

FRANCESCO PARISI

PERSONAL

Born, May 31, 1962. Office: University of Minnesota, School of Law – 229 South 19th Ave., Minneapolis, MN 55455 – Tel: (612) 624-3256; Fax: (612) 625-2011

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Papers on-line: <http://papers.ssrn.com/author=227722>

EDUCATION

<u>Law</u>	J.S.D. 1990	University of California at Berkeley Associate Editor, <i>Ecology Law Quarterly</i>
	LL.M. 1988	University of California at Berkeley Associate Editor, <i>International Tax & Business Law</i>
	D. Jur. 1985	University of Rome <i>La Sapienza</i> , cum laude
<u>Economics</u>	Ph.D. 1998	George Mason University Fields: Law & Economics, Public Choice Theory
	M.A. 1995	University of California at Berkeley Fields: Economics of Institutions, Law & Economics

Additional training includes: European Law Association: *Advanced European Community Law Certificate* (Rome, 1996); *European Community Law Certificate* (Rome, 1995); GMU Law & Economics Center: *Basic & Advanced Courses on Quantitative Methods* (Dartmouth, 1993), *Economic Institute for Law Professors* (Dartmouth, 1992)

ACADEMIC APPOINTMENTS

<u>Current</u>	University of Minnesota, School of Law Oppenheimer Wolff & Donnelly Professor of Law (since 2008) Professor of Law (2006-2008)
	University of Bologna, Department of Economics Distinguished Professor of Economics (since 2006) (Professore Ordinario per Chiara Fama – SECS-P/03)
<u>Previous</u>	University of Milan, Faculty of Law Distinguished Professor of Private Law (2002-2006) (Professore Ordinario per Chiara Fama – IUS/01)
	University of Virginia, School of Law Visiting Professor of Law (Spring 2000)
	George Mason University, School of Law Professor of Law (1998-2006)

Associate Professor of Law (1993-1998)

Louisiana State University, Law Center

Harry F. Redmon Visiting Professor of Law (Fall 1999)

Assistant Professor of Law (1991-1993)

University of California at Berkeley, School of Law

Lecturer in Law (1990-1991)

Short-Term Visits

Bocconi University, Milan, Italy (Fall 1998); European School of New Institutional Economics, Corsica, France (Spring 2006); Institute for Economic Studies, Cologne, Germany (Summer 2002); Interdisciplinary Center (IDC), Herzliya, Israel (Spring 2009); Max Planck Institute for Evolutionary Economics, Jena, Germany (Spring 2003); Max Planck Institute for Law, Economics and Politics, Bonn, Germany (Spring 2002); Pompeu-Fabra University, Barcelona, Spain (Spring 2005); Universidad del Pacifico, Facultad de Derecho, Lima, Peru (Fall 2009); Université Paris X, Department of Economics (Fall 2009); University of Aix-Marseille III, France (Spring 2005); University of Amsterdam (Winter 2006); University of Bologna, Italy (Spring 2001); University of Chicago, Law School (Winter 2013); University of Ghent, Belgium (Spring 2004 and 2005); University of Haifa, Israel (Summer 2006 and 2008); University of Hamburg, Germany (Spring 2002, Fall 2004, Spring 2007; Fall 2010; Spring 2014; Spring 2016); University of Santiago (Desarrollo), Chile (Spring 2006); University of Siena, Italy (Spring 2004); University of St. Gallen, Switzerland (Fall 2011); University of Trento, Italy (Spring 1996); University of Würzburg, Germany (Spring 1999)

ADMISSIONS TO BAR

Italy (Supreme Court) and European Court of Justice, 2002

CENTERS AND PROGRAMS

2008 – Present	Co-Director, Center for Law and Economics, University of Bologna
2006 – Present	Co-Director, Institute for Law and Economics, University of Minnesota
2002 – 2006	Director, Law and Economics Program, George Mason University
2001	Program Director, Public Law Institute for Federal Judges, GMU Law and Economics Center, Tucson, Arizona, October 2001
1999 – 2006	Deputy Director, J.M. Buchanan Center for Political Economy, Program in Economics and the Law
1999 – 2001	Co-Director, Distinguished Lecture Series, J.M. Buchanan Center for Political Economy
1994 – 1999	Director (1999) and Faculty (1994-1998), Temple University, School of Law, Summer Program in Rome

AWARDS AND FELLOWSHIPS

Awards

- 2009 Microsoft Research Award for Scholarship on Law and Economics (University of California at Berkeley and ALACDE)
- 2007 Vance K. Opperman Research Scholar Award, University of Minnesota
- 2003 – 2004 Garvin Prize in Law & Economics for Best Workshop Paper (University of California at Berkeley)

Honorary Positions

- 2010 – Present Honorary Member, Romanian Association of Comparative and International Law Studies (Bucharest, Romania)
- 2007 – Present Associate Member, International Academy of Comparative Law
- 2004 – Present Nominator, Nobel Prize for Economics
Royal Swedish Academy of Sciences
- 2002 – Present Honorary Member, Bulgarian Hayek Society (Sofia, Bulgaria)
- 1993 – 1994 Vice-President, Association Henri Capitant des Amis de la Culture Juridique Française, Louisiana Chapter

Fellowships

- 2011 Max Schmidheiny Foundation Professorship for Entrepreneurship and Risk, University of St. Gallen (Switzerland)
- 2008 Erasmus Mundus Scholar, University of Haifa (Israel)
- 1987 – 1992 Fulbright Scholar to the United States, Fulbright Foundation
- 1988 – 1991 Research Fellow, Italian National Council for the Research (C.N.R.)
- 1982 – 1987 Research Fellow, Supreme Court of Italy (Corte Suprema di Cassazione)
Member of the Research Group ‘Giurinform Studio’

Funded Research

- 2017 – 2018 Lead Investigator, “Quantifying the ‘Beyond a Reasonable Doubt’ Standard,” sponsored by the Charles Koch Foundation
- 2017 – 2018 Lead Investigator, “Accident Prevention and Social Preferences,” sponsored by the Charles Koch Foundation
- 2016 – 2017 Lead Investigator, “Optimal Design of Jury Decision-Making,” sponsored by the Charles Koch Foundation
- 2001 – 2003 Coordinator, Research Project on the “Law and Economics of Irrational Behavior,” sponsored by the Law and Psychiatry Center, George Mason University
- 1995 – 1999 Co-Director, Research Project in “Law, Economics & Freedom of Contract,” sponsored by the Italian National Council for the Research (C.N.R.)

Also received research and study grants from the *John M. Olin Foundation* (1992, 1994); the *GMU Law and Economics Center* (1995); the *Institute for Humane Studies* (1998); the *GMU Law and Psychiatry Center* (2001); and the *Charles Koch Foundation* (2016)

ACADEMIC ASSOCIATIONS

Boards of Directors

2008 – Present Board of Advisors, European Association of Law and Economics
2006 – 2011 Executive Director, Italian Society for Law and Economics
2010 – 2011 Chair, Section on Law and Economics, American Association of Law Schools (Chair-Elect, 2009-2010)
2007 – 2010 Board of Directors, American Law and Economics Association
1994 – 2006 Board of Directors, American Society of Comparative Law

Advisory Boards

2015 – Present Global Law Initiatives for Sustainable Development (United Kingdom)
2010 – Present Accademia Internazionale per lo Sviluppo Economico e Sociale (Green Project)
2006 – Present Joseph von Sonnenfels Center for the Study of Public Law and Economics, University of Vienna (Austria)
2001 – Present International Law & Economic Development Center, University of Virginia
2000 – 2001 Academic Evaluation Board, Bocconi University (Milan, Italy)

Program Organizer

2011 Program Organizer, American Association of Law Schools, 2011 Annual Conference, Joint Program of the Law & Economics and Law & Social Sciences Sections (San Francisco, January 4-8, 2011)
2010 Program Committee, American Law and Economics Association, 21st Annual Conference (Princeton, May 7-8, 2010)
2005 Program Committee, International Society for New Institutional Economics, 9th Annual Conference (Barcelona, September 22-24, 2005)
2005 Program Area Organizer, American Law and Economics Association, 16th Annual Conference (New York, May 5-6, 2005)

Memberships

American Law & Economic Association (Founding Member, 1991)
American Society of Comparative Law
European Law & Economics Association
International Academy of Comparative Law
International Society for New Institutional Economics
Italian Society for Law and Economics (Founding Member, 2005)
Society for Economic Research on Copyright Issues

UNIVERSITY SERVICE

Chair, Arts Committee, University of Minnesota Law School (2010-Present)
Chair, Performance Assessment Committee, University of Minnesota (2007-2008)
Director, LL.M. and Joint Degree Programs, George Mason University (2002-2006)
Director, International Studies, George Mason University (2002-2006)
Director, International Business Law Track, George Mason University (2000-2006)

EDITORSHIPS

Editor

2004 – Present Editor, *Review of Law and Economics* (De Gruyter)
2001 – Present Editor, *Comparative Law eJournal* (Social Sciences Research Network)
2012 – Present Associate Editor, *International Review of Law and Economics* (Elsevier)
2002 – 2008 Editor, *Supreme Court Economic Review* (University of Chicago Press)
1994 – 2001 Editor, *International Legal Theory* (ASIL Publication)

Boards of Editors

2017 – Present *Diritto di Famiglia e delle Persone*
2015 – Present *Latin American and Iberian Journal of Law and Economics*
2004 – Present *Journal of Law, Economics and Policy*
2002 – Present *European Law eJournal* (Social Sciences Research Network)
1994 – Present *American Journal of Comparative Law*
2004 – 2015 *Public Choice*
1998 – 2011 *International Review of Law and Economics*
1994 – 2000 *Journal of International Legal Studies*

Referee

Administration & Society	Economics of Governance
American Journal of Comparative Law	Edward Publishing
American Law and Economics Review	Erasmus Journal for Philosophy and Economics
Aspen Publishing	European Journal of Law and Economics
Brussels Economic Review	European Journal of Political Economy
Bulletin of Economic Research	Harvard Law Review
Cambridge University Press	Harvard University Press
Chicago Law Review	Homo Oeconomicus
Constitutional Political Economy	International Journal of the Economics of Business
Council for Social Sciences (Netherlands)	International Journal of the Commons
Crime, Law and Social Change	International Review of Law and Economics
Economica	Journal of Cleaner Production
Economics and Philosophy	
Economics and Politics	

Journal of Economic Literature
Journal of Economic Policy Reform
Journal of Economics
Journal of Environmental Economics
and Management
Journal of Evolutionary Economics
Journal of Institutional Economics
Journal of Institutional and
Theoretical Economics
Journal of Law and Economics
Journal of Law, Economics and
Organization
Journal of Legal Studies
Journal of Socio-Economics
Journal of the European Economic

Association
Land Law & Policy
McGill Law Journal
Michigan University Press
National Research Council (USA)
Oxford University Press
Princeton University Press
Public Choice
Regulation and Governance
Routledge Publishing
Sustainability
Theoretical Economics Letters
West Publishing
Yale University Press

PUBLICATIONS

Books

ANÁLISIS ECONÓMICO Y COMPARADO DEL DERECHO PRIVADO: UNA INTRODUCCIÓN (with Ugo Mattei and Renzo E. Saavedra Velazco), Fontana Publishing (2016) [In Spanish]

THE ITALIAN LEGAL SYSTEM (with Michael Livingston and Pier Giuseppe Monateri), 2nd ed., Stanford University Press (2015)

THE LANGUAGE OF LAW AND ECONOMICS: A DICTIONARY, Cambridge University Press (2013)

- Portuguese Translation: forthcoming

THE ECONOMICS OF LAWMAKING (with Vincy Fon), Oxford University Press (2009)

- Spanish Translation: LA PRODUCCIÓN DEL DERECHO: ANÁLISIS ECONÓMICO, Fontana Editores (forthcoming, 2018)

RESPONSABILITÀ CIVILE ED ANALISI ECONOMICA (with Giampaolo Frezza), Giuffrè (2006) [In Italian]

THE LAW AND ECONOMICS OF THE EUROPEAN UNION (with Paul Stephan and Ben Depoorter), Lexis Publishing (2003)

LIABILITY FOR NEGLIGENCE AND JUDICIAL DISCRETION, University of California Press – IAS (1990)

- Second Edition, University of California Press – IAS (1992)

IL CONTRATTO CONCLUSO MEDIANTE COMPUTER, Cedam (1987) [In Italian]

Edited Volumes

- OXFORD HANDBOOK OF LAW AND ECONOMICS, 3 volumes, Oxford University Press (2017)
- ECONOMICS OF INTERNATIONAL LAW (with Eugene Kontorovich), Edward Elgar (2016)
- ECONOMICS OF CUSTOMARY LAW (with Lisa Bernstein), Edward Elgar (2014)
- CLASSICS IN COMPARATIVE LAW (with Tom Ginsburg and Pier Giuseppe Monateri), 4 volumes, Edward Elgar (2014)
- THE COASE THEOREM (with Richard A. Posner), 2 volumes, Edward Elgar (2013)
- PRODUCTION OF LEGAL RULES (Edward Elgar, 2011)
- LEGAL INSTITUTIONS AND ECONOMIC DEVELOPMENT (with Robert D. Cooter), Edward Elgar (2009)
- FOUNDATIONS OF LAW AND ECONOMICS (with Robert D. Cooter), Edward Elgar (2009)
- RECENT DEVELOPMENTS IN LAW AND ECONOMICS (with Robert D. Cooter), 3 volumes, Edward Elgar (2009)
- THE LAW AND ECONOMICS OF CYBERSECURITY (with Mark F. Grady), Cambridge University Press (2006)
- THE LAW AND ECONOMICS OF IRRATIONAL BEHAVIOR (with Vernon L. Smith), Stanford University Press (2005)
- Chinese Translation: Peking University Press, forthcoming
- THE ORIGINS OF LAW AND ECONOMICS: ESSAYS BY THE FOUNDING FATHERS (with Charles K. Rowley), Edward Elgar (2005)
- ECONOMIC FOUNDATIONS OF PRIVATE LAW (with Richard A. Posner), Edward Elgar (2002)
- LAW AND ECONOMICS (with Richard A. Posner), 3 volumes, Edward Elgar (1997)

Articles

- Productive and Unproductive Competition: A Unified Framework*, 34 JOURNAL OF ANALYTICAL AND INSTITUTIONAL ECONOMICS __-__ (2017), with Alice Guerra and Barbara Lippi
- Unbundling Efficient Breach: An Experiment*, 14 JOURNAL OF EMPIRICAL LEGAL STUDIES 527-547 (2017), with Maria Bigoni, Stefania Bortolotti and Ariel Porat
- Sharing Residual Liability: 'Cheapest Cost Avoider' Revisited*, 45 JOURNAL OF LEGAL STUDIES 173-201 (2016), with Emanuela Carbonara and Alice Guerra
- Gordon Tullock and the Virginia School of Law and Economics*, 27 CONSTITUTIONAL POLITICAL ECONOMY 1-14 (2016), with Barbara Lippi

- Double-Edged Torts*, 46 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 43-48 (2016), with Barbara Luppi and Daniel Pi
- Optimal Liability for Optimistic Tortfeasors*, 41 EUROPEAN JOURNAL OF LAW AND ECONOMICS 559-474 (2016), with Barbara Luppi
- Rent-Seeking and Litigation: The Hidden Virtues of Limited Fee-Shifting*, 11 REVIEW OF LAW AND ECONOMICS 113-148 (2015), with Emanuela Carbonara and Georg von Wangenheim
- Loss-Sharing Between Non-Negligent Parties*, 170 JOURNAL OF THEORETICAL AND INSTITUTIONAL ECONOMICS 571-598 (2014), with Giuseppe Dari-Mattiacci and Bruno Lovat
- Returns to Effort in Rent-Seeking Games*, 159 PUBLIC CHOICE 99-104 (2014), with Giuseppe Dari-Mattiacci
- Jury Size and the Hung-Jury Paradox*, 42 JOURNAL OF LEGAL STUDIES 399-422 (2013), with Barbara Luppi
- Enforcing Bilateral Promises*, 21 EUROPEAN REVIEW OF PRIVATE LAW 423-450 (2013), with Marta Cenini and Barbara Luppi
- Reprinted as *Enforcing Bilateral Promises: A Comparative Law and Economics Perspective* in P.G. Monateri (ed.), COMPARATIVE CONTRACT LAW, 145-172 (2017)
- Unjust Laws and Illegal Norms*, 32 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 285-299 (2012), with Emanuela Carbonara and Georg von Wangenheim
- Politics with(out) Coase*, 59 INTERNATIONAL REVIEW OF ECONOMICS 175-187 (2012), with Barbara Luppi
- Litigation and Legal Evolution: Does Procedure Matter?* 152 PUBLIC CHOICE 181-201 (2012), with Barbara Luppi
- The Rise and Fall of the Polluter Pays Principle in Developing Countries*, 32 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 135-144 (2012), with Barbara Luppi and Shruti Rajagopalan
- Optimal Remedies for Bilateral Contracts*, 40 JOURNAL OF LEGAL STUDIES 245-271 (2011), with Vincy Fon and Barbara Luppi
- Spanish Translation: __ 44 IUS ET VERITAS __-__ (2015)
- Incentive Effects of Class Actions and Punitive Damages Under Alternative Procedural Regimes*, 32 EUROPEAN JOURNAL OF LAW AND ECONOMICS 229-240 (2011), with Marta Cenini and Barbara Luppi

Toward an Asymmetric Coase Theorem, 31 EUROPEAN JOURNAL OF LAW AND ECONOMICS 111-122 (2011), with Barbara Lippi

- Reprinted in F. Parisi and R.A. Posner (eds.), THE COASE THEOREM Vol. 1, 372-383 (2013)
- Reprinted in A. Porat (ed.), ECONOMICS OF REMEDIES 111-122 (2012)
- Spanish Translation: __ 15 CATHEDRA LEX __-__ (2012)

Separating Complements: The Effects of Competition and Quality Leadership, 103 JOURNAL OF ECONOMICS 107-131 (2011), with Matteo Alvisi and Emanuela Carbonara

Judicial Creativity and Judicial Errors: An Organizational Perspective, 6 JOURNAL OF INSTITUTIONAL ECONOMICS 91-98 (2010), with Barbara Lippi

The Efficiency of Comparative Causation, 6 REVIEW OF LAW AND ECONOMICS 219-245 (2010), with Ram Singh

Self-Defeating Subsidiarity, 5 REVIEW OF LAW AND ECONOMICS 741-783 (2009), with Emanuela Carbonara and Barbara Lippi

Choice of Law and Legal Evolution: Rethinking the Market for Legal Rules, 139 PUBLIC CHOICE 461-492 (2009), with Emanuela Carbonara

Stability and Change in International Customary Law, 17 SUPREME COURT ECONOMIC REVIEW 279-300 (2009), with Vincy Fon

- Reprinted in L. Bernstein and F. Parisi (eds.), ECONOMICS OF CUSTOMARY LAW 628-658 (2014)

Seeking Rents in the Shadow of Coase, 139 PUBLIC CHOICE 171-196 (2009), with Giuseppe Dari-Mattiacci and Sander Onderstal

Optimal Timing of Legal Intervention: The Role of Timing Rules, 122 HARVARD LAW REVIEW FORUM 1-14 (2009), with Barbara Lippi

The Economics of Treaty Ratification, 5 JOURNAL OF LAW, ECONOMICS & POLICY 209-222 (2009), with Vincy Fon

Beyond Liability: Correcting Optimism Bias Through Tort Law, 47 QUEEN'S LAW JOURNAL 47-66 (2009), with Barbara Lippi

- Spanish Translation: *Más allá de la Responsabilidad: Corrigiendo el sesgo de optimismo a través de la responsabilidad civil extracontractual*, 40 IUS ET VERITAS 30-43 (2010)

- Social Networks, Self-Denial, and Median Preferences: Conformity as an Evolutionary Strategy*, 37 JOURNAL OF SOCIO-ECONOMICS 1319-1327 (2008), with Jonathan Klick
- Lawmakers as Norms Entrepreneurs*, 4 REVIEW OF LAW AND ECONOMICS 779-799 (2008), with Emanuela Carbonara and Georg von Wangenheim
- Role-Reversibility, Stochastic Ignorance and Social Cooperation*, 37 JOURNAL OF SOCIO-ECONOMICS 1061-1075 (2008), with Vincy Fon
- The Hidden Bias of the Vienna Convention*, 4 REVIEW OF LAW AND ECONOMICS 383-406 (2008), with Vincy Fon
- Legal Innovation and the Compliance Paradox*, 9 MINNESOTA JOURNAL OF LAW, SCIENCE AND TECHNOLOGY 837-860 (2008), with Emanuela Carbonara and Georg von Wangenheim
- On the Optimal Specificity of Legal Rules*, 3 JOURNAL OF INSTITUTIONAL ECONOMICS 147-164 (2007), with Vincy Fon
- Japanese Translation: *法的ルールの最適な特定性の程度について* 15 HOKKAIDO JOURNAL OF NEW GLOBAL LAW AND POLICY 319-343 (2012)
- Crowding-Out in Productive and Redistributive Rent-Seeking*, 133 PUBLIC CHOICE 199-229 (2007), with Giuseppe Dari-Mattiacci, Eric Langlais and Bruno Lovat
- Substituting Complements*, 3 JOURNAL OF COMPETITION LAW AND ECONOMICS 1-15 (2007), with Giuseppe Dari-Mattiacci
- Reprinted in M. Heller (ed.), COMMONS AND ANTICOMMONS, Vol. 1, 512-526 (2009)
- The Paradox of Legal Harmonization*, 132 PUBLIC CHOICE 367-400 (2007), with Emanuela Carbonara
- The Formation of International Treaties*, 3 REVIEW OF LAW AND ECONOMICS 37-60 (2007), with Vincy Fon
- The Comparative Law and Economics of Pure Economic Loss*, 27 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 29-48 (2007), with Vernon Palmer and Mauro Bussani
- Reprinted in G. de Geest (ed.), ECONOMICS OF COMPARATIVE LAW 631-650 (2009)
- Creating Failures in the Market for Tax Planning*, 26 VIRGINIA TAX REVIEW 943-969 (2007), with Phil Curry and Claire Hill
- Matching Rules*, 28 MANAGERIAL AND DECISION ECONOMICS 1-14 (2007), with Vincy Fon

Judicial Precedents in Civil Law Systems: A Dynamic Analysis, 26 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 519-535 (2006), with Vincy Fon

- Reprinted in B. Bix (ed.), ECONOMIC APPROACHES TO LEGAL REASONING AND INTERPRETATION __-__ (2018)
- Reprinted in L. Epstein (ed.), THE ECONOMICS OF JUDICIAL BEHAVIOUR, Vol. 1, 827-843 (2013)
- Spanish Translation: *Los Precedentes Judiciales en los Sistemas del Civil Law: Un Análisis Dinámico* 4 JURISPRUDENCIA - REVISTA DE ANÁLISIS ESPECIALIZADO DE JURISPRUDENCIA 481-501 (2008)

From 'Tragedy' to 'Disaster': Welfare Effects of Commons and Anticommons Dilemmas, 26 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 104-122 (2006), with Sven Vanneste, A. Van Hiel and Ben Depoorter

Two Dimensions of Regulatory Competition, 26 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 56-66 (2006), with Norbert Schulz and Jonathan Klick

A Law and Economics Perspective on Terrorism, 128 PUBLIC CHOICE 147-168 (2006), with Nuno Garoupa and Jonathan Klick

- Reprinted in N. Garoupa (ed.), CRIMINAL LAW AND ECONOMICS 375-402 (2009)

International Customary Law and Articulation Theories: An Economic Analysis, 2 INTERNATIONAL LAW AND MANAGEMENT REVIEW 201-232 (2006), with Vincy Fon

- Reprinted in L. Bernstein and F. Parisi (eds.), ECONOMICS OF CUSTOMARY LAW 733-764 (2014)

The Role of Status Quo Bias and Bayesian Learning in the Creation of New Legal Rights, 3 JOURNAL OF LAW, ECONOMICS AND POLICY 25-45 (2006), with Robert L. Scharff

Intra-Jurisdictional Tax Competition, 16 CONSTITUTIONAL POLITICAL ECONOMY 387-395 (2005), with Jonathan Klick

Rents, Dissipation, and Lost Treasures: Rethinking Tullock's Paradox, 124 PUBLIC CHOICE 411-422 (2005), with Giuseppe Dari-Mattiacci

Causation and Responsibility: The Compensation Principle from Grotius to Calabresi, 64 MARYLAND LAW REVIEW 108-135 (2005), with Vincy Fon

Duality in Property: Commons and Anticommons, 25 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 578-591 (2005), with Norbert Schulz and Ben Depoorter

- Reprinted in M. Heller (ed.), COMMONS AND ANTICOMMONS, Vol. 1, 482-495 (2009)

- Legislate Today or Wait Until Tomorrow? An Investment Approach to Lawmaking*, 23 JOURNAL OF PUBLIC FINANCE AND PUBLIC CHOICE 19-42 (2005), with Nita Ghei
- Reprinted in F. Cafaggi, A. Nicita and U. Pagano (eds.), LEGAL ORDERINGS AND ECONOMIC INSTITUTIONS 84-102 (2007)
- The Modernization of European Antitrust Enforcement: The Economics of Regulatory Competition*, 13 GEORGE MASON LAW REVIEW 309-324 (2005), with Ben Depoorter
- Reprinted in P. Stephan (ed.), ECONOMICS OF EUROPEAN UNION LAW, 465-479 (2007)
- Problems with the Enforcement of Copyright Law: Is there a Social Norm Backlash?* 12 INTERNATIONAL JOURNAL OF THE ECONOMICS OF BUSINESS 361-369 (2005), with Ben Depoorter and Sven Vanneste
- Litigation, Judicial Path-Dependence, and Legal Change*, 20 EUROPEAN JOURNAL OF LAW AND ECONOMICS 43-56 (2005), with Vincy Fon and Ben Depoorter
- Wealth, Utility and the Human Dimension*, 1 NYU JOURNAL OF LAW AND LIBERTY 590-608 (2005), with Jonathan Klick
- Reprinted in R.O. Zerbe (ed.), EFFICIENCY IN LAW AND ECONOMICS ___-___ (2013)
- The Behavioral Foundations of Retaliatory Justice*, 7 JOURNAL OF BIOECONOMICS 45-72 (2005), with Vincy Fon
- Comparative Causation*, 6 AMERICAN LAW AND ECONOMICS REVIEW 345-368 (2004), with Vincy Fon
- Reprinted in R.D. Cooter and F. Parisi (eds.), RECENT DEVELOPMENTS IN LAW AND ECONOMICS, Vol. 2, 161-184 (2009)
 - Italian Translation: *Causalità Concorrente* 11 DANNO E RESPONSABILITÀ 701-712 (2006)
- The Rise and Fall of Communal Liability in Ancient Law*, 24 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 489-506 (2004), with Giuseppe Dari-Mattiacci
- Reprinted in G. Miller (ed.), ECONOMICS OF ANCIENT LAW 135-151 (2010)
- The Harmonization of Legal Warranties in European Law: An Economic Analysis*, 52 AMERICAN JOURNAL OF COMPARATIVE LAW 403-431 (2004)
- Hebrew Translation: *Uniformity and Diversity in Consumer Protection Law: An Economic Analysis*, 5 ISRAELI JOURNAL OF LAW AND BUSINESS 257-286 (2006)
- Adverse Selection and Moral Hazard in Forum Shopping: Conflict of Laws as Spontaneous Order*, 25 CARDOZO LAW REVIEW 1367-1392 (2004), with Nita Ghei

- The Value of Waiting in Lawmaking*, 18 EUROPEAN JOURNAL OF LAW AND ECONOMICS 131-148 (2004), with Vincy Fon and Nita Ghei
- Functional Law and Economics: The Search for Value-Neutral Principles of Lawmaking*, 79 CHICAGO-KENT LAW REVIEW 431-450 (2004), with Jonathan Klick
- Reprinted in A.N. Hatzis and N. Mercurio (eds.) LAW AND ECONOMICS: PHILOSOPHICAL ISSUES AND FUNDAMENTAL QUESTIONS 104-120 (Routledge, 2017)
- Simultaneous and Sequential Anticommons*, 17 EUROPEAN JOURNAL OF LAW AND ECONOMICS 175-190 (2004), with Norbert Schulz and Ben Depoorter
- Reprinted in M. Heller (ed.), COMMONS AND ANTICOMMONS, Vol. 1, 496-511 (2009)
- Positive, Normative and Functional Schools in Law and Economics*, 18 EUROPEAN JOURNAL OF LAW AND ECONOMICS 259-272 (2004)
- Reprinted in J.G. Backhaus (ed.), ELGAR COMPANION TO LAW AND ECONOMICS (Second Expanded Edition) 58-73 (2005)
 - Italian Translation: *Le Scuole Positiva, Normativa e Funzionale nella Analisi Economica del Diritto*, 12 CRITICA SOCIALE 35-43 (2005), with Eleonora Melato
 - Spanish Translation: *Escuelas positivas, normativas y funcionales en el Análisis Económico del Derecho*, 41 IUS ET VERITAS 10-29 (2011)
- Liability for Pure Financial Loss in Europe: An Economic Restatement*, 51 AMERICAN JOURNAL OF COMPARATIVE LAW 113-162 (2003), with Mauro Bussani and Vernon Palmer
- Reprinted in G. de Geest and R. van denBerg (eds.), COMPARATIVE LAW AND ECONOMICS, Vol. 2, 270-319 (2004)
- Litigation and the Evolution of Legal Remedies: A Dynamic Model*, 116 PUBLIC CHOICE 419-433 (2003), with Vincy Fon
- Reprinted in P. Rubin (ed.), THE EVOLUTION OF EFFICIENT COMMON LAW, 404-418 (2007)
 - Reprinted in R.D. Cooter and F. Parisi (eds.), LEGAL INSTITUTIONS AND ECONOMIC DEVELOPMENT, 244-258 (2009)
- Reciprocity-Induced Cooperation*, 159 JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS 76-92 (2003), with Vincy Fon
- The Cost of Delegated Control: Vicarious Liability, Secondary Liability and Mandatory Insurance*, 23 INTERNATIONAL REVIEW OF LAW AND ECONOMICS 453-475 (2003), with Giuseppe Dari-Mattiacci
- Political Coase Theorem*, 115 PUBLIC CHOICE 1-36 (2003)

- Reprinted in F. Parisi and R.A. Posner (eds.), *THE COASE THEOREM*, Vol. 2, 240-276 (2013)
- Reprinted in R.D. Cooter and F. Parisi (eds.), *LEGAL INSTITUTIONS AND ECONOMIC DEVELOPMENT*, 366-401 (2009)
- German Translation (abridged): *Das Coase-Theorem und politische Märkte* 15 *JOURNAL FÜR RECHTSPOLITIK* 106-113 (2007)

The Disunity of Unanimity, 14 *CONSTITUTIONAL POLITICAL ECONOMY* 83-94 (2003), with Jonathan Klick

Fragmentation of Property Rights: A Functional Interpretation of the Law of Servitudes, 3 *GLOBAL JURIST: FRONTIERS* 2: 1-41 (2003), with Ben Depoorter

Treaty Reservations and the Economics of Article 21 of the Vienna Convention, 21 *BERKELEY JOURNAL OF INTERNATIONAL LAW* 100-126 (2003), with Catherine Sevchenko

- Reprinted in E. Posner (ed.), *ECONOMICS OF PUBLIC INTERNATIONAL LAW*, 243-268 (2010)

The Role of Reciprocity in International Law, 36 *CORNELL INTERNATIONAL LAW JOURNAL* 93-123 (2003), with Nita Ghei

Fair Use and Copyright Protection: A Price Theory Explanation, 21 *INTERNATIONAL REVIEW OF LAW AND ECONOMICS* 453-473 (2002), with Ben Depoorter

- Reprinted in M. Heller (ed.), *COMMONS AND ANTICOMMONS*, Vol. 2, 383-403 (2009)

Rethinking Forum Shopping in Cyberspace, 77 *CHICAGO-KENT LAW REVIEW* 1325-1355 (2002), with Kimberly A. Moore

Rent-Seeking Through Litigation: Adversarial and Inquisitorial Systems Compared, 22 *INTERNATIONAL REVIEW OF LAW AND ECONOMICS* 193-216 (2002)

- Reprinted in R. Congleton, A. Hillman and K. Konrad (eds.), *FORTY YEARS OF RENT SEEKING RESEARCH*, Vol. 2, 397-420 (2008)
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ECONOMIC ANALYSIS OF LAW (with Robert D. Cooter and Thomas Ulen), West Publishing

Submitted Papers

Welfare Models for Copyright Policy, 15 REVIEW OF ECONOMIC RESEARCH ON COPYRIGHT
ISSUES __-__ (2018)

Standards of Proof and Civil Litigation: A Game-Theoretic Analysis, with Alice Guerra
and Barbara Luppi

Are Sequential Trials Really Better than Unitary Trials? with Jef de Mot and Barbara
Luppi

Inverse Adverse Selection: The Market for Gems, with Giuseppe Dari-Mattiacci and
Sander Onderstal

Optimal Government Responses to Tax Planning (available draft), with Phil Curry and
Claire Hill

Presumption of Negligence, with Barbara Luppi and Daniel Pi

Working Papers and Pending Projects

Optimal Jury, with Alice Guerra and Barbara Luppi

Quantifying the 'Beyond a Reasonable Doubt' Standard, with Barbara Luppi and Daniel Pi

Accident Prevention and Social Preferences, with Alice Guerra and Barbara Luppi

Negative Patents, with Alvaro Bustos and Barbara Luppi

Rewarding Failure, with Anup Malani and Jonathan Masur

“The Comparative Law and Economics of Causation” in M. Infantino and E. Zervogianni (eds.), *CAUSATION IN EUROPEAN TORT LAW* __-__ (Cambridge University Press, forthcoming), with Barbara Luppi

Credit Rationing with Externalities, with Barbara Luppi

Negative Proof, with Talia Fisher and Barbara Luppi

Residual Decoupling, with Alice Guerra

Reasonable Doubt: An Economic Analysis, with Daniel Pi

BOOK SERIES

General Editor (with Richard A. Posner), *Economic Approaches to Law* (Edward Elgar, 2006 through 2016):

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Volume 2: ECONOMICS OF FAMILY LAW (Margaret F. Brinig, ed.), 2 vols.

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Volume 54: LAW AND ECONOMICS OF UNCERTAINTY (Joshua C. Teitelbaum, ed.)

General Editor (with Richard A. Posner), *Research Handbooks in Law and Economics* (Edward Elgar, 2011 through 2019):

Volume 1: RESEARCH HANDBOOK ON PUBLIC CHOICE AND PUBLIC LAW (Daniel A. Farber and Anne Joseph O'Connell, eds.)

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General Editor (with Tom Ginsburg), *Research Handbooks in Comparative Law* (Edward Elgar, 2012 through 2019):

Volume 1: COMPARATIVE CONSTITUTIONAL LAW (Tom Ginsburg and Rosalind Dixon, eds.)

Volume 2: COMPARATIVE ADMINISTRATIVE LAW (Susan Rose-Ackerman and Peter L. Lindseth, eds.)

Volume 3: COMPARATIVE PROPERTY LAW (Michele Graziadei and Lionel Smith, eds.)

Volume 4: COMPARATIVE TORT LAW (Mauro Bussani and Anthony J. Sebok, eds.)

Volume 5: METHODS OF COMPARATIVE LAW (Pier Giuseppe Monateri, ed.)

Volume 6: COMPARATIVE LAW AND SOCIETY (David S. Clark, ed.)

Volume 7: COMPARATIVE COMPETITION LAW (John Duns, Arlen Duke and Brendan Sweeney, eds.)

Volume 8: COMPARATIVE CONTRACT LAW (Pier Giuseppe Monateri, ed.)

- Volume 9: COMPARATIVE LAW AND ECONOMICS (Theodore Eisenberg and Giovanni B. Ramello, eds.)
 Volume 10: COMPARATIVE LABOR LAW (Matthew W. Finkin and Guy Mundlak, eds.)
 Volume 11: COMPARATIVE CRIMINAL PROCEDURE (Jacqueline E. Ross and Stephen C. Thaman, eds.)
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 Volume 15: COMPARATIVE ADMINISTRATIVE LAW, 2nd edition (Susan Rose-Ackerman and Peter L. Lindseth, eds.)
 Volume 16: COMPARATIVE POLICING (Monica den Boer, ed.)

General Editor, *International Library in Comparative Law* (Edward Elgar, 2016 through 2019):

- Volume 1: COMPARATIVE PROPERTY LAW (Antonio Gambaro, ed.)
 Volume 2: COMPARATIVE CONSTITUTIONAL LAW (Mark Tushnet, ed.)
 Volume 3: COMPARATIVE CONTRACT LAW (John Haley, ed.)
 Volume 4: COMPARATIVE LAW METHODOLOGY (Maurice Adams, Jaakko Husa and Marieke Oderkerk, eds.)
 Volume 5: COMPARATIVE COMPETITION POLICY (Susan Beth Farmer, ed.)
 Volume 6: COMPARATIVE ADMINISTRATIVE LAW (Paul Craig, ed.)
 Volume 7: COMPARATIVE TORT LAW (Ken Oliphant, ed.)

Editor, *Collected Economic Papers of Richard A. Posner*, 3 volumes (Edward Elgar, 2000 and 2001)

INVITED LECTURES

Keynote Lectures and Dinner Speaker : Asian Law and Economics Association, Ho Chi Minh (Vietnam), 2017; Catholic University of America, Alumni Dinner, 2001; Erasmus Conference in Law and Economics, Ghent (Belgium) 2002; Externado University of Colombia, Bogota (Colombia), 2016; Hamburg Chamber of Commerce (Germany), 2004; Inaugural Lecture, Italian Society for Law and Economics, Siena (Italy), 2005; German National Academic Foundation, Semi-Annual Dinner, University of St. Gallen (Switzerland), 2011; Latin-American and Caribbean Law & Economics Association, 2014; Society for Economic Research on Copyright Issues, University of Eastern Piedmont, Turin (Italy), 2017; Supreme Court of Slovenia, Ljubljana (Slovenia), 2011; University of Catania (Italy), Conference on the Economic Analysis of Litigation, 2014; University of Hamburg (Germany), 2016; University of Minnesota, Oppenheimer Wolff and Donnelly Lecture, 2009; Inaugural Lecture, University of Montreal (Canada), Institute of American Studies, 2002; University of Vienna (Austria), Faculty of Law, 2015.

Chair at Conference Panels : American Law & Economics Association, 2000, 2005, 2009, 2010, 2013; Association of American Law Schools, 2011; Canadian Law and Economics Association, 2002, 2003; European Association of Law & Economics, 2000, 2008, 2009, 2010; International Society for New Institutional Economics, 2005; Italian Society for Law and Economics, 2007, 2009, 2010; Midwestern Law & Economics Association, 2007.

Presentations at Annual Conferences : American Economic Association, 2011; American Law & Economics Association, 1995, 1996, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2017; American Political Science Association, 2000; Association of American Law Schools, 1996, 2009; Canadian Law and Economics Association, 1996, 2001, 2002, 2003, 2004, 2006, 2007, 2009, 2013; Empirical Legal Studies Annual Conference, 2013; European Law & Economics Association, 2000, 2002, 2003, 2004, 2005, 2006, 2008, 2009, 2010, 2015, 2016, 2017; European School of New Institutional Economics, 2006; International Society for New Institutional Economics, 2005, 2007; Italian Comparative Law Association, 2009; Italian Society for Law and Economics, 2006, 2007, 2008, 2009, 2010, 2012; Latin-American and Caribbean Law & Economics Association, 2000, 2009, 2014; Midwestern Law and Economics Association, 2007, 2008, 2009; Public Choice Society, 2014, 2015; Southern Economic Association, 1997, 2005, 2012; World Congress of the International Association for Philosophy of Law and Social Philosophy, 2003.

Roundtables and Debates : Destructuring Coase, Bolzano (Italy), 2010; Guido Calabresi, Rome (Italy), 2005; Antonin Scalia and Dieter Grimm, Washington DC, 2000.

Faculty Workshops : Bar-Ilan University, Ramat Gan (Israel), 2007; Bocconi University, Milan (Italy), 1998, 1999, 2001; Bonn University, Graduate School of Economics (Germany), 2009, 2014; Boston College, School of Law, 2002; Catholic University of America, 2001; Catholic University of Milan, 1998; Chicago-Kent College of Law, 2000, 2001; U.S. Department of Justice, Antitrust Division, 2002; Canadian Department of Justice (Canada), 2003; Duke University, School of Law, 2010; Emory University, School of Law, 2009; European University Institute, Florence (Italy), 2011; Center for Economic Studies, Munich (Germany), 2010; George Mason University, Department of Economics, 2005, 2014; George Mason University, School of Law, 1993, 1994, 1996, 1997, 2001, 2002, 2003, 2004, 2015; Georgetown University, Law Center, 2004, 2005, 2009; Ghent University, School of Law (Belgium), 1996, 2002, 2003, 2005; Hebrew University, Jerusalem (Israel), 2007; Interdisciplinary Center (IDC), Herzliya (Israel), 2009; JNU, Center for the Study of Law and Governance, New Delhi (India), 2005; Louisiana State University, Law Center, 1999; Max Plank Institute for Economic Dynamics, Jena (Germany), 2003, 2004; Max Planck Institute for Law, Economics and Politics, Bonn (Germany), 2001, 2002, 2014; Max Planck Society, Munich (Germany), 2001; Max Planck Society, Woerlitz (Germany), 2002; New York University, Department of Economics, 2001, 2004; Northwestern University, School of Law, 2005, 2012; University of Aix-Marseille III (France), 2005; University of Amsterdam, Department of Economics

(Netherlands), 2005, 2006; University of Amsterdam, Faculty of Law (Netherlands), 2008; University of Amsterdam, Centre for the Study of European Contract Law (Netherlands), 2009; University of Bologna, Economics Department (Italy), 2004, 2006, 2012, 2016; University of Bologna, School of Law (Italy), 2008, 2009; University of California at Berkeley, School of Law, 2003; University of Exeter, Business School (United Kingdom), 2017; University of California at Los Angeles, School of Law, 2013; Case Western Reserve, School of Law, 2006; University of Catania, Department of Economics (Italy), 2009, 2014; University of Chicago, Law School, 1996, 2004, 2013; University of Haifa, School of Law (Israel), 2004, 2006, 2008, 2009; University of Hamburg, Department of Economics (Germany), 1998, 2002, 2003, 2016, 2017; University of Maryland, School of Law, 2004; University of Michigan, Law School, 2001; University of Milan-Bicocca, Department of Statistics (Italy), 2004; University of Milan-Statale, School of Law (Italy), 1998, 2006; University of Minnesota, School of Law, 2005, 2006, 2007, 2010; University of Minnesota, Department of Applied Economics, 2008; University of Minnesota, Freeman Center for International Economic Policy, 2009; University of Modena and Reggio Emilia, Department of Economics (Italy), 2009, 2012; University of North Carolina at Chapel Hill, School of Law, 1996; University of Notre Dame, Law School, 2001, 2004, 2013; Universidad del Pacifico, Facultad de Derecho, Lima (Peru) 2009; Université Paris Est-Créteil (France), 2017; Université Paris X, Department of Economics (France), 2009; University of Pavia, Department of Economics (Italy), 1998; University of Pompeu Fabra, Barcelona (Spain), 2005; University of Santiago Desarrollo (Chile), 2006; University of Siena, Department of Economics (Italy), 1996; University of St. Thomas, School of Law, 2008; University of Tel-Aviv, School of Law (Israel), 2006, 2012; Temple University, School of Law, 2004; University of Texas, School of Law, 2007; University of Toronto, Faculty of Law (Canada), 2012; University of Varese, Department of Economics (Italy), 1998; University of Vienna, Department of Economics (Austria), 2004; University of Virginia, School of Law, 2000; University of Würzburg, Department of Economics (Germany), 1999; Yeshiva University, Cardozo Law School, New York, 1996; York University, Department of Economics (Canada), 2001, 2002.

OTHER EXPERIENCE

Legal Service

2011	Proteus LLC (Drafted Tax Credit Bond Proposal to Italian Government)
2008	Co-Counsel and Oral Argument: Supreme Court of Italy – <i>Sdino Starace v. Uniass Assicurazioni S.p.A.</i>
2006	Court Appointed Expert: U.S. Court of Appeals for the 5 th Circuit and U.S. District Court (Eastern District of Louisiana): <i>Arnold Jackson et al. v. FIE Corporation et al.</i>
2004 – 2007	Tristan Group LLC (Reviewed Structured Fund Investment Proposals)
2003	Plaintiff Appointed Expert: U.S. District Court (Sothern District of New York): <i>In re: Assicurazioni Generali S.p.A. and Holocaust Insurance Litigation</i>

- 1998 – 2002 Advantage Capital Partners, LLC (Reviewed Contracts for European Investment Projects)
- 1995 Plaintiff Appointed Expert: Arbitration, San Francisco, California: *International Editorial Institute v. Guadalupe Associates Incorporated*
- 1993 – 2000 Medical Waste Technologies (Reviewed Licensing Agreements and Assignment of Patent Rights of “Rotoclave” Technology to Italian Manufacturers and Medical Facilities)
- 1986 – 1987 Legal Counsel: District Court of Rome, *Russian Orthodox Church in Italy v. Archbishop of New York and Hierarch of the Russian Church Abroad*
- 1986 – 1987 *Ad hoc* legal advisor to the Central Bank of Italy (Banca d’Italia)
- 1985 – 1987 Law Associate, Studio Legale Prof. Paolo Vitucci, Rome

Community Service

- 2017 – Present President, Neighbors for North Loop Livability (Minnesota Nonprofit Corporation)
- 2017 – Present Director, “Operazione Street Art” (Annual Street Art Festival, Italy)
- 2016 – Present Elected Member, North Loop Neighborhood Association; Co-Chair, Planning and Zoning Committee, Minneapolis (2017)

TEACHING INTERESTS

In the field of Law and Economics: *Law and Economics, Analytical Methods for Lawyers, Regulation Theory, Economics of Competition, Public Choice Theory, Game Theory and the Law*. In the field of International and Comparative law: *Introduction to International Law, International Sales Law, Private International Law, Comparative Law, European Law, European Legal History, and Roman Law*. In the field of Legal Theory: *Perspectives on Law, Tort Theory and Policy, Contract Design*

LANGUAGES

Italian, English. Reading skills in French, Spanish, and Latin

HOBBIES

Contemporary Art and Architecture, Photography, Skiing (PSIA-I Certified Alpine Ski Instructor; Member, Hyland Snowsports Academy), Windsurfing

REFERENCES

Hon. Guido Calabresi, *Judge, U.S. Court of Appeals, 2nd Cir.*
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