

IAN AYRES

Yale Law School
PO Box 408415
New Haven, CT 06520-8415
(203) 432-7101 (VOICE)
(203) 432-4769 (FAX)

15 Loomis Place
New Haven, CT 06511
(203) 624-5654
ian.ayres@yale.edu
www.law.yale.edu/ayres/ (DOWNLOAD PUBLICATIONS)

EDUCATION

- Ph.D. (Economics) Massachusetts Institute of Technology, 1988.
Major Fields: Industrial Organization, Econometrics.
Dissertation: Essays on Vertical Foreclosure, Cartel Stability and the Structural Determinants of Oligopolistic Behavior.
- J.D. Yale Law School, 1986.
Articles Editor, Yale Law Journal.
- B.A. Yale University, 1981.
Majors: Russian and East European Studies (Distinction).
Economics (Distinction).
Summa Cum Laude, 1981.
Phi Beta Kappa, 1980.

PROFESSIONAL APPOINTMENTS

- Oscar M. Ruebhausen Professor, 2021- present.
- Deputy Dean, Yale Law School, 2020 – present.
- William K. Townsend Professor, Yale Law School, 1994 - 2021.
- Professor, Yale School of Management, 1994 - present.
- Anne Urowsky Professorial Fellow, 2009 – 2021.
- Research Associate, National Bureau of Economic Research, 2005 - present.
- Visiting Scholar, Columbia Law School, Fall 2019.
- President, American Law and Economics Association, 2016-17.
- Member, Academic Research Council, Consumer Financial Protection Bureau,

2016 – present.

Editor, JOURNAL OF LAW, ECONOMICS AND ORGANIZATION, 2002 - 2009.

Adviser, The Center for Cost-Effective Consumerism, 2008 – 2011.

Robert B. and Candice J. Haas Visiting Professor, Harvard Law School, Winter Term 2008.

Visiting Professor, University of Illinois, School of Law, 1997-98.

Lecturer, University of Toronto, Faculty of Law, January 1995.

Professor, Stanford Law School, 1992 - 1994.

Lecturer, University of Illinois, School of Law, Summers 1994 and 1995.

Board of Editors, SUPREME COURT ECONOMIC REVIEW, 1993 - .

Lecturer, University of Iowa, School of Law, January Term 1993.

Lecturer, Moscow State Institute of International Relations (MGIMO) -- Cardozo Law Institute, Summer 1992.

Visiting Professor, Yale Law School, Fall 1991.

Visiting Professor, University of Virginia, School of Law,
Fall 1990 - Spring 1991.

Guest Scholar, Brookings Institution, Summer 1990 - Spring 1991.

Associate Professor, Northwestern University, School of Law,
1990 - 1991; (Assistant Professor, 1987-1990).

Research Fellow, American Bar Foundation, 1987 - 1991.

Scholar in Residence, Sonnenschein Nath and Rosenthal - Summer 1990.

Associate Editor, *Law and Social Inquiry*, 1990.

Clerk to the Honorable James K. Logan, Tenth Circuit Court of Appeals, 1986-1987.

Olin Summer Research Fellow, Yale Law School Program in Law, Economics, and Public Policy, May to August 1986.

COURSES TAUGHT

Antitrust, Civil Rights, Commercial Law, Contracts, Corporations, Corporate Finance, Intellectual Property, Law and Economics, Empirical Law and Economics, LGBT Litigation Seminar, Property, Quantitative Methods, Race and the Law, Law and Guns, Law and the Opioid Crisis, Law and COVID.

PUBLIC INTEREST

Member, Board of Directors, Callisto, 2018 - .

Member, Academic Research Council, Consumer Financial Protection Bureau, 2016 - .

Advisor, Justice and Commerce Departments on post-Adarand review of Affirmative Action, 1998.

Member, Board of Directors, Yale Law School Early Learning Center, 1996 - 1997.

Member, Board of Directors, East Palo Alto Community Law Project, 1993 - 1994.

In re Insurance Antitrust Litigation, consulting expert; regarding antitrust claims of 17 state Attorneys General against major commercial insurers, 1988 - 1991.

Counsel in Illinois post-conviction petition, *People v. Titone*, 83-C-127, 1988 to 1992 (Death sentence vacated September 7, 1990; argued claims concerning underlying conviction to Illinois Supreme Court, March 14, 1992).

New Haven Battered Women's Temporary Restraining Order Project, September 1985 to April 1986.

Harvard Prison Legal Assistance Project, October 1983 to May 1984.

Legal Services of Western Missouri, June to August 1983.

Jerome Frank Legal Services Organization, January 1983 to October 1984.

PUBLICATIONS

Books

REACTIVE INCENTIVES (Harvard University Press, forthcoming 2022) (with Guiseppa Dari-Mattiacci).

GOLDBUGS AND GUARDRAILS: HOW TO PRESERVE INVESTOR CHOICE AND IMPROVE RETIREMENT RETURNS (Cambridge University Press, forthcoming 2022) (with Quinn

Curtis).

DISARMED BY CHOICE: LIBERATING INDIVIDUALS TO REDUCE GUN VIOLENCE (Harvard University Press, 2020) (with Fredrick E. Vars).

STUDIES IN CONTRACT LAW (9th edition, Foundation Press, 2017) (with Greg Klass).

STUDIES IN CONTRACT LAW (8th edition, Foundation Press, 2012) (with Greg Klass).

THE \$500 DIET: WEIGHT LOSS FOR PEOPLE WHO ARE COMMITTED TO CHANGE (Kindle Select, 2011).

CARROTS AND STICKS: UNLOCK THE POWER OF INCENTIVES TO GET THINGS DONE (Bantam Books, 2010).

LIFECYCLE INVESTING: A NEW, SAFE, AND AUDACIOUS WAY TO IMPROVE THE PERFORMANCE OF YOUR RETIREMENT PORTFOLIO (Basic Books, 2010) (with Barry Nalebuff).

STUDIES IN CONTRACT LAW (7th edition, Foundation Press, 2008) (with Richard E. Speidel).

SUPER CRUNCHERS: WHY THINKING-BY-NUMBERS IS THE NEW WAY TO BE SMART (BANTAM BOOKS 2007).

Excerpt: How Computers Routed the Experts, Financial Times (August 31, 2007).

STRAIGHTFORWARD: HOW TO MOBILIZE HETEROSEXUAL SUPPORT FOR GAY RIGHTS (PRINCETON UNIVERSITY PRESS 2005) (with Jennifer Gerarda Brown).

INSINCERE PROMISES: THE LAW OF MISREPRESENTED INTENT (YALE UNIVERSITY PRESS, 2005) (with Gregory Klass).

OPTIONAL LAW: THE STRUCTURE OF LEGAL ENTITLEMENTS (UNIVERSITY OF CHICAGO PRESS, 2005).

WHY NOT?: HOW TO USE EVERYDAY INGENUITY TO SOLVE PROBLEMS BIG AND SMALL (Harvard Business School Press, 2003) (with Barry Nalebuff) *also published in Portugese as A Você Pode Tudo@ (Negocio Editora), in Spanish as A ¿Y por que NO@ (Empresa Activa), in Korean (Sejong), in Japanese (Hankyu), in Chinese (The Commercial Press), in Bulgarian (Klasika and Still), in Chinese (China Times), in Estonian (Tanapaev), in Italian (Il Sole), in Korean (Sejong Books), in Russian (Williams Publishing), and in Thai (AR Business Press).*

Book Excerpt: Ideas Waiting to Happen, FORBES 127 (Oct. 27 2003) (with Barry Nalebuff).

Book Excerpt: A Role on the Board for the >Loyal Opposition,= DIRECTORS & BOARDS 32 (Fall 2003).

Book Excerpt: Problem Solving: What Would Croesus Do?, DARWIN (Nov. 2003).

STUDIES IN CONTRACT LAW (6th edition, Foundation Press, 2003) (with Edward J. Murphy & Richard E. Speidel).

VOTING WITH DOLLARS: A NEW PARADIGM FOR CAMPAIGN FINANCE (with Bruce Ackerman) (Yale University Press) (2002).

PERVASIVE PREJUDICE?: UNCONVENTIONAL EVIDENCE OF RACE AND GENDER DISCRIMINATION (University of Chicago Press, 2002).

STUDIES IN CONTRACT LAW (5th edition, Foundation Press, 1997) (with Edward J. Murphy & Richard E. Speidel).

RESPONSIVE REGULATION: TRANSCENDING THE DEREGULATION DEBATE (OXFORD UNIVERSITY PRESS 1992) (with John Braithwaite).

Scholarly Articles and Chapters

Introduction to Gun Violence in America, 48 JOURNAL OF LAW, MEDICINE, AND ETHICS 9 (2020) (with Abbe R. Gluck, and Tracey L. Meares, and Caroline Nobo Sarnoff).

The Walmart Effect: Testing Private Interventions to Reduce Gun Suicide, 48 JOURNAL OF LAW, MEDICINE, AND ETHICS 74 (2020) (with Zachary Shelley and Fredrick E. Vars).

Your Liberty or Your Gun? A Survey of Psychiatrist Understanding of Mental Health Prohibitors, 48 JOURNAL OF LAW, MEDICINE, AND ETHICS 155 (2020) (with Cara Newlon and Brian Barnett).

Guests with Guns: Public Support for “No Carry” Defaults on Private Land, 48 JOURNAL OF LAW, MEDICINE, AND ETHICS 183 (2020) (with Spurthi Jonnalagadda).

How to Make COVID-19 Contact Tracing Apps Work: Insights From Behavioral Economics (Working Paper, September 2020) (with Alessandro Romano and Chiara Sotis)

A Theory of Mandatory Rules: Typology, Policy, and Design, 99 Texas Law Review 283 (2020), (with Eyal Zamir).

Gun Trust as Private Red Flag Law, 34 PROBATE AND PROPERTY 23 (July 2020) (with Frederick Vars).

A Lottery Test of the Effect Of Dispensaries On Emergency Room Visits In Arizona, 29 Health Economics 854 (June 2020) (with Gregory Conyers)

Do Languages Generate Future-Oriented Economic Behavior?: Experimental Evidence for Causal Effects, (working paper, 2021) (with Tamar Kricheli-Katz and Tali Regev).

Sunsets Are for Suckers: An Experimental Test of Sunset Clauses, (working paper 2021) (with Kristen Underhill).

The Impact of Law Student Assistance on the Granting and Service of Temporary Restraining Orders, CONNECTICUT LAW REVIEW (forthcoming 2021) (with Brendan Costello and Elizabeth Villarreal).

Alpha Duties: The Search For Excess Returns and Appropriate Fiduciary Duties, 97 TEXAS LAW REVIEW 445 (2019) (with Edward G. Fox).

Libertarian Gun Control, 167 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 921 (2019) (with Fredrick E. Vars).

Social Security Plus, 26 ELDER LAW JOURNAL 261 (2019) (with Jacob Hacker).

The Impact of Prescription Drug Monitoring Programs on U.S. Opioid Prescriptions, 46 JOURNAL OF LAW, MEDICINE & ETHICS 387 (2018). (with Amen Jalal).

Targeting Repeat Offender NDAs, 71 STANFORD LAW REVIEW ONLINE (2018).

Time for a Truce with Gun Makers, MILKEN INSTITUTE REVIEW (March 22, 2018).

Gun Control Solution Manufacturers Can Get Behind, BROOKINGS SERIES ON MARKET AND GOVERNMENT FAILURES (March 14, 2018) (with Abraham L. Wickelgren).

The Rise and (Potential) Fall of Disparate Impact Lending Litigation, in EVIDENCE AND INNOVATION IN HOUSING LAW AND POLICY 231 (CAMBRIDGE UNIVERSITY PRESS, 2017) (with Gary Klein & Jeffrey West).

How A “No Guns” Registry Could Help Prevent Firearm-Related Suicides, BROOKINGS SERIES ON MARKET AND GOVERNMENT FAILURES (June 20, 2017) (with Frederick Vars).

A Market Test for Bayh–Dole Patents, 102 CORNELL L. REV. 271 (2017) (with Lisa Larrimore Ouellette).

Using the False Claims Act to Remedy Tax Expenditure Fraud, 66 DUKE L. J. 535 (2016) (with Robert McGuire).

Contracting for Privacy Precaution (and a Laffer Curve for Crime), 45 J. LEGAL STUD. 123 (2016).

Voluntary Taxation and Beyond: The Promise of Social-Contracting Voting Mechanisms, 19 AM. L. & ECON. REV. 1 (2016).

Innovation Sticks: The Limited Case for Penalizing Failures to Innovate, 82 U. CHI. L. REV. 1781 (2015) (with Amy Kapczynski).

Race Effects on eBay, 46 RAND JOURNAL OF ECONOMICS 891 (2015) (with Mahzarin Banaji and Christine Jolls).

The Rule of Probabilities, 67 STANFORD LAW REVIEW 1447 (2015) (with Barry Nalebuff).

Beyond Diversification: The Pervasive Problem of Excessive Fees and “Dominated Funds” in 401(k) Plans, 124 YALE LAW JOURNAL 1346 (2015) (with Quinn Curtis).

Protecting Consumer Investors by Facilitating “Improved Performance” Competition, 2015 UNIVERSITY OF ILLINOIS LAW REVIEW 1 (2015) (with Quinn Curtis).

Unhappy Meals: Sex Discrimination in Toy Choice at McDonald's, 21 WILLIAM & MARY JOURNAL OF WOMEN AND THE LAW 237 (2015) (with Antonia Rose Ayres-Brown).

Effect of Perineal Self-Acupressure on Constipation: The PSAC Randomized, Controlled Trial, JOURNAL GENERAL INTERNAL MEDICINE (November 2014) (with Ryan Abbott, Ed Hui and Ka-Kit Hui)

Anti-Herding Regulation, 5 HARVARD BUSINESS LAW REVIEW 1 (2015) (with Joshua Mitts).

Book Review of *The Behavior of Federal Judges: A Theoretical and Empirical Study of Rational Choice*. By Lee Epstein, William M. Landes, and Richard A. Posner. Harvard University Press, 2013. 52 (LII) JOURNAL OF ECONOMIC LITERATURE 866 (September 2014).

Evidence and Extrapolation: Mechanisms for Regulating Off-Label Uses of Drugs and Devices, 64 DUKE LAW JOURNAL 377 (2014) (with Ryan Abbott).

Three Proposals for Regulating the Distribution of Home Equity, 31 YALE JOURNAL ON

REGULATION 77 (2014) (with Joshua Mitts).

A Randomized Experiment Assessing the Accuracy of Microsoft's "Bing It On" Challenge Claims, 26 LOYOLA LAW REVIEW 1 (2014) (with Emad Atiq, Sheng Li, Michelle Lu, Christine Tsang, & Tom Maher).

The Chastain Effect: Using Title IX to Measure the Causal Effect of Participating in High School Sports on Adult Women's Social Lives, 48 JOURNAL OF SOCIO-ECONOMICS 62 (2014) (with Phoebe Clarke).

Skeletons in the Database: An Early Analysis of the CFPB's Consumer Complaints 19 FORDHAM JOURNAL OF CORPORATE & FINANCIAL LAW 343 (2014) (with Jeff Lingwall, & Sonia Steinway).

Measuring Fiduciary and Investor Losses in 401(k) Plans (working paper 2013) (with Quinn Curtis).

The No Reading Problem in Consumer Contract Law, 66 STANFORD LAW REVIEW 545 (2014) (with Alan Schwartz).

Tops, Bottoms, and Versatiles: What Straight Views of Penetrative Preferences Could Mean for Sexuality Claims Under Price Waterhouse, 123 YALE LAW JOURNAL 714 (2013) (with Richard Luedeman).

Diversification Across Time, 39 JOURNAL OF PORTFOLIO MANAGEMENT 73 (Winter 2013) (with Barry Nalebuff). Winner of Bernstein Fabozzi/Jacobs Levy Outstanding Article Award.

Information Escrows, 111 MICHIGAN LAW REVIEW 145 (2012) (with Cait Unkovic).

Anti-Incentives: The Power of Resisted Temptation, EUROPEAN FINANCIAL REVIEW 40 (February-March 2012).

Regulating Opt Out: An Economic Theory of Altering Rules, 121 YALE LAW JOURNAL 2032 (2012).

Randomizing Law, 159 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 929 (2011) (with Michael Abramowicz & Yair Listokin).

Testing for Discrimination and the Problem of "Included Variable Bias," working paper (2010).

Meador Lecture: Using Commitment Contracts to Further Ex Ante Freedoms: The Twin Problems of Substitution and Ego Depletion, 62 ALABAMA LAW REVIEW 811 (2011).

Commitment Bonds, 100 GEORGETOWN LAW JOURNAL 605 (2012) (with Michael Abramowicz).

The Erasure of the Affirmative Action Debate in the Age of Obama, in THE OBAMAS AND A (POST) RACIAL AMERICA (Gregory Parks & Matthew Hughey, eds. Oxford University Press) (2011).

Theodicy and the Law, 78 UMKC Law Review 1023 (2010), republished in BEYOND ONE L (Nancy Levit & Allen Rostron, eds., Carolina Academic Press) (2019).

Optimal Voting Rules for Two-member Tenure Committees, 36 SOCIAL CHOICE & WELFARE 323 (2011) (with Colin Rowat and Nasser Zakariya).

Schwartz Lecture, Never Say No: The Law, Economics and Psychology of Counteroffers, 25 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 603 (2010).

Yet Another Refutation of the More Guns, Less Crime Hypothesis – With Some Help From Moody and Marvell, 6 ECON. J. WATCH 35 (2009) (with John Donohue).

More Guns, Less Crime Fails Again: The Latest Evidence from 1977 – 2006, 6 ECON. J. WATCH 218 (2009) (with John Donohue).

Evidence from Two Large Field Experiments that Peer Comparison Feedback Can Reduce Residential Energy Usage, 29 JOURNAL OF LAW, ECONOMICS AND ORGANIZATION 992 (2013) (with Sophie Raseman & Alice Shih).

Yet Another Refutation of the More Guns, Less Crime Hypothesis – With Some Help From Moody and Marvell, 6 ECON. JOURNAL WATCH 35-59 (January 2009) (with John J. Donohue, III).

A Study of Racially Disparate Outcomes in the Los Angeles Police Department, prepared for the ACLU of Southern California, available at www.aclu-sc.org (October 2008) (with Jonathan Borowsky).

Options and Epidemics, DAEDALUS 118 (Spring 2008).

Tradable Patent Rights, 60 STANFORD LAW REVIEW 863 (2007) (with Gideon Parchomovsky).

Privatizing Employment Protection, 49 ARIZONA LAW REVIEW 587 (2007) (with Jennifer Gerarda Brown).

Market Power and Inequality: A Competitive Conduct Standard for Assessing When

Disparate Impacts are Justified, 95 CALIFORNIA LAW REVIEW 669 (2007).

Comment on Jolls's Behavioral Law and Economics, in BEHAVIORAL ECONOMICS AND ITS APPLICATIONS (Peter Diamond & Hannu Vartiainen, eds., 2007).

Seeing Significance: Is the 95% Probability Range Easier to Perceive?, 20 CHANCE 11 (Winter 2007) (with Antonia Ayres-Brown & Henry Ayres-Brown).

Written Statement, Disparity Studies as Evidence of Discrimination in Federal Contracting, U.S. COMMISSION ON CIVIL RIGHTS (May 2006).

The Secret Refund Booth, 73 UNIVERSITY OF CHICAGO LAW REVIEW 1107 (2006) (with Bruce Ackerman), published in Spanish in MAS ALLA DEL ACCESO A LA INFORMACION 282 (John M. Ackerman ed. 2008).

New Rules for Promissory Fraud, 48 ARIZONA LAW REVIEW 957 (2006) (with Gregory Klass).

Don't Tell, Don't Ask: Narrow Tailoring After Grutter and Gratz, 85 TEXAS LAW REVIEW 517 (2006) (with Sydney Foster).

Ya-HUH: There Are and Should Be Penalty Defaults, 33 FLORIDA STATE UNIVERSITY LAW REVIEW 589 (2006).

Promissory Fraud, 78 NEW YORK STATE BAR ASSOCIATION JOURNAL 26 (May 2006) (with Gregory Klass).

Menus Matter, 73 UNIVERSITY OF CHICAGO LAW REVIEW 3 (2006).

First Amendment Bargains, 18 YALE J. L. & HUMANITIES 178 (2006).

Mark(et)ing Nondiscrimination: Privatizing ENDA with a Certification Mark, 104 MICHIGAN LAW REVIEW 1639 (2006) (with Jennifer Gerarda Brown).

Institutional and Evolutionary Failure and Economic Development in the Middle East, 30 YALE JOURNAL OF INTERNATIONAL LAW 397 (2005) (with Jonathan Macey).

Does Affirmative Action Reduce the Number of Black Lawyers?, 57 STANFORD LAW REVIEW 1807 (2005) (with Richard Brooks).

A Separate Crime of Reckless Sex, 72 UNIVERSITY OF CHICAGO LAW REVIEW 599 (2005) (with Katharine Baker).

To Insure Prejudice: Racial Disparities in Taxicab Tipping, 114 YALE LAW JOURNAL 1613

(2005) (with Fred Vars and Nasser Zakariya).

Discrimination in Consummated Car Purchases, in HANDBOOK ON EMPLOYMENT DISCRIMINATION RESEARCH: RIGHTS AND REALITIES 137 (Springer 2005).

The Inclusive Command: Voluntary Integration of Sexual Minorities into the U.S. Military, 103 MICHIGAN LAW REVIEW 150 (2004) (with Jennifer Gerarda Brown).

Should Heterosexuals Boycott Marriage?, ISSUES IN LEGAL SCHOLARSHIP, Single-Sex Marriage (2004): Article 2, <http://www.bepress.com/ils/iss5/art2> (with Jennifer Gerarda Brown).

Promissory Fraud Without Breach, 2004 WISCONSIN LAW REVIEW 507 (2004) (with Gregory Klass).

Three Tests for Measuring Unjustified Disparate Impacts in Organ Transplantation: The Problem of a Included Variable@ Bias, 48 PERSPECTIVES IN BIOLOGY AND MEDICINE S68 (2005).

The Brennan Center Jorde Symposium Issue on Bruce Ackerman & Ian Ayres, Voting With Dollars: A New Paradigm for Campaign Finance Reform, 91 CALIFORNIA LAW REVIEW 641 (2003) and *The New Paradigm Revisited*, 91 CALIFORNIA LAW REVIEW 743 (2003) (with Bruce Ackerman).

Symposium Issue on Ian Ayres, Pervasive Prejudice?: Unconventional Evidence of Race and Gender Discrimination (2002), 55 STANFORD LAW REVIEW 2267 (2003) and *Is Discrimination Elusive?*, 55 STANFORD LAW REVIEW 2419 (2003)

Symposium Issue Commentaries on Bruce Ackerman & Ian Ayres, Voting With Dollars: A New Paradigm for Campaign Finance Reform, 37 UNIVERSITY OF RICHMOND LAW REVIEW 935 (2003) and *Why a New Paradigm?*, 37 UNIVERSITY OF RICHMOND LAW REVIEW 1147 (2003) (with Bruce Ackerman).

Shooting Down the More Guns, Less Crime Hypothesis, 55 STANFORD LAW REVIEW 1193 (2003) (with John J. Donohue III).

The Latest Misfires in Support of the More Guns, Less Crime Hypothesis, 55 STANFORD LAW REVIEW 1371 (2003) (with John J. Donohue III).

Marketing Privacy, 20 YALE JOURNAL ON REGULATION 77 (2003) (with Matthew Funk).

Correlated Values in the Theory of Property and Liability Rules, 32 JOURNAL OF LEGAL STUDIES 121 (2003) (with Paul Goldbart).

Valuing Modern Contract Scholarship, 112 YALE LAW JOURNAL 881 (2003).

Outcome Tests of Racial Disparities in Police Practices, 4 JOURNAL OF THE JUSTICE RESEARCH & STATICS ASSOCIATION 131 (2002).

Internalizing Outsider Trading, 101 MICHIGAN LAW REVIEW 313 (2002) (with Stephen Choi).

Optimal Delegation and Decoupling in the Design of Liability Rules, 100 MICHIGAN LAW REVIEW 1 (2001) (with Paul Goldbart).

Using Public Affirmative Action to Remedy Private Discrimination (with Frederick E. Vars) Chapter 2 in NYU WORKING PAPERS ON LABOR AND EMPLOYMENT LAW: 1998-1999 35 (2001).

A Dilution Mechanism for Valuing Corporations in Bankruptcy, 111 YALE LAW JOURNAL 83 (2001) (with Barry E. Adler).

Substitutes for Insider Trading, 54 STANFORD LAW REVIEW 235 (2001) (with Joe Bankman).

2000 MONSANTO LECTURE IN TORT REFORM AND JURISPRUDENCE: *Using Tort Settlement To Cartelize*, 34 VALPARAISO UNIVERSITY LAW REVIEW 595 (2000).

Disclosure versus Anonymity In Campaign Finance, in DESIGNING DEMOCRATIC INSTITUTIONS, XLII NOMOS 19 (Ian Shapiro & Stephen Macedo, eds.2000).

Economics of Affirmative Action, in 2 ENCYCLOPEDIA OF THE AMERICAN CONSTITUTION 848 (Leonard W. Levy & Kenneth L. Karst, eds., 2d ed. 2000)

Empire or Residue: Competing Visions of the Contractual Canon, in LEGAL CANONS 47 (J.M. Balkin and S. Levinson, eds.) (2000).

Threatening Inefficient Performance, 44 EUROPEAN ECONOMIC REVIEW 818 (2000) (with Kristin Madison).

Determinants of Citations to Articles in Elite Law Review, 29 JOURNAL OF LEGAL STUDIES 427 (2000) (with Fredrick E. Vars).

Taking Issue With Issue Advocacy, 85 VIRGINIA LAW REVIEW 1793 (1999).

Nondiscretionary Concealed Weapons Laws: A Case Study of Statistics, Standards of Proof and Public Policy, 1 AMERICAN LAW AND ECONOMICS REVIEW 436 (1999) (with John J. Donohue III).

Threatening Inefficient Performance of Injunctions and Contracts, 148 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 45 (1999) (with Kristin Madison).

The Employment Contract, 8 KANSAS JOURNAL OF LAW AND PUBLIC POLICY 71 (1999) (with Stewart Schwab).

Comment [on AThe Tobacco Deal@ by Jeremy Bulow & Paul Klemperer], in BROOKINGS PAPERS ON ECONOMIC ACTIVITY: MICROECONOMICS 395 (1998).

Eroding Entitlements as Litigation Commitment, 66 UNIVERSITY OF CHICAGO LAW REVIEW 836 (1999).

Majoritarian v. Minoritarian Defaults, 51 STANFORD LAW REVIEW 1591 (1999) (with Robert Gertner).

1998 LADD LECTURE: *Empire or Residue: Competing Visions of the Contractual Canon*, 26 FLORIDA STATE LAW REVIEW 897 (1999).

Discrediting the Free Market, 66 UNIVERSITY OF CHICAGO LAW REVIEW 273 (1999).

Limiting Patentees= Market Power Without Reducing Innovation Incentives: The Perverse Benefits of Uncertainty and Non-Injunctive Remedies, 97 MICHIGAN LAW REVIEW 985 (1999) (with Paul Klemperer).

When Does Private Discrimination Justify Public Affirmative Action? 1998 COLUMBIA LAW REVIEW 1577 (1998) (with Fredrick E. Vars).

1998 MONSANTO LECTURE IN TORT REFORM AND JURISPRUDENCE: *Protecting Property With Puts*, 32 VALPARAISO UNIVERSITY LAW REVIEW 793 (1998).

APro-competitive Executive Compensation@ as a Condition for Approval of Mergers that Simultaneously Exploit Consumers and Enhance Efficiency, 19 CANADIAN COMPETITION RECORD 18 (Spring 1998) (with Stephen F. Ross).

The Donation Booth: Mandating Donor Anonymity to Disrupt the Market for Political Influence, 50 STANFORD LAW REVIEW 837 (1998) (with Jeremy Bulow) republished as *La Donacion Secreta: Evitar que los candidatos sepan quienes son sus donantes permite desaticular el trafico de influencias*, 83 ESTUDIOS PUBLICOS 67 (2001).

Measuring the Positive Externalities from Unobservable Victim Precaution: An Empirical Analysis of Lojack, 113 QUARTERLY JOURNAL OF ECONOMICS 43 (1998) (with Steven D. Levitt).

Default Rules for Incomplete Contracts, THE NEW PALGRAVE DICTIONARY OF ECONOMICS

AND THE LAW, Vol. A-D 585 (Peter Newman, ed., 1998).

Three Proposals To Harness Private Information in Contract, 21 HARVARD JOURNAL OF LAW AND PUBLIC POLICY 135 (1997).

The Twin Faces of Judicial Corruption: Extortion and Bribery, 74 DENVER UNIVERSITY LAW REVIEW 1231 (1997).

Never Confuse Efficiency With A Liver Complaint, 1997 WISCONSIN LAW REVIEW 503 (1997).

Common Knowledge As A Barrier to Negotiation, 44 UCLA LAW REVIEW 1631 (1997) (with Barry Nalebuff).

Legal Entitlements as Auctions: Property Rules, Liability Rules, and Beyond, 106 YALE LAW JOURNAL 703 (1997) (with Jack Balkin).

Narrow Tailoring, 43 UCLA LAW REVIEW 1781 (1996).

Pushing the Envelope: Antitrust Implications of the Envelope Theorem, 17 MISSISSIPPI COLLEGE LAW REVIEW 21 (1996). *See also* ELECTRONIC DISCUSSION, 17 MISSISSIPPI COLLEGE LAW REVIEW 91, 93, 102 (1996).

Comment on Painter, 65 FORDHAM LAW REVIEW 201 (1996).

The Q-Word As Red Herring: Why Disparate Impact Liability Does Not Induce Hiring Quotas, 74 TEXAS LAW REVIEW 1485 (1996) (with Peter Siegelman).

Review, *Overcoming Law*, by Richard A. Posner, 40 AMERICAN JOURNAL OF LEGAL HISTORY 371 (1996).

Pursuing Deficit Reduction Through Diversity: How Affirmative Action at the FCC Increased Auction Competition, 48 STANFORD LAW REVIEW 761 (1996) (with Peter Cramton).

Supply Side Inefficiencies and Competitive Federalism, in INTERNATIONAL REGULATORY COMPETITION AND COORDINATION: PERSPECTIVES ON ECONOMIC REGULATION IN EUROPE AND THE UNITED STATES (Oxford University Press, 1996) (McCahery, Barattton et al. eds.)

Distinguishing Between Consensual and Nonconsensual Advantages of Liability Rules, 105 YALE LAW JOURNAL 235 (1995) (with Eric Talley).

Further Evidence of Discrimination in New Car Negotiations and Estimates of Its Cause, 94 MICHIGAN LAW REVIEW 109 (1995).

Review, *The Limits of Freedom of Contract*, by Michael J. Trebilcock, 33 JOURNAL OF ECONOMIC LITERATURE. 865 (1995).

HLA Matching in Renal Transplantation, 332 THE NEW ENGLAND JOURNAL OF MEDICINE 752 (1995) (with Robert Gaston and Mark Deierhoi).

Solomonic Bargaining: Dividing A Legal Entitlement To Facilitate Coasean Trade, 104 YALE LAW JOURNAL 1027 (1995) (with Eric Talley).

Supply-Side Inefficiencies in Corporate Charter Competition: Lessons from Patents, Yachting and Bluebooks, 43 KANSAS LAW REVIEW 541 (1995).

Race and Gender Discrimination in Negotiation For the Purchase of a New Car, 84 AMERICAN ECONOMIC REVIEW 304 (1995) (with Peter Siegelman).

Alternative Grounds: Epstein's Discrimination Analysis in Other Market Settings, 31 UNIVERSITY OF SAN DIEGO LAW REVIEW 67 (1994).

A Market Test for Race Discrimination in Bail Setting, 46 STANFORD LAW REVIEW 987 (1994) (with Joel Waldfogel).

Preliminary Thoughts on Optimal Tailoring of Contractual Rules, 3 SOUTHERN CALIFORNIA INTERDISCIPLINARY LAW JOURNAL 1 (1993).

Relational Investing And Agency Theory, 15 CARDOZO LAW REVIEW 1033 (1994) (with Peter Cramton).

Economic Rationales For Mediation. 80 VIRGINIA LAW REVIEW 323 (1994) (with Jennifer Gerarda Brown).

Mutual and Unilateral Mistake in Contract Law, 22 JOURNAL OF LEGAL STUDIES 309 (1993) (with Eric Rasmusen).

Racial Equity in Renal Transplantation: The Disparate Impact of HLA-Based Allocation, 270 JOURNAL OF AMERICAN MEDICAL ASSOCIATION 1352 (1993) (with Robert Gaston, Laura Dooley and Arnold Diethelm). *Response to letters-to-the-editors*, 271 JOURNAL OF AMERICAN MEDICAL ASSOCIATION 269 (1994).

Unequal Racial Access to Kidney Transplantation, 46 VANDERBILT LAW REVIEW 805 (1993) (with Laura Dooley and Robert Gaston).

Making a Difference: The Contractual Contributions of Easterbrook and Fischel, 59 UNIVERSITY OF CHICAGO LAW REVIEW 1391 (1992), reprinted in 35 *Corporate Practice*

Commentator 65 (1993).

Designing Responsive Regulatory Institutions, 2 *THE RESPONSIVE COMMUNITY* 41 (1992) (with John Braithwaite).

Judging Close Corporations in the Age of Statutes, 70 *WASHINGTON UNIVERSITY LAW QUARTERLY* 365 (1992).

Partial Industry Regulation: A Monopsony Standard for Consumer Protection, 80 *CALIFORNIA LAW REVIEW* 13 (1992) (with John Braithwaite).

Strategic Contractual Inefficiency and the Optimal Choice of Legal Rules, 101 *YALE LAW JOURNAL* 729 (1992) (with Rob Gertner).

The Possibility of Inefficient Corporate Contracts, 60 *CINCINNATI LAW REVIEW* 387 (1991).

Three Approaches to Modelling Corporate Games: Some Observations, 60 *CINCINNATI LAW REVIEW* 419 (1991).

Tripartism: Regulatory Capture and Empowerment, 16 *LAW AND SOCIAL INQUIRY* 435 (1991) (with John Braithwaite).

Pregnant With Embarrassments: An Incomplete Theory of the Seventh Amendment, 26 *VALPARAISO UNIVERSITY LAW REVIEW* 385 (1991).

Back to Basics: Regulating How Corporations Speak to the Market, 77 *VIRGINIA LAW REVIEW* 945 (1991).

Fair Driving: Gender and Race Discrimination in Retail Car Negotiations, 104 *HARVARD LAW REVIEW* 817 (1991).

Optimal Pooling in Claims Resolution Facilities, 53 *LAW AND CONTEMPORARY PROBLEMS* 159 (1990).

"I'll Sell It To You at Cost:" Legal Methods to Promote Retail Markup Disclosure, 84 *NORTHWESTERN LAW REVIEW* 1047 (1990) (with F. Clayton Miller).

Analyzing Stock Lockups: Do Target Treasury Sales Foreclose or Facilitate Takeover Auctions?, 90 *COLUMBIA LAW REVIEW* 682 (1990).

Playing Games with the Law, 42 *STANFORD LAW REVIEW* 1291 (1990).

Unlocking the Stock Lockup in Mobil v. Marathon Oil, 1 *JOURNAL OF MERGER AND*

ACQUISITION ANALYSIS 37 (1990).

Filling Gaps in Incomplete Contracts: An Economic Theory of Default Rules, 99 YALE LAW JOURNAL 87 (1989) (with Robert Gertner), *reprinted* 7 PEKING UNIVERSITY LAW REVIEW 17 (2005).

A Private Revolution: Markovits and Markets, 64 CHICAGO-KENT LAW REVIEW 861 (1989).

The Economics of the Insurance Antitrust Suits: Toward an Exclusionary Theory, 63 TULANE LAW REVIEW 971 (1989) (with Peter Siegelman) *reprinted* 4 NATIONAL INSURANCE LAW REVIEW 1 (1990) and 4 INSURANCE LAW ANTHOLOGY 501 (1989-1990).

Determinants of Airline Carrier Conduct, 8 INTERNATIONAL REVIEW OF LAW & ECONOMICS, 187 (1988).

A Theoretical Fox Meets Empirical Hedgehogs: Competing Approaches to Accident Economics, 82 NORTHWESTERN LAW REVIEW 837 (1988).

Halfway Home, 13 LAW AND SOCIAL INQUIRY 413 (1988).

How Cartels Punish: A Structural Theory of Self-Enforcing Collusion, 87 COLUMBIA LAW REVIEW 295 (1987).

Posner's Symphony No. 3: Thinking About the Unthinkable, 39 STANFORD LAW REVIEW 791 (1987) (with John Donohue).

Rationalizing Antitrust Cluster Markets, 95 YALE LAW JOURNAL 109 (1985).

Popular Press

Blog Contributor: [Freakonomics](#) and [Balinization](#).

Why the Capitol Riot Could Speed Up D.C.'s Path to Statehood, LOS ANGELES TIMES (January 25, 2021).

A New Tool to Reduce Veteran Suicide, THE HILL (Nov. 11 2020) (with Fredrick Vars).

Peaceful Assembly Can't Happen Without the Option Of Gun-Free Events, WASHINGTON POST (Oct. 28, 2020) (with Fredrick Vars).

Suicide Accounts for Most Gun Deaths: A Libertarian Approach Could Help, WALL STREET JOURNAL (Oct. 14, 2020) (with Fredrick Vars).

Is Biden or Bernie More Electable?, LOS ANGELES TIMES (March 5, 2020) (with Zachary Shelley).

Temporary Restraining Order in Connecticut Don't Always Take Effect; That Needs to Change, HARTFORD COURANT, October 6, 2019 (with Brendan Costello).

Guess How Much Cheaper Your Auto Loan Would Be If Dealers Had To Play Fair, WASHINGTON POST, June 26, 2019.

How We Learned to Love the Toll, HARTFORD COURANT, June 14, 2019 (with Steven Berry , Kenneth Gillingham and Barry Nalebuff).

Most New Year's Resolutions Fail. If You Want Yours to Succeed, Put Some Money Behind It, LOS ANGELES TIMES, Jan. 1, 2019.

Save a Grandma. Get Your Flu Shot, LOS ANGELES TIMES, Nov. 12, 2018.

The U.S. Is in a State of Perpetual Minority Rule, WASHINGTON POST, Nov. 8, 2018 (with Daniel Markovits).

Drug Users Keep Accidentally Poisoning Themselves. Here's an Idea to Stop Them, WASHINGTON POST, Sept. 9, 2018.

Democrats need a Plan B for the Supreme Court. Here's one option, WASHINGTON POST July 27, 2018 (with John Fabian Witt).

A New Way To Reduce Gun Suicides, And Maybe Mass Shootings Too, LOS ANGELES TIMES, March 12, 2018 (with Fredrick Vars).

Democracy Dollars' Can Give Every Voter a Real Voice in American Politics, WASHINGTON POST November 5, 2015 (with Bruce Ackerman).

Meet Callisto, the Tinder-like Platform that Aims to Fight Sexual Assault, WASHINGTON POST, Oct. 9, 2015.

Fix VW's Polluting Diesels, and Fix the Recall System Too, LOS ANGELES TIMES, Sept. 28, 2015.

In Supreme Court redistricting case, it's the 'whole number of persons', LOS ANGELES TIMES, May 29, 2015 (with Bruce Ackerman).

John Roberts' Roadmap for Campaign Finance Reform, THE ATLANTIC, May 7, 2015 (with Bruce Ackerman).

Statistical Methods Can Demonstrate Racial Disparity, NEW YORK TIMES, April 27, 2015.

When Whites Get a Free Pass: Research Shows White Privilege is Real, NEW YORK TIMES A23 (February 24, 2015).

Ending Excessive Police Force Starts With New Rules Of Engagement, WASHINGTON POST A25 (December 25, 2014) (Daniel Markovits) .

Obama, the Least Lame President?, NEW YORK TIMES A27 (Dec. 21, 2014) (with John Fabian Witt).

All Eyes on Obama: Obama needs to put his money where his mouth is on campaign finance reform, Slate, http://www.slate.com/articles/news_and_politics/jurisprudence/2014/04/campaign_finance_reform_will_obama_break_his_alliance_with_the_court.html (April 4, 2014) (with Bruce Ackerman),

The U.S. Hypocrisy Over Russia's Anti-gay Laws, WASHINGTON POST, January 31, 2014 (with William Eskridge).

Canceling the Shutdown, Playing by the Rules, LOSANGELESTIMES.COM (Oct 4, 2013) (with Bruce Ackerman).

How the Internet Can Save Journalism, HUFFINGTON POST (August 7, 2013) (with Bruce Ackerman).

How Congress Can Overrule Citizens United, HUFFINGTON POST (February 8, 2012) (with Bruce Ackerman).

Don't Tax the Rich. Tax Inequality Itself, NEW YORK TIMES A29 (December 18, 2011) (with Aaron S. Edlin).

Paying Students to Quit Law School, SLATE (November 18, 2011) (with Akhil Reed Amar).

How to Hire A Federal Watchdog, WASHINGTON POST (June 23, 2011).

Did Egypt's Rising Economy Lead to Hosni Mubarak's Fall?, POLITICO (Feb. 18, 2011) (with Jonathan Macey).

Bring on the Share Economy, FORBES (Sept. 13, 2010) (with Barry Nalebuff).

Make a Commitment, FORBES (August 30, 2010) (with Barry Nalebuff).

Despite Court Ruling, Congress Can Still Limit Campaign Finance, WASHINGTON POST (Jan. 26, 2010) (with Bruce Ackerman).

Winning the Audit Lottery, FORBES (Nov. 30, 2009) (with Barry Nalebuff).

A Market Test for Credit Cards, FORBES (June 25, 2009) (with Barry Nalebuff).

Crazy Eddie's House Sale, SLATE <http://www.slate.com/id/2219369/> (June 1, 2009) (with Daniel Markovits).

Why not nominate vice justices for the Supreme Court?, LOS ANGELES TIMES (May 7, 2009) (with Akhil Reed Amar).

A Voluntary Gas Tax, FORBES (March 16, 2009) (with Barry Nalebuff).

A National Endowment for Journalism, THE GUARDIAN (February 13, 2009) (with Bruce Ackerman).

Your Personal Climate Exchange, FORBES (November 24, 2008) (with Barry Nalebuff).

The LAPD and Racial Profiling, LOS ANGELES TIMES (Oct. 23, 2008).

Sell the Conventions, FORBES (Oct. 13, 2008) (with Barry Nalebuff).

Adam Smith Meets Climate Change, SLATE www.slate.com/id/2200911/ (September 25, 2008) (with Doug Kysar).

New Jingles May Be Coins in Your Pocket, MARKETPLACE (July 21, 2008) (public radio commentary with Barry Nalebuff).

An Equity Kicker, FORBES 113 (May 19, 2008) (with Barry Nalebuff).

Mining Unconscious Wisdom, HARVARD BUSINESS REVIEW (March 1, 2008).

Lose Weight? Bet On It, LOS ANGELES TIMES (Jan. 27, 2008).

Where Money Is No Object, THE GUARDIAN (Jan. 26, 2008) (with Bruce Ackerman).

The New Green, FORBES 119 (Jan. 7, 2008) (with Barry Nalebuff).

A Roundtable Discussion: Citizenship & the Sciences, 2 RHI: PROMOTING ACTIVE CITIZENSHIP 68 (2007).

Give Freakonomics a Chance, "THE ECONOMIST'S VOICE, Vol. 4 : Iss. 5, Article 1.

Available at: <http://www.bepress.com/ev/vol4/iss5/art1>.

Prepare to be Super-Crunched, THE TIMES HIGHER EDUCATION SUPPLEMENT 18 (Oct. 26, 2007).

Now, The Customer's Always Managed (Oct. 8, 2007) (public radio commentary with Barry Nalebuff).

Experiment, FORBES 103 (Sept. 3, 2007) (with Barry Nalebuff).

Streamline Tax Filing, YALE LAW REPORT 48 (Summer 2007).

Did You Use That Gift Card or Rebate? (Aug. 9, 2007) (public radio commentary with Barry Nalebuff).

You Found a Better Idea, PARADE (July 8, 2007) (with Barry Nalebuff).

Down With Plutocrats and Fat Cat Donors, SLATE www.slate.com/id/2169025 (June 25, 2007) (with Bruce Ackerman).

Cupid and Colleges, FORBES 87 (May 9, 2007) (with Barry Nalebuff).

For Many, Forms Could Be a Lot Less Taxing, (April 16, 2007) (public radio commentary with Barry Nalebuff).

Do You Have A Better Idea?, PARADE (March 25, 2007) (with Barry Nalebuff).

For the Love of the Game, FORBES 54 (March 12, 2007) (with Barry Nalebuff).

Environmental Atonement, FORBES 87 (Dec. 25, 2006) (with Barry Nalebuff).

Skin in the Game, FORBES 156 (Nov. 13, 2006) (with Barry Nalebuff).

The Hollow Promise: Sexual Orientation Nondiscrimination Policies, 24 ASSOCIATION OF CORPORATE COUNSEL DOCKET 48 (Oct. 2006) (with Richard F. Ober, Jr.).

Promises, not policies, YALE ALUMNI MAGAZINE 32 (Sept./Oct. 2006).

A Way to Stop Pretexting (Sept. 11, 2006) (public radio commentary with Barry Nalebuff).

Easy Savings, FORBES 146 (Sept. 4, 2006) (with Barry Nalebuff).

Give NY's Poor What They Need Most: A Voice, NEW YORK DAILY NEWS (August 14, 2006) (with Bruce Ackerman).

How To Strengthen Shareholder Democracy (July 6, 2006) (public radio commentary with Barry Nalebuff).

The Knicks Boldly Go Where Companies Have Not, NEW YORK TIMES (July 2, 2006) (with John J. Donohue III).

The Ticket to Savings, FORBES 176 (May 22, 2006) (Barry Nalebuff).

Secret Political Donations Can End the Secret Deal, FINANCIAL TIMES 23 (April 27, 2006) (with Bruce Ackerman).

When the Blind See Better, FORBES 141 (Feb. 13, 2006) (with Barry Nalebuff).

Mortgage Your Retirement, FORBES 150 (Nov. 14, 2005) (with Barry Nalebuff).

End Tipping? (Oct. 5, 2005) (public radio commentary with Barry Nalebuff).

Just What the Professor Ordered, NEW YORK TIMES A27 (Sept. 16, 2005).

Justice Roberts Should Sell His Stock (Sept. 14, 2005) (public radio commentary with Barry Nalebuff).

Promises to Keep, FORBES 78 (July 4, 2005) (with Barry Nalebuff).

Opting for Equality (June 30, 2005) (public radio commentary with Barry Nalebuff).

The Joy of Ambiguity, THE ADVOCATE www.advocate.com/print_article.asp?id=18249 (June 29, 2005) (with Jennifer Gerarda Brown).

Better Benchmarking (June 21, 2005) (public radio commentary with Barry Nalebuff).

Guest blogger www.lessig.org/blog/ (June 2005)

Privatizing Gay Rights with Non-discrimination Promises Instead of Policies, THE ECONOMIST'S VOICE, Vol. 2: No. 2, <http://www.bepress.com/ev/vol2/iss2/art11> (2005) (with Jennifer Gerarda Brown).

Straight, Not Narrow: How Straight Couples Can Support Gay Marriage, NEW HAVEN ADVOCATE (June 16, 2005) (with Jennifer Gerarda Brown).

Separate, Unequal: How Civil Unions Fall Short of Marriage, HARTFORD COURANT A13 (June 10, 2005).

Warning: We Discriminate, ALTERNET www.alternet.org/rights/22030/ (May 17, 2005) (with

Jennifer Gerarda Brown).

Peer Pressure, FORBES 135 (April 11, 2005) (with Barry Nalebuff).

Looking Out For No. 2: A Modest Proposal for Single-Use Toilets, SLATE www.slate.com/id/2114441 (March 7, 2005).

Ask Iraqi Voters: Do You Want Us To Stay?, HARTFORD COURANT (Jan. 28, 2005) (with Barry Nalebuff).

Stop Thief, FORBES 88 (Jan. 10, 2005) (with Barry Nalebuff).

Going Soft on Microsoft? The EU's Antitrust Case and Remedy, THE ECONOMISTS' VOICE, Vol. 2: No. 2, Article 4, www.bepress/ev/vol2/iss2/art4/ (2005) (with Barry Nalebuff).

Encouraging Suggestive Behavior, HARVARD BUSINESS REVIEW (December 1, 2004) (with Barry Nalebuff).

Anonymously Yours, WORTH 32 (November 2004).

Cable Bundling (Nov. 19, 2004) (public radio commentary with Barry Nalebuff).

Race, Tips and Economics, FORBES 136 (Nov. 1, 2004) (with Barry Nalebuff).

Microsoft I: A Remedy Worthy of Solomon, INTERNATIONAL HERALD TRIBUNE (Oct. 11, 2004) (with Barry Nalebuff).

Going, Going, Google, THE WALL STREET JOURNAL A12 (August 20, 2004) (with Barry Nalebuff).

Cellphone Sleuth (Aug. 20, 2004) (public radio commentary with Barry Nalebuff).

Throwaway Tickets, FORBES 52 (August 18, 2004) (with Barry Nalebuff).

A Donation Booth? (June 23, 2004) (public radio commentary with Barry Nalebuff).

Say Goodbye to TIVO (June 9, 2004) (public radio commentary with Barry Nalebuff).

Dialing for Thieves, FORBES 76 (April 19, 2004) (with Barry Nalebuff).

Getting Iraq to Undermine OPEC (April 6, 2004) (public radio commentary with Barry Nalebuff).

The Wrong Ticket to Ride, NEW YORK TIMES A29 (March 24, 2004) (with Barry Nalebuff).

Benefits of Non-Transparency (Feb. 23, 2004) (public radio commentary with Barry Nalebuff).

Don't Sell Us Short, FORBES 57 (Feb. 2, 2004) (with Barry Nalebuff).

Principled Problem Solving: Letting Constraints Filter and Guide Your Thinking Can Often Be the Best Way to Reach Truly Creative Solutions, 14 SCIENTIFIC AMERICAN MIND 96 (2004) (with Barry Nalebuff).

System Down: McCain-Feingold Helped Doom the Current Model of Public Financing for Campaigns. Fixing it will Take Some Imagination, THE AMERICAN PROSPECT ON LINE (Dec. 12, 2003) (with Bruce Ackerman) available at www.prospect.org.

It Beats a CD, FORBES 160 (Dec. 8, 2003) (with Barry Nalebuff).

Who's Right? (Nov. 10, 2003) (public radio commentary with Barry Nalebuff).

Why Legislating Low Tuitions for State Colleges Is a Mistake: They Just Subsidize the Rich, WRIT FINDLAW'S LEGAL COMMENTARY (October 30, 2003) (with Aaron Edlin) http://writ.news.findlaw.com/commentary/20031030_ayres.html.

In Praise of Honest Pricing, 45 MIT SLOAN MANAGEMENT REVIEW 24 (Fall 2003) (with Barry Nalebuff).

Want to Call Me? Pay Me!, WALL STREET JOURNAL A24 (Oct. 8, 2003) (with Barry Nalebuff).

Making Ideas Take Flight, BUSINESS 2.0 133 (Oct. 2003) (with Barry Nalebuff).

Dialing for Dollars, NEW YORK TIMES A29 (Sept. 30, 2003).

Blackboxes For Cars (Sept. 16, 2003) (public radio commentary with Barry Nalebuff).

Exactly Who's in the Right in this Labor Dispute? YALE DAILY NEWS 2 (Sept. 4, 2003) (with Barry Nalebuff).

Sarbanes/Oxley's First Birthday (July 30, 2003) (public radio commentary with Barry Nalebuff).

Blackbox for Cars, FORBES 83 (August 11, 2003) (with Barry Nalebuff).

Patriot Dollars Put Money Where the Voters Are, L.A. TIMES at 15 (July 17, 2003) (with Bruce Ackerman).

An Educated Consumer, FORBES 95 (June 09, 2003) (with Barry Nalebuff).

Charity Begins At Schedule A, NEW YORK TIMES, p. A21, col. 1 (April 15, 2003) (with Barry Nalebuff).

Make Car Insurance Fairer, FORBES 154 (March 17, 2003) (with Barry Nalebuff).

Pay Per Mile Auto Insurance (Feb. 25, 2003) (public radio commentary with Barry Nalebuff).

Spoiling Spam (Dec.24, 2002) (public radio commentary with Barry Nalebuff).

The Virtues of a Virtual Strike, FORBES 128 (Oct. 25, 2002) (with Barry Nalebuff).

Virtual Strikes (Oct. 4, 2002) (public radio commentary with Barry Nalebuff).

Price-Protect Your Home, FORBES 101 (Sept 16, 2002) (with Barry Nalebuff).

Disclosing Hidden Fees to Consumers (Aug. 28, 2002) (public radio commentary with Barry Nalebuff).

An Alternative to Expensing Stock Options (July 24, 2002) (public radio commentary with Barry Nalebuff).

Campaign Reform=s Worst Enemy, NEW YORK TIMES, p. A19, col. 2 (July 6, 2002) (with Bruce Ackerman).

Opt-Out Advertising, FORBES 164 (June 20, 2002) (with Barry Nalebuff).

A Community of Ideas, FORBES 173 (May 9, 2002) (with Barry Nalebuff).

If Telemarketers Paid For Your Time, FORBES 225 (April 15, 2002) (with Barry Nalebuff).

A Viable Alternative to Breaking up Microsoft: Compulsory Licensing That Would Make Microsoft Compete With Its Past Self, WRIT FINDLAW=S LEGAL COMMENTARY (April 10, 2002) (with Aaron Edlin) http://writ.news.findlaw.com/commentary/20020410_edlin.html

Connecticut's Speeder-Friendly Crackdown, NEW YORK TIMES, p. A19, col. 2 (August 31, 2001) (with Barry Nalebuff).

Should Campaign Donors Be Identified?, 24 REGULATION 12 (Summer 2001), *excerpted as A Real Solution: Make Donors Anonymous*, NATIONAL REVIEW ONLINE (July 12, 2001) <http://www.nationalreview.com/comment/comment-ayres071201.shtml>.

Why Telemarketers Should Pay Us, HARTFORD COURANT, p. A15, col. 3 (May 10, 2001) (with Matthew Funk).

Lectures vs. Laptops, NEW YORK TIMES, p. A25, col. 2 (March 20, 2001).

Monetize Labor Practices, 26 BOSTON REVIEW 18 (February-March 2001) (available at <http://bostonreview.mit.edu/BR26.1/ayres.html>), *reprinted in* Archon Fung, Dara O'Rourke, & Charles Sabel, CAN WE PUT AN END TO SWEATSHOPS 80 (Beacon Press 2001)

Why Prosecute Linda Tripp?, NEW YORK TIMES P. A17, col. 1 (August 10, 1999).

Remedying Private Discrimination: Following the >Anderson= Model, LOS ANGELES TIMES M2, col. 3 (April 26, 1998).

The Donation Booth, 22 BOSTON REVIEW 26 (December-January 1997-98) (with Jeremy Bulow) (available at <http://bostonreview.mit.edu/BR22.6/ayres.html>), *reprinted in* 47 YALE LAW REPORT 62 (2000) and THE NEWS-GAZETTE, B1 (Sept. 27, 1998).

Breaking Windows: Why the Justice Department Should Go After the Microsoft Monopoly, THE NEW REPUBLIC 18 (Nov. 17, 1997).

Car Buying, Made Simpler, NEW YORK TIMES F12 (April 13, 1997) (with Peter Schuck).

Aid Diversity, and the Treasury, NEW YORK TIMES F13 (May 21, 1995) (with Peter Cramton).

Price and Prejudice, THE NEW REPUBLIC 30 (July 6, 1992).

Colleges in Collusion, THE NEW REPUBLIC 19 (October 16, 1989).

NAMED LECTURES

The Ann F. Baum Memorial Elder Law Lecture, "Social Security Plus," University of Illinois, College of Law, March 6th, 2017.

The W. D. Carpenter Lecture, "Diversifying Time: Why Buying Stock With Borrowed Money Can Reduce Risk?," Middlebury College, Department of Economics, April 26, 2010.

The Meador Lecture, "Freedom and Commitment," University of Alabama, School of Law, April 19, 2010.

The 46th Henry J. Miller Lecture, "Barriers to Diversification," Georgia State University, School of Law, March 18, 2010.

The Schwartz Lecture on Dispute Resolution, “Never Say No: The Law, Economics and Psychology of Counteroffers,” Ohio State University, Moritz College of Law, April 2, 2009.

The Biddle Lecture, “A New Test for Race Discrimination,” Harvard Law School, November 12, 2008.

The Hart Lecture, AThe Secret Refund Booth,@ Georgetown University Law Center, March 22, 2006.

The Henry Schneider Lecture, AMark(et)ing Nondiscrimination,@ Columbia Law School, March 8, 2005.

The Hazard Lecture, ACan Creativity be Taught?: Why Not!,@ Pembroke Hill High School, September 17, 2004.

The John M. Olin Lecture in Law and Economics, AWhy Not?: Can Legal Creativity Be Taught?,@ Michigan Law School, September 11, 2003.

The Monsanto Lecture in Tort Reform and Jurisprudence, AUsing Tort Settlement To Cartelize,@ Valparaiso University, School of Law, March 26, 2000.

The John M. Olin Public Lecture in Law and Economics, "Coveting Thy Neighbor's Stock: Substitute Trading as Evasion and as Policy Tool," University of Toronto, September 24, 1999.

The Ladd Lecture, AEmpire or Residue: Competing Visions of the Contractual Canon,@ Florida State College of Law, October 22, 1998.

The Monsanto Lecture in Tort Reform and Jurisprudence, AProtecting Property with Puts,@ Valparaiso University, School of Law, March 26, 1998.

Inaugural Lecture for William K. Townsend Chair, ASolomonic Bargaining,@ Yale Law School, November 15, 1994.

The Mirikitani Lecture in Law and Economics, ABack to Basics,@ University of Hawaii, March 9, 1990.

PROFESSIONAL MEMBERSHIP

James W. Cooper Fellow, Connecticut Bar Foundation, 2009 – present.

Fellow, American Academy of Arts & Sciences, 2006 - present.

Member, American Law Institute, 1997 - present.

Board of Directors, American Law and Economic Association, 1995-1999.

Admitted, Illinois Bar, 1987.

AWARDS

Bernstein Fabozzi/Jacobs Levy Outstanding Article Award for *Diversification Across Time* (with Barry Nalebuff), 2013.

Scribes Book Award (INSINCERE PROMISES) – "for the best work of legal scholarship published during the previous year," 2006

Research in the Public Interest, The Center for Public Representation, 1991.

ACTIVITIES

CrossFit Level 1 Trainer, 2021.

1st Place, Law and Society Association -- 5 kilometer fun run, 1989, 2002 and 2003.

Completed 1984 Boston marathon in 3 hours, 12 minutes.

Whiffenpoofs, 1980-81.

Yale Russian Chorus, 1977-80.

Semester in Soviet Union, Moscow's Pushkin Institute, Spring 1979.

CURRENT AS OF FEBRUARY 7, 2021

A professional appointment is a scheduled visit with some type of professional who renders services to clients or medical patients. To schedule an appointment with: a dentist (or dental hygienist). a doctor (or nurse practitioner). Professional Appointments, Pretoria, South Africa. 195 likes. Professional Appointments. See more of Professional Appointments on Facebook. Log In. or. Create New Account. See more of Professional Appointments on Facebook. Log In. Forgotten account? Bespoke appointment documents and letters of appointment may also be used, but they generally incur more risk as their terms have not been agreed across the industry and their meaning has not been tested in the courts. These usually include clauses to cover the following: Consultants' obligations and services that are required under the contract (and services that are not included). The requirement to adopt such practices should be included in appointment documents. For more information see: Collaborative practices. Types of professional appointment. A wide range of specialists may be engaged depending on the needs of each individual project: The most common are: architect, structural engineer, mechanical & electrical engineer, project manager. This section outlines the basic provisions in deeds of professional appointment, some of which are discussed in more detail later in this guide: the obligations and services to be performed by the consultant The employee group, academic professional and administrative (P&A), is comprised of three subgroups under which appointments are made: academic professional, academic administrative, and professional-in-training. For typical authorities/responsibilities and degree/experience requirements and preferences, refer to Appendix: P&A Employee Appointment Summary Chart - Authorities/Responsibilities and Degree/Experience Descriptors. Academic Professional and Academic Administrative Appointments.

4. Professional Appointments. If you're one of the few academics who had a formal position, make sure you list it right below the education section of your CV. Why? The more institutional affiliations, the better in academia. It's important to show the selection committee members you've cooperated with many institutions in the past. This way, they aren't taking a blind leap of faith. In the professional appointments section of your professor CV, include the following: Your position. Professional Appointments. 3.11 Term Appointments. New employees shall be employed on an annual appointment basis only. 3.111 Renewal. Each one-year appointment to a term appointment will be renewed f... Professional Appointments. 3.11 Term Appointments. New employees shall be employed on an annual appointment basis only. 3.111 Renewal. Professional support, development and resources for surgeons and surgeons in training. Professional Appointments. Regional Surgical Adviser Vacancies. Examiner Vacancies. Edinburgh Surgery Online Tutor Recruitment. Dental Educational Advisers. Intercollegiate Specialty Fellowship Examinations - Examiner Vacancies. Vacancies on Trauma and Orthopaedics Surgical Specialty Board. A professional appointment is a scheduled visit with some type of professional who renders services to clients or medical patients. To schedule an appointment with: * a dentist (or... Answered 4 years ago Author has 81 answers and 360.4K answer views. Hello, Two things come to mind when you say "professional appointment." The one that I'm assuming you're not referring to is a reference to receiving a job by somebody higher up. You are "appointed" to a new position. PROFESSIONAL APPOINTMENTS. Open All. Get Help. Introduction (320.1 to 320.2). 320.1. Professional accountants are required to comply with the fundamental principles and apply the conceptual framework set out in Section 120 to identify, evaluate and address threats. 320.2. Acceptance of a new client relationship or changes in an existing engagement might create a threat to compliance with one or more of the fundamental principles.