advocacy Clinic recently won a Freedom of Information Act case brought on behalf of Professor Brian Biles of the GW School of Public Health and Health Services for data relating to the Medicare Advantage Program. The data will inform Professor Biles' research and public understanding of the economics of the multibillion-dollar program.

David Johnson made a presentation on "Reshaping Law School Pro Bono—Discussion of the Impact of New York's 50 Hour Pro Bono Requirement" at the 2013 Equal Justice Conference, which was sponsored by the American Bar Association Center for Pro Bono and the National Legal Aid and Defender Association in May. In April he spoke on "Replicating the GW Law Cancer Pro Bono Project" at the University of Baltimore School of Law. In November 2012 he spoke on "Models of Delivery: The GW Law Cancer Pro Bono Project" at the National Cancer Legal Services Network Conference in New York City.

In May **Susan Jones** made a presentation to the Mayor's Task Force on Regulatory Reform, part of a clinic action research/service learning initiative to improve business regulation in the District of Columbia.

Susan Karamanian gave a presentation on "Human Rights in U.S. Courts After Kiobel" at a conference on "Regulation and the Common Law" at the University of Montreal Law Faculty in May.

In June 2013 Chief Justice Roberts appointed **Professor Kerr** to serve a three-year term on the Advisory Committee for the Federal Rules of Criminal Procedure.



Laurie Kohn moderated a panel on the District of Columbia's effort to address LGBTQ issues at D.C. Superior Court's Family Court Annual Training in October 2012. In January 2013 she trained the judges of D.C. Superior Court's Domestic Violence Unit on domestic violence law and practice in the District. In May she presented a paper on low-income fatherhood and the law at the annual Law and Society conference.

Cynthia Lee was invited by the *Southwestern University Law Review* in Los Angeles to speak about emerging issues in criminal justice at its February 2013 symposium on LGBT issues. She presented a paper on the Trayvon Martin case in April 2013 at Thomas Jefferson School of Law in San Diego. She has been invited to present papers at the University of Iowa College of Law and at Santa Clara University School of Law this fall. She will be visiting at UC Hastings College of Law in 2013-14.



In April 2013 **Renee Lerner** organized a meeting of the D.C. Area Legal History Roundtable at GW. The meeting featured prominent legal historians, including Professor Robert Cottrol of the GW Law faculty, presenting and discussing their work. The roundtable was

established at GW in 2006 and meets twice a year, rotating among area law schools and federal agencies.

Sean Murphy attended the May-July 2013 session of the U.N. International Law Commission in Geneva. He lectured on "The Work of the International Law Commission" at the Tufts University summer program in Talloires, France, in May; "Unarticulated Premises in the International Court's 2012 Jurisprudence," at the European University Institute in Florence, Italy in April; "Deconstructing Fragmentation: Koskenniemi's 2006 ILC Project" at Temple Law School in April; "Techniques for Inter-State Dispute Resolution" at Korea University in Seoul in March; and "Peace and Security in East Asia" at the Korean Ministry of Foreign Affairs and Korea Society of International Law in Seoul in March.

Dawn Nunziato serves, with GW Law colleague Arturo Carrillo, as co-director of the Global Internet Freedom Project. In March 2013 the project co-hosted with the Department of State's Office of e-Diplomacy the two-day "Tech@State: Internet Freedom Conference," which was attended by more than 500 participants. Professor Nunziato served as chair and moderator of the plenary panel for the conference, entitled "Technologies of Freedom, Technologies of Repression." In February 2013 Professor Nunziato was invited by Dunja Mijatovic, representative on freedom of the media of the Organization for Security and Co-operation in Europe (OSCE), to deliver the keynote speech at the OSCE's first Internet Freedom Conference in Vienna, Austria. In June 2013 she presented a paper, "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.

Lee Paddock was asked by ABA President-Elect James Silkenet to serve on a 20-member ABA task force on sustainable development.

Peter Raven-Hansen represented plaintiffs in civil actions under the Anti-Terrorism Act, successfully arguing for dismissal of a defendant's interlocutory appeal to the U.S. Court of Appeals for the Second Circuit and on a variety of dispositive motions in the trial courts.

Last January at the Judicial Council Annual Meeting of the National Bar Association in Nassau, Bahamas, **Alfreda Robinson, JD '78**, served as the moderator and convener of two panels, one on the ethical implications of *Citizens United* on judicial elections and the other on the highly anticipated *Fischer* Supreme Court decision and post-decision judicial implementation and compliance. In November 2012 (with adjunct faculty member Judge Marion Horn and Henri Hammond, LL.M. '08), she taught a seminar on the U.S. judicial and legal systems and the role of women in the field of law in the United States to female attorneys from Saudi Arabia. In October 2012 she hosted and led a roundtable discussion with a group of supreme court justices from 10 African nations who were participating in a special initiative by the U.S. Department of State Bureau of Educational and Cultural Affairs. In September 2012 she hosted a panel on the "Black Male Experience in the United States," which included members of Congress, nationally recognized television and radio hosts, public intellectuals, authors, and community organizers. In August 2012 she was

re-elected to the Board of the National Bar Association and as chair of the Law Professors' Division.



Joan Schaffner hosted the fifth annual No Kill Conference July 13-14, 2013, at GW Law. With attendance of more than 400 individuals from the U.S. and abroad, the conference convened experts in the animal sheltering, veterinary, and legal fields to discuss saving the lives of millions of companion animals from death in shelters each year.

Steven L. Schooner gave the luncheon presentation at the Army JAG Corps Mid-Atlantic Region conference on Federal Government Contracts at Camp Dawson, W. Va. He discussed "After the Binge: The New Realities in Federal Procurement" at the NCMA Washington, D.C., chapter's 32nd Annual Fellows Night. He presented a keynote address to open the Greater Washington Society of CPAs annual government contracts conference. He spoke to graduate students at the University of Turin, Italy; his participation concluded a cycle that began with instruction in Turin by **Christopher R. Yukins** and **Daniel I. Gordon**. Professors Schooner and Yukins also discussed international contracting on a plenary panel of the National Contract Management Association World Congress in Nashville.

Jonathan R. Siegel submitted a report (co-written with Emily S. Bremer) to the Administrative Conference of the United States on the subject of 28 U.S.C. § 1500, a statute concerning the jurisdiction of the U.S. Court of Federal Claims. Based on the report, the conference adopted a recommendation

Maggs and Schenck Publish Military Justice Case Book

LAW SCHOOL INTERIM DEAN **GREGORY E. MAGGS** AND Associate Dean for Academic Affairs **Lisa M. Schenck** together wrote the book *Modern Military Justice: Cases and Materials* (West 2012). The text comprehensively covers the modern military justice system under the Uniform Code of Military Justice and includes materials from every service within the armed forces. Deans Maggs and Schenck show how the military justice system addresses all criminal offenses, ranging from minor infractions to serious offenses such as the misconduct of soldiers at Abu Ghraib prison.

that the statute be changed. The American Bar Association House of Delegates passed a resolution calling on Congress to implement the recommendation. Congress made a change in the federal venue statute, 28 U.S.C. § 1391, that was inspired by Professor Siegel's article "What Statutory Drafting Errors Teach Us About Statutory Interpretation," *George Washington Law Review*. Professor Siegel addressed a symposium on standing law at the University of Alabama Law School on the topic "What if the Injury-in-Fact Test Is Normative?"

Daniel Solove was co-organizer of the sixth annual Privacy Law Scholars Conference at Berkeley Law School in June and co-organizer of the second annual Higher Ed Privacy and Information Management Forum at GW Law in May. He was a panelist at a conference on "Big Data, Small Data, Apps, and Analytics: Can We Transform Education Without Sacrificing Privacy?" at the U.S. Department of Education in May; gave a talk on his book *Nothing to Hide: The False Tradeoff Between Privacy and Security* at American University in March; served as faculty adviser to the Harvard Law Review Symposium on Privacy Law; and was a panelist at a conference on "Privacy Self-Management and the Consent Paradox" at Harvard University in November 2012.

Ralph Steinhardt gave a number of talks on the human rights responsibilities of multinational corporations and his work in the Supreme Court's *Kiobel* litigation. These include "*Kiobel* and the Future of Alien Tort Litigation," at Duke Law School, Northwestern Law School, and the Canadian Bar Association. He also delivered the keynote address at two conferences: the 2012 Biennial Meeting of the American Society of International Law Interest Group in International Economic Law and the 2012 Annual International and Comparative Law Symposium at the University of Maryland School of Law. He appeared, with his former student and research assistant, Arin Brenner, as counsel *amicus curiae* for International Law Scholars, in *Kiobel v. Royal Dutch Shell*, (U.S.S.C. 2013) on two issues: (i) the civil liability of multinational corporations under the Alien Tort Statute for human rights violations and (ii) the extraterritorial reach of the Alien Tort Statute.



Jessica Tillipman became a senior editor of the *FCPA Blog* (FCPABlog.com). She also presented on Foreign Corrupt

Slavery, Race, and Law in the Americas

ROBERT J. COTTRON, HAROLD PAUL GREEN RESEARCH Professor of Law, wrote the book *The Long Lingered Shadow: Slavery, Race, and Law in the American Hemisphere*. His work examines how countries in North and South America that historically imported African slaves have dealt with issues of race. Professor Cottrol notes that unlike in the United States with Jim Crow laws, Brazil and many Latin American countries never formalized racial hierarchy. He argues that this lack of codification is an obstacle toward overcoming racial discrimination in modern Latin America.

Practices Act and anti-corruption-related issues at the World Bank's Suspension and Debarment Colloquium; World Bank's Law, Justice, and Development Week; Food and Drug Law Institute (FDLI) Annual Conference; FDLI Enforcement, Litigation, and Compliance Conference; Nash and Cibinic Annual Procurement Roundtable; a program sponsored by the D.C. Bar International Investment and Finance Committee of the International Law Section; and the GW Institute of Brazilian Issues. She also moderated a panel on "Anti-Corruption Origins and Evolution" at a program hosted by GW Law and the Anti-Corruption Committee and North American Forum of the International Bar Association.

Roger Trangsrud hosted a two-day symposium at the Law School in March on the "Modern Law of Class Actions." The 17 papers prepared for the symposium by leading class action practitioners and scholars will be published in two upcoming issues of the *George Washington Law Review*.

Art Wilmarth spoke on financial reform topics at conferences hosted by the University of Cincinnati Law School, University of Indiana

Law School, and Georgetown Law Center. He also presented testimony on financial regulatory issues at hearings before the House Financial Services Committee and the Senate Committee on Banking, Housing, and Urban Affairs.

Christopher R. Yukins spoke with the Mongolian press in Ulaanbaatar (Bloomberg and a local television network), on anti-corruption initiatives in that country.

AWARDS/HONORS

Jerome A. Barron was awarded the Elizabeth Beckman teaching prize at a ceremony at the Carter Center in Atlanta. He was nominated for the award by Marla Spindel, JD '93.

Francesca Bignami was appointed a member of the executive editorial board of the *American Journal of Comparative Law* and an associate member of the International Academy of Comparative Law.

In April **Christopher A. Bracey** received the Foundation Award from the GW Black Law Students Association (BLSA). The Foundation Award recognizes a faculty member who has consistently supported BLSA students in their law school and career endeavors.

Probate & Property magazine awarded **Naomi Cahn's** article (with **Gerry W. Beyer**) "When You Pass On, Don't Leave the Passwords Behind: Planning for Digital Assets" its 2012 Excellence in Writing Award for the Best Cutting-Edge Article—Trust and Estate.

Phyllis Goldfarb received the 2012 Outstanding Advocate for Clinical Teachers Award from the Clinical Legal Education Association.

Sean Murphy was elected a member of the American Law Institute. He will serve as an adviser to the institute's *Fourth Restatement on the Foreign Relations Law of the United States*.

In September 2012 **Alfreda**

Robinson was honored with prestigious Presidential Distinguished Service Awards from the National Bar Association for the years 2011 and 2012.

Dinah Shelton received the Stefan A. Riesenfeld Award for her outstanding contributions to the field of international law from UC Berkeley School of Law in February and the prestigious 2013 Goler T. Butcher Medal for outstanding contributions to the development or effective realization of international human rights law from the American Society of International Law in April 2013.

Christopher R. Yukins is pleased to serve as the inaugural Lynn David Research Professor in Government Procurement Law.

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