

Tom Baker
University of Pennsylvania Law School
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ACADEMIC APPOINTMENTS

University of Pennsylvania. 2008–
Professor of Law 2008-2009. William Maul Measey Professor of Law and Health Sciences 2009-. Deputy Dean for Faculty Affairs 2010-. Secondary appointment in the Insurance & Risk Management Department of the Wharton School 2008-. Law school representative to Faculty Senate Executive Committee (2009-). Member, University Council Committee on Personnel Benefits (2010-). Chair, Law Building Committee (2009-10). Courses: Torts, Insurance Law and Policy, Insurance Insolvency, Regulating the Health Insurance Market after Reform, Risk Management.

University of Connecticut School of Law. 1997–2008.
Connecticut Mutual Professor of Law and Director, Insurance Law Center. Chair, Appointments (multiple terms), Educational Policy, and Petitions Committees. Courses: Principles of Insurance, Liability Insurance, Insurance Regulation, Torts, Contracts.

Vanderbilt University Law School. Spring 2008.
Visiting Professor teaching short course on insurance and the litigation process.

Columbia Law School. Fall 2006.
Joseph F. Cunningham Visiting Professor of Commercial and Insurance Law. Courses: Liability and Insurance Seminar, Torts.

The Hebrew University of Jerusalem. 1996-97. 2001-02. Summers 2003-06, 2009.
Visiting Professor & Fulbright Visiting Professor, Faculty of Law. Visiting Scholar at Center for the Study of Rationality and the Faculty of Law. Courses: Elements of U.S. Contract Law; Insurance, Law and Society; Con-Torts.

Yale Law School. Fall semester 2002.
Visiting Lecturer (taught Insurance Law and Policy on an overload basis).

University of Miami School of Law. 1992-97.
Associate professor. Courses: Insurance Law and Policy, Contracts, Health Law, Environmental Law.

EDUCATION

Harvard Law School, J.D., Magna Cum Laude, 1986.
Harvard Law Review. Felix Frankfurter Scholarship.

Harvard College, B.A., Magna Cum Laude in Sociology, 1982.
Phi Beta Kappa. John Harvard Scholarship. Honors thesis (Computers and Political Campaigns) published by the Harvard Program on Information Policy.

PUBLICATIONS

Books:

Ensuring Corporate Misconduct: How Liability Insurance Undermines Shareholder Litigation (University of Chicago Press 2010) (with Sean Griffith)
Reviewed in: D and O Diary blog (2010) (Kevin LaCroix)

The Medical Malpractice Myth (University of Chicago Press 2005) (paperback 2007).
Reviewed in: 16 Law and Politics Book Review 253 (2006) (Barbara A. Noah); 42(2) Trial Magazine 70 (February 2006) (Kathleen L. Natri); 25 Health Affairs 289 (2006) (Peter J. Hammer); 295 JAMA 1709 (2006) (Edward A. Dauer); 354 NEJM 15 (2006) (Martin E. Gordan); 152 Cong. Rec. S4122 (2006) (Senator Harry Reid); 27 J. Legal Med. 243 (2006) (Mary Coombs); 236 New York Law J. (October 2006) (Martin Bienstock), 85 Texas Law Rev. 1465 (2007) (Anthony Sebok); 25 Medizinrecht 348 (2007) (Gerald Mäsch); 41 Law & Society Rev. 737 (2007) (Sarah Jain).

Insurance Law and Policy: Cases, Materials and Problems (Aspen Publishing 2003; second edition 2008) (adopted at 38 U.S. law schools).

Embracing Risk: The Changing Culture of Insurance and Responsibility, (University of Chicago Press 2002) (contributing editor, with Jonathan Simon). Reviewed in: 21 Health Affairs 294 (2002) (William M. Sage); 28 Law & Social Inquiry 295 (2003) (Brian J. Glenn); 33 Journal of Interdisciplinary History 602-604 (2003) (Timothy Alborn); 29 Canadian J. of Sociology 469 (2004) (Norma Nielson & Stephanie Bertels); 72 J. Risk & Insurance 182 (2005) (Anne Kleffner, Norma Nielson & Stephanie Bertels).

Articles:

Health Insurance, Risk, and Responsibility after the Affordable Care Act, -- *University of Pennsylvania Law Review* – (forthcoming)

Insurance in Sociological Research, 6 *Annual Review of Law and Social Science* 433 (2010)

The Shifting Terrain of Risk and Uncertainty on the Liability Insurance Field, *DePaul Law Review* (forthcoming 2011)

Liability Risks for After Hours Use of Public School Property to Reduce Obesity: A 50 State Survey, 80 *Journal of School Health* 508 (2010) (with Hania Masud)

Tontines for the Invincibles: Enticing Low Risks into the Health Insurance Pool with an Idea from Insurance History and Behavioral Economics, 2010 *Wisconsin Law Review* 79 (2010) (with Peter Siegelman)

Allowing Patients to Waive the Right to Sue for Malpractice: A Response to Thaler and Sunstein 104 *Northwestern University Law Review* 233 (2010) (with Timothy Lytton)

How the Merits Matter: D&O Insurance and Settlements in Securities Class Actions, 157 *University of Pennsylvania Law Review* 755 (2009) (with Sean Griffith) (selected by the Corporate Practice Commentator as one of the top 10 corporate and securities articles of 2009).

- The Effects of Tort Reform on Medical Malpractice Insurers' Ultimate Losses, 76 *Journal of Risk and Insurance* 197 (2009) (with Patricia Born and Kip Viscusi)
- Liability Insurance, Moral Luck, and Auto Accidents, 9 *Theoretical Inquiries in Law* 165 (2008).
- The Missing Monitor in Corporate Governance: The Directors' and Officers' Liability Insurer, 95 *Georgetown Law Journal* 1795 (2007) (with Sean Griffith) (selected by the Corporate Practice Commentator as one of the top 10 corporate and securities articles of 2007).
- Predicting Corporate Governance Risk: Evidence from the Directors' and Officers' Insurance Market 74 *Chicago Law Review* 487 (2007) (with Sean Griffith).
- Offer of Judgment Rules and Civil Litigation: An Empirical Study of Automobile Insurance Litigation in the East, 59 *Vanderbilt Law Review* 155 (2006) (with Albert Yoon).
- Reconsidering the Harvard Medical Practice Study Conclusions about the Validity of Medical Malpractice Claims, 33 *Journal of Law, Medicine & Ethics* 501 (2005).
- Medical Malpractice and the Insurance Underwriting Cycle, 54 *DePaul Law Review* 393 (2005). Reprinted in K. Naga Sri Valli (ed), *Medical Malpractice Insurance: An Overview* 195 (Abacus Press, India: 2007).
- The Virtues of Uncertainty in Law: An Experimental Approach, 89 *Iowa Law Review* 443 (2004) (with Alon Harel and Tamar Kugler).
- Insuring Liability Risks, 29 *Geneva Papers on Risk and Insurance* 87 (2004) (Geneva Lecture).
- Real Torts: Using Barry Werth's *Damages* in the Law School Classroom, 2 *Nevada Law Journal* 386 (2002).
- Liability and Insurance After September 11th: Embracing Risk Meets the Precautionary Principle, 27 *Geneva Papers on Risk and Insurance* 342 (2002).
- Blood Money, New Money and the Moral Economy of Tort Law in Action, 35 *Law & Society Review* 275 (2001).
- Insuring Morality, 29 *Economy and Society* 559 (2000).
- Transforming Punishment into Compensation: In the Shadow of Punitive Damages, 1998 *Wisconsin Law Review* 101 (1998).
- Reconsidering Insurance for Punitive Damages, 1998 *Wisconsin Law Review* 211 (1998).
- Liability Insurance Conflicts and Defense Lawyers: From Triangles to Tetrahedrons, 4 *Connecticut Insurance Law Journal* 101 (1998).
- On the Genealogy of Moral Hazard, 75 *Texas Law Review* 237 (1996).
- Whose Safety Net? Home Insurance and Inequality, 21 *Law and Social Inquiry* 229 (1996) (with Karen McElrath).

Constructing the Insurance Relationship: Sales Stories, Claims Stories and Insurance Contract Damages, 72 *Tex. L. Rev.* 1395 (1994). Reprinted in *Insurance Law Anthology*.

The Application of Per Occurrence Limits from Successive Policies, 3 *Environmental Claims Journal* 411 (1991) (with Eva Orlebeke).

Book Chapters:

The Law and Economics of Liability Insurance: A Theoretical and Empirical Review, in *Handbook on the Economics of Torts* (Jennifer Arlen, ed., forthcoming).

Transparency through Insurance: Mandates Dominate Discretion, in *Transparency in the Civil Justice System* (Joseph Doherty & Robert T. Reville eds., forthcoming)

Bonded Import Safety Warranties, in *Import Safety: Regulatory Governance in the Global Economy*, Cary Coglianese, Adam Finkel & David Zaring, eds. (University of Pennsylvania Press, 2009)

Government as Risk Manager, in *Principles of Regulation*, John Cisternino & David Moss, eds. (Tobin Project, 2009) (with David Moss)

Liability Insurance at the Tort-Crime Boundary, in *Fault Lines: Tort Law as Cultural Practice*, David M. Engel and Michael McCann, eds. (Stanford U. Press 2009)

Medical Malpractice Insurance Reform: "Enterprise Insurance" and Some Alternatives, in *Medical Malpractice and the U.S. Health Care System*, William M. Sage and Rogan Kersh, eds. (Cambridge U. Press 2006)

Insurance as Tort Regulation: Six Ways that Liability Insurance Shapes Tort Law, in *Liability in Tort and Liability Insurance*, Gerhard Wagner, ed. (European Centre for Tort and Insurance Law 2005). Also published in 12 *Conn. Ins. L. J.* 1 (2006). Reprinted in M.N. Bhavani (ed.), *Tortious Liability Emerging Trends* (Abacus Press, India: 2008).

Liability Insurance and the Regulation of Firearms, in *Suing the Firearms Industry*, Timothy Lytton, ed. (U. Michigan Press 2005) (with Thomas Farrish).

Containing the Promise of Insurance: Adverse Selection and Risk Classification, in *Risk and Morality*, Richard Ericson and Aaron Doyle, eds. (U. Toronto Press 2003). Also published in 9 *Conn. Ins. L. J.* 371 (2003).

Insurance Claims Discrimination, in *Insurance Redlining*, Gregory Squires, ed. (Urban Institute Press 1997) (with Karen McElrath).

Book reviews and other short pieces:

Review: Edward Z. Zelinsky, *The Ownership Society* (Oxford U. P. 2008), 10 *Journal of Pension Economics and Finance* 153 (2010).

Review: Kenneth S. Abraham, *The Liability Century: Insurance and Tort Law from the Progressive Era to 9/11* (Harvard U. P. 2008), 83 *Business History Review* 629 (2009).

International Association of Insurance Supervisors, in Christian Tietje and Alan Brouder, eds., *Handbook of Transnational Economic Governance Regimes* (2009) (with Eryn Mathews).

Embracing Risk, Sharing Responsibility, 56 *Drake L. Rev.* 561 (2008).

Qualitative and Quantitative Research on Tort Law Topics: A Comment on Helland & Klick and Kritzer, 1 *Journal of Tort Law* Issue 3, Article 4 (2007).

Review: Richard Ericson and Aaron Doyle, Uncertain Business: Risk, Insurance and the Limits of Knowledge (U. Toronto P. 2004), 32 *Journal of Law & Society* 643 (2005).

Meet Your New Insured: Successors' Rights to Insurance Assets in Corporate Transactions, 14 No.5 *Coverage* 1 (September/October 2004) (with John Buchanan and Mariana Horton).

Insurance and the Law, 11 *International Encyclopedia of the Social and Behavioral Sciences* 7587-91 (2002).

Reports:

Liability Risks for Recreational Use of Public School Facilities: A 50 State Survey (January 2009) (a report for the National Policy and Legal Analysis Network to Prevent Childhood Obesity). Available at <http://www.nplanonline.org/nplan/products/liabilitysurvey>

Jackpot Justice and the American Tort System: Thinking Beyond Junk Science (May 2008) (with Herbert Kritzer and Neil Vidmar). Available at <http://ssrn.com/abstract=1152306>.

Securities Misinformation Insurance (October 2006) (a report to the Task Force to Modernize Securities Legislation in Canada). Available at <http://ssrn.com/abstract=1010106>.

Research on Medical Malpractice: Implications for Tort Reform in Connecticut (January 2003) (a report to the Connecticut General Assembly)

Popular press:

Extraordinary Remedy, Extraordinary Case, *The New York Times* (June 10, 2010) <http://roomfordebate.blogs.nytimes.com/2010/06/10/can-the-u-s-punish-bps-shareholders/>

Tontines for the Young Invincibles, 32(4) *Regulation Magazine* 20 (Winter 2009-2010) (with Peter Siegelman)

Liability = Responsibility, *The New York Times* (July 12, 2009) <http://www.nytimes.com/2009/07/12/opinion/12baker.html>

A Time for Tontines, *The New York Times* (March 9, 2009) (with Peter Siegelman) <http://www.nytimes.com/2009/03/09/opinion/09baker.html>

Medical Mistakes, Not Lawsuits are the Problem, *The Hartford Courant* (January 26, 2003) (syndicated and published in multiple outlets nationally).

The Blood Money Myth, *Legal Affairs* (September-October 2002).

Congress Should OK Terrorism-Insurance Bill, *Newsday* (September 17, 2002) (with Peter Siegelman).

Privacy of Medical Records Worth the Cost, *The Hartford Courant*, (February 18, 2001).

Managed Care Companies Can Benefit From Liability, *The Hartford Courant*, (November 12, 1998).

CONFERENCES, WORKSHOPS, AND SYMPOSIA ORGANIZED

Workshops on Behavioral and Institutional Research and Financial Services Regulatory Reform, Penn Law School (November 2009), Georgetown Law Center (June 2010), Cornell Law School (April 2011) (with Annelise Riles; supported by the Tobin Project).

Insurance, Innovation, and Intellectual Property, University of Connecticut School of Law (April 2008) (with Hillary Greene).

D&O Insurance: Shareholders' Friend or Foe? University of Connecticut School of Law (April 2007).

Catastrophic Risk Insurance: The Search for a Long Term Solution, Washington, D.C. (March 2006) (with Wiley, Rein & Fielding).

Asbestos: Anatomy of a Mass Tort, University of Connecticut School of Law (November 2005) (with Adam Scales).

The Role of Insurance in Preventing Medical Injury, University of Connecticut School of Law (April 2005).

Litigation Management in the Insurance Industry, University of Connecticut School of Law, (June 2004); co-sponsored by the Tort Trial and Insurance Practice Section of the American Bar Association.

A 21st Century Symposium on Josiah Royce's *War and Insurance*, University of Connecticut School of Law (September 2003); published in Volume 10:1 of the Connecticut Insurance Law Journal.

Vision 20/20: The Future of Tort and Insurance, New York University School of Law (August 2002) and University of Connecticut School of Law (March 2003); co-sponsored by the Tort and Insurance Practice Section of the American Bar Association, the University of Connecticut and the Geneva Association.

Liability and Insurance After September 11th, University of Connecticut School of Law (March 2002); co-sponsored by the Geneva Association; published in Volume 9:1 of the Connecticut Insurance Law Journal.

Social Security: Privatization and Reform, University of Connecticut School of Law (April 2001).

Intellectual Property and Insurance Law (January 2001); co-sponsored by the Insurance Law Section of the American Association of Law Schools; published in Volume 8:1 of the Connecticut Insurance Law Journal.

Richard Posner's Insurance Jurisprudence, University of Connecticut School of Law (September 2000); published in volume 7:1 of the Connecticut Insurance Law Journal.

Federalism, International Law and the Globalization of Financial Services, University of Connecticut School of Law (March 2000).

A Conference for Latin American Regulators: Insurance and Financial Services, University of Connecticut School of Law (October 1999).

Insurance, Risk and Responsibility: Toward a New Paradigm?, University of Connecticut School of Law (April 1999); published in Volume 6:1 of the Connecticut Insurance Law Journal.

Liability Insurance Conflicts and Professional Responsibility, University of Connecticut School of Law (September 1997); published in Volume 4:1 of the Connecticut Insurance Law Journal.

PRESENTATIONS

Academic:

Insurance Add-Ons as Shrouded Attributes, AALS Annual Meeting, San Francisco (January 2011), Baron Lab Group, University of Pennsylvania Department of Psychology (October 2010).

D&O Insurance, Corporate Governance and Securities Litigation, Georgia State University, Insurance and Risk Management Department (October 2010)

Health Insurance, Risk and Responsibility after the Affordable Care Act, Penn Law Review Symposium (October 2010), Emory Law School (October 2010), Hawley Lecture, Iowa College of Law (August 2010)

Insurance in Sociological Research, Iowa College of Law (August 2010)

The Demography of Litigation: How We Know What We Know, AALS Mid Year Meeting Workshop on Civil Procedure, New York City (June 2010)

Insurance Regulation and Behavioral Economics, Tobin Workshop, Georgetown Law School (June 2010)

Reducing Risk by Structuring Financial Markets to Promote Competition on Quality: The Case of Consumer Insurance Products, University of Connecticut Insurance Law Center (April 2010)

The Changing Terrain of Risk and Uncertainty in the Liability Insurance Field, Clifford Conference DePaul Law School (April 2010), Law and Society Assn Annual Meeting (May 2010).

Insurance in Sociological Research, Conference on societal risk in an insurance and re-insurance perspective, BI School of Management, Oslo, Norway (August 2009)

Bonded Import Safety Warranties, University of Pennsylvania, Penn Program on Regulation conference (May 2009)

An Insurance Regulation Research Agenda, University of Connecticut Insurance Law Center (April 2009)

Tontines for the Invincibles, Baron Lab Group, University of Pennsylvania Department of Psychology (January 2009); Penn Law School (April 2009); NBER insurance meeting (Cambridge, June 2009).

How the Merits Matter: D&O Insurance and Settlements in Securities Class Actions, George Mason University Law School (March 2008), Wharton School Insurance and Risk Management Seminar (September 2008); Chicago Law School Law and Economics Workshop (January 2009).

Liability Insurance at the Tort-Crime Boundary, Fordham Law School (December 2007), Bar Ilan University Faculty of Law (December 2007).

Embracing Risk, Sharing Responsibility, Drake University (September 2007).

Bargaining in the Shadow of the Shadow of the Law: Directors and Officers Insurance and the Settlement of Securities Class Actions, Law and Society Association Annual Meeting (July 2007).

The D&O Insurance Criminal Defense, DePaul Law School Annual Clifford Conference (April 2007).

D&O Insurance and Securities Class Actions: Field Research on the Insurance Claims Process, University of Connecticut (April 2007).

Liability Insurance, Moral Luck, and Auto Accidents, Hebrew University (January 2007).

Empirical Research on D&O Insurance, Corporate Governance, and Securities Litigation, Harvard Law School Law and Economics Seminar (December 2006); Hebrew University Law and Economics Seminar (January 2007); George Washington University Law School (October 2007); University of Pennsylvania Law School (October 2007).

Assessing Liability Risks, Risk Seminar, Department of Statistics, Columbia University (November 2006).

The Missing Monitor in Corporate Governance: The Director's and Officer's Insurer, Columbia Law School Faculty Workshop (October 2006); New York Law and Society Colloquium (December 2006).

Empirical Torts Research, Conference on Tort Law and the Modern State, Columbia Law School (September 2006).

D&O Insurance as Governance? An Empirical Study, Law and Society Association Annual Meeting (July 2006).

Insurance: Torts Not Crimes, Denver University School of Law (April 2006).

Liability Insurance and the Stratification of the Defense Bar, New York Law School (April 2006).

Securities Misinformation Insurance, University of Toronto Capital Markets Institute (February 2006), Seton Hall University School of Law (February 2006), Fordham Law School Advanced Business Law Seminar (March 2006).

Asbestos and the Liability Insurance Industry, University of Connecticut School of Law (November 2005).

Medical Malpractice, the Underwriting Cycle, and Tort Reform, Loyola University Law School Institute for Civil Justice (September 2005).

Medical Malpractice Litigation: Empirical Perspectives on its Social, Economic and Policy Context. Annual Meeting of the Law & Society Association (June 2005).

Insurance Defense Stories. Annual Meeting of the Law & Society Association (June 2005).

The Medical Malpractice Insurance Crisis. University of Illinois College of Law and School of Medicine (April 2005).

Making Sense With Numbers: The Use and Abuse of Empirical Research on the Accuracy of Medical Malpractice Claiming. Law and Economics Seminar, University of Texas School of Law (March 2005).

The Meaning of Asbestos for Liability Insurance. Annual Meeting of the American Association of Law Schools (January 2005).

The Influence of Liability Insurance on U.S. Tort Law. Conference of the European Center for Tort and Insurance Law, Munich, Germany (June 2004).

Liability Insurance – The Matrix of Liability Law? Annual Meeting of the Law and Society Association (May 2004).

Bankers for the Tort System: Liability Insurance and the Regulation of Civil Justice in America, University of Connecticut School of Law (February 2004), Cardozo Law School (March 2004), European Center for Study of Tort and Insurance Law (June 2004).

Medical Malpractice Insurance and the Underwriting Cycle, Joint Session of the Insurance and Health Law Sections, Annual Meeting of the American Association of Law Schools (January 2004), Annual Clifford Conference (April 2004).

Liability Insurance and the Regulation of Firearms, Albany Law School (November 2003), Quinnipiac Law School (April 2004).

Insuring Liability Risks, 29th Annual Geneva Lecture (September 2003).

The Virtues of Uncertainty in Law: An Experimental Approach, Annual Meeting of the American Law and Economics Assn. (September 2003); Rationality Center, The Hebrew University of Jerusalem (July 2003).

Torts: A Sociolegal Beachhead in the First Year Law School Curriculum, Law and Society Association Annual Meeting (June 2003).

Macro Torts and the Liability Insurance Underwriting Cycle: An Agenda for Research, Vision 20/20: the Future of Tort and Insurance, a conference sponsored by the University of Connecticut, the Geneva Association and the Trial Torts and Insurance Practice Section of the American Bar Association (March 2003).

Embracing Risk Meets the Precautionary Principle, University of Connecticut and the Geneva Association Conference on Liability and Insurance After September 11th (March 2002).

Blood Money, New Money and the Moral Economy of Tort Law in Action, Hebrew University (November 2001); Fordham University (March 2002); Brooklyn Law School (April 2002).

Containing the Communitarian Promise of Insurance, Green College, University of British Columbia, Conference on Moral Risks (May 2001).

Insurance as Intellectual Property Regulation, Insurance Section of the American Association of Law Schools (January 2001).

Blood Money and the Moral Code of the Personal Injury Bar, Law and Society Association Annual Meeting (May 2000).

Roundtable on Risk, Law and Society Association Annual Meeting (May 2000).

Discussant, "Legal Identities," Israeli Law & Society Association Annual Meeting (May 2000).

Researching Insurance: Insurance as a Site of Historical Inquiry, Society for Legal History Annual Meeting (November 1999).

Representing the Employment Nexus in Insurance Benefits, Law and Society Association Annual Meeting (May 1999).

Observations on the Institutional and Distributional Consequences of the "Embrace of Risk," University of Connecticut Insurance Law Center Symposium (April 1999).

Insurance as Tort Regulation: A Case Study in Qualitative Sociolegal Research University of Denver College of Law (March 1999).

9½ Ways in Which Insurance Shapes Tort Law, Joint session of the Insurance and Torts and Compensation Sections, Annual Meeting of the American Association of Law Schools (January 1999).

Distributing Risks: The Social Construction of Responsibility, Law and Society Association Annual Meeting, Colorado (June 1998).

Introduction to Insurance Regulation, Guest lecturer for seminar on Liability Insurance at the Washington University School of Law (April 1998).

Liability Insurance Conflicts and Defense Lawyers: From Triangles to Tetrahedrons, Connecticut Insurance Law Center Symposium (September 1997).

The Insurer's Duty to Defend and the Defense Lawyer's Professional Responsibilities in the Conflict of Interest Situation, Joint session of the Insurance and Professional Responsibility Sections, Annual Meeting of the American Association of Law Schools (January 1997).

On the Genealogy of Moral Hazard, Hebrew University faculty colloquium (November 1996).

In the Shadow of Punitive Damages, National Conference on the Future of Punitive Damages, University of Wisconsin Institute for Legal Studies and the Torts and Insurance Practice Section of the American Bar Association (October 1996).

Liability Insurance Conflicts of Interest, Guest lecturer for seminar on Liability Insurance at the Washington University School of Law (April 1996).

Containing the Communitarian Promise of Insurance, Law and Society Association Annual Meeting, Toronto, Canada (June 1995).

Whose Safety Net? Home Insurance and Inequality, Law and Society Association Annual Meeting, Toronto, Canada (June 1995).

Insurance and Conflicts of Interest, Guest lecturer for seminar on Selected Problems in Litigation Ethics at the University of Michigan Law School (November 1994).

The Genealogy of Moral Hazard, Law and Society Association Annual Meeting, Arizona (June 1994).

Insurance and Natural Disaster: Preliminary Results of the University of Miami Hurricane Andrew Impact Survey, Law and Society Association Annual Meeting, Chicago (May 1993).

Professional:

How D&O Insurance Transforms Securities Litigation, Professional Liability Underwriting Society Annual Meeting, San Antonio (November 2010)

Myth and Reality in Medical Malpractice Litigation, Semi-Annual Meeting of the Medical Staff of the Hospital of the University of Pennsylvania (June 2010)

Negotiating the Changing Terrain of Risk and Uncertainty in Liability and Insurance, ACE Global Legal Conference (June 2010)

Directors and Officers Liability Insurance Issues, Pennsylvania Bar Association CLE, Philadelphia Session (April 2010)

Medical Liability and Reform. University of Pennsylvania Orthopaedic Grand Rounds (February 2010); Robert Wood Johnson Clinical Scholars Program, University of Pennsylvania (November 2009)

Medical Malpractice Reform? A Debate with Phillip Howard, American Constitution Society, Yale Law School (December 2009)

Medical Malpractice and Health Reform, briefing to U.S. Senate staff (October 2009).

D&O Insurance, Corporate Governance, and Securities Litigation: A U.S. Report, Joint conference of the Geneva Association and the European Association of Law and Economics, Milan (May 2009).

What D&O Insurance and Securities Litigation Can Teach the Insurance Industry About Insuring Financial Injuries, Munich Re Conference on Mass Litigation (June 2008).

Tort Reform and the Insurance Underwriting Cycle, Connecticut Trial Lawyers Association Annual Meeting (June 2007).

D&O Insurance, Corporate Governance, and Securities Litigation, ABA Tort Trial and Insurance Practice Section Task Force on Corporate Governance (May 2007).

The Medical Malpractice Myth, Medical Malpractice Committee of the New York City Bar Assn. (November 2006), Connecticut Trial Lawyers Association medical malpractice committee (April 2007), First Mondays (May 2007).

Medical Liability: Problems and Solutions, Jewish Theological Seminary Continuing Medical Education Program (October 2006).

Principal speaker for AEI-Brookings Joint Center for Regulatory Studies, Judicial Education Program, Judicial Symposium on Insurance and Risk Allocation in America: Economics, Law and Regulation (September 2006) (led sessions on medical liability, insurance law, insurance regulation, life and property insurance, and the insurance industry approach to litigation).

Beyond the Medical Malpractice Myth, American Constitution Society, Hartford Chapter (May 2006).

Medical Liability Reform, briefing to U.S. Senate Democratic staff (April 2006).

Catastrophic Risk in U.S. History, New England Library Association (April 2006).

Travel Questions and Discrimination in Life Insurance, testimony before the Connecticut General Assembly (March 2006).

The Medical Malpractice Myth, American Enterprise Institute (December 2005).

Liability Insurance and Tort Law, Geneva Association Program on Civil Liability, Munich (October 2005).

Moderator, Program on Insurance Ethics, Connecticut Chapter of the Professional Liability Underwriting Society (October 2005).

The Ethics of Defending Multiple Insureds, Mealey's Additional Insured Conference, Boston, MA (May 2005).

Moderator, D&O Insurance Developments, Connecticut Chapter of the Professional Liability Underwriting Society (May 2005).

What Drives U.S. Casualty Losses? Annual Meeting of the Reinsurance Association of America (April 2005).

Moderator, Outsider Perspectives, Annual Meeting of the Professional Liability Underwriting Society (November 2004)

Liability Loss Drivers and Reserving Cycles in the US Casualty Market, Munich Re Renewal Briefing (October 2004).

Liability and Liability Insurance: Forms and Functions. Sino-American Insurance Seminar, Beijing and Nanjing, China (October 2004).

Terrorism, Liability and Insurance: An American Perspective, Annual Seminar of the Cour de Cassation (French Supreme Court for civil law) (April 2004).
Tapping Predecessors' Insurance: The Insurance Asset in Corporate Transactions, Spring Meeting of the Litigation Section of the American Bar Association (March 2004), Mealey's Insurance Conference (May 2004).
Insurance Economics and Legal Systems, 30th General Assembly of the Geneva Association (June 2003).
Medical Malpractice Liability Insurance and Tort Reform. Connecticut General Assembly: Public Health, Judiciary and Insurance Committees; Connecticut Permanent Commission on the Status of Women; Connecticut Bar Association Annual Meeting (February to June 2003).
Developments in Insurance Law: A View From the Academy, Insurance Institute (October 1997).
Introduction to Insurance Discrimination Litigation, American Bar Association Section of Litigation Annual Meeting, Miami (January 1996).

HONORS AND AWARDS

Appointed Connecticut Mutual Professor of Law (September 1997).
Elected to American Law Institute (October 2000).
29th Annual Lecture of the Geneva Association (September 2003).
University of Connecticut Provost's Research Fellowship Leave (Spring 2005).
Appointed William Maul Measey Professor of Law and Health Sciences (July 2009).
Hawley Lecture at Iowa College of Law (August 2010)

PROFESSIONAL ASSOCIATIONS AND SERVICE

American Association of Law Schools Sections on Insurance, Torts, and Contracts. Chair of Insurance Section 2002-03; Insurance Section Program Chair 2001-02.
American Bar Association, Trial Torts and Insurance Practice Section. Emerging Issues Committee (2000-2002); Robert B. McKay Law Professor Award Committee (2000-03); faculty editor, Fidelity & Surety Digest (1999-2006); Presenter at ABA events (1996, 2002, 2004, 2007).
American Law and Economics Association. Member.
American Law Institute. Reporter, Principles of Liability Insurance Project (2010-). Preliminary Draft No.1 distributed February 17, 2011.
International Association for the Study of Insurance Economics (the Geneva Association). Scientific Committee (2003-).
Law and Society Association. Site Evaluation Committee (2001); Graduate Student Workshop Committee (2002-05; Chair 2004-05; Workshop Instructor 2002-05, 2007); Ad Hoc Insurance Committee (2004-05); nominated for Trustee (2006); Publications Committee (2006-08; Chair 2006-07); Summer Institute Committee (Chair 2007-08); Early Career Workshop Committee (Co-chair 2008-09).
Law and Society Review, Editorial Board Member (2006-)
Insurance and Society Study Group. Founder and facilitator (1997-).
New Appleman Advisory Board (2005-)
Peer reviewer: American Law and Economics Review; Austrian Science Fund, Humanities and Social Science Division; BioSocieties; Cambridge University Press; Economic and Social Research Council (UK); Economy and Society; Geneva Papers on Risk and Insurance; Harvard University Press; Health Affairs; Israel Science Foundation; International Journal of the Legal Profession; International Review of Law & Economics; Journal of Consumer Culture; Journal of Health Politics, Policy and Law; Law and History; Law and Policy Quarterly; Law and Social Inquiry; Law and Society Review; National

Institutes of Health, Ethics/Genome Study Section; National Science Foundation; Oxford University Press; Polity; Regulation and Governance; Social Science and Medicine; Stanford Law Review; University of Chicago Press; University of Toronto Press; Yale Law Journal; Yale University Press.

Professional Liability Underwriting Society. Academic member. Presenter in educational programs (2004, 2005, 2006, 2007, 2008, 2010).

Promotion and tenure reviewer (external): American Bar Foundation; Bar Ilan University; The Hebrew University of Jerusalem; Syracuse University; SUNY Potsdam; University of California, Berkeley; University of California, Los Angeles; University College of London; University of Hawaii; University of Houston; University of Illinois; University of Michigan; University of Minnesota; University of Missouri; University of Nevada, Las Vegas; University of the Pacific; Rutgers University (Camden); Syracuse University; Vanderbilt University.

Sloan and Russell Sage Foundations. Working group on Behavioral Economics and the Regulation of Retail Financial Markets (2008-).

Society for Empirical Legal Studies. Member.

The Tobin Project. Risk Group.

RELATED PROFESSIONAL EXPERIENCE

Office of Independent Counsel – Iran/Contra. 1991-92
Associate counsel.

Covington & Burling, Washington, D.C. 1987-91.

Private law practice involving civil litigation and advice with a focus on complex insurance coverage litigation, housing law, and ERISA.

Neighborhood Legal Services Program, Washington, D.C. 1989.

Staff attorney on loan from Covington & Burling. Handled landlord-tenant, public benefits, and consumer debt cases.

United States Court of Appeal, First Circuit. 1986-87.

Law clerk to Hon. Juan R. Torruella, Circuit Judge. San Juan, Puerto Rico, chambers.

Palmer & Dodge, Boston, MA; Morrison & Foerster, San Francisco, CA; Fish &

Richardson, Boston, MA. Summers 1984-86. Summer law clerk.

ADMITTED TO PRACTICE: District of Columbia (Bar No. 414160) (inactive), Commonwealth of Massachusetts (Bar No. 549810) (inactive), Commonwealth of Pennsylvania (Bar No. 308011).