

**DAVID A. SKEEL, JR.**

University of Pennsylvania Law School  
3501 Sansom Street  
Philadelphia, PA 19104  
(215) 573-9859  
[dskeel@law.upenn.edu](mailto:dskeel@law.upenn.edu)

**TEACHING EXPERIENCE**

Permanent Faculty Appointments

S. Samuel Arsht Professor of Corporate Law, University of Pennsylvania Law School (January, 2004-)

Professor of Law, University of Pennsylvania Law School (January, 1999- December, 2003)

*Awards:*

Lindback Award (2004)(university-wide “Great Teacher” award)

Harvey Levin Award for Excellence in Teaching (1999, 2002 & 2011)(teaching award voted by University of Pennsylvania Law School graduating class)

Robert Gorman Award (2010)(awarded for exemplary teaching in upper class courses)

Associate Professor of Law, Temple University School of Law (July, 1993- December, 1998)

Assistant Professor, Temple University School of Law (July, 1990- June, 1993)

*Awards:*

Friel-Scanlan Award (March, 1993)(\$5000 prize for best Temple University School of Law scholarship).

*Temple Law Review*, Faculty honoree at 1993 Temple Law Review annual banquet (April, 1993).

Visiting Appointments and Fellowships

Bruce Nichols Visiting Professor of Law, Harvard Law School (Spring 2015)

Caryl Louise Boies Visiting Professor of Law, New York University (Fall 2013)

Visiting Professor of Law, University of Western Ontario (March 2011)

Scholar-in-Residence, American Bankruptcy Institute (Summer-Fall 2006)

Clifford Chance Visiting Professor, Cambridge University (June 2005)

Visiting Professor of Law, Georgetown University Law Center (Fall 2004)

Visiting Associate Professor of Law, University of Pennsylvania Law School  
(Fall 1997)

Olin Professor and Visiting Associate Professor of Law, University of  
Virginia School of Law (Spring 1996)

Visiting Associate Professor of Law, University of Wisconsin Law School  
(July, 1993- June, 1994)

Professional Positions

Member, Financial and Management Oversight Board for Puerto Rico  
(appointed by President Barack Obama, Aug. 31, 2016)

Member, Advisory Committee on Bankruptcy Rules (appointed by Chief  
Justice John Roberts, June 2016)

Co-Founder, University of Pennsylvania Institute for Restructuring Studies  
(founded 2016)(with Stephen Hessler)

Executive Board of American Association of Law Schools Committee on

Business Associations (2007-2010)

Research Associate, European Corporate Governance Institute (since 2006)

Member, American College of Bankruptcy (since 2009)

Board of Trustees, Consumer Bankruptcy Assistance Project, Philadelphia, PA (2000-2006)

Courses Taught: Bankruptcy; Christian Legal Theory Seminar; Corporations; The Globalization of Corporate Governance: The U.S., Italy, and E.U.; Bankruptcy; Law, Literature, and Interpretation Seminar; Debt Relief and Sovereign Debt Restructuring Seminar; Gambling and Market Speculation Seminar; Corporate Governance Seminar; Contracts I & II; Secured Transactions.

Committee assignments include: Tenure and Promotion Committee (Chair); Educational Program Committee (Chair); Legal Studies Workshops (Co-Coordinator); Legal Writing Committee; (Chair); Library Committee (Chair); Appointments Committee; Admissions Committee; Clerkship Committee; Centennial Committee; Moot Court Committee.

## **LAW PUBLICATIONS**

### Books

*True Paradox: How Christianity Makes Sense of Our Complex World*  
(InterVarsity Press, 2014)

*The New Financial Deal: Understanding the Dodd-Frank Act and its  
(Unintended) Consequences* (Wiley, 2011)

*Icarus in the Boardroom: The Fundamental Flaws in Corporate America and  
Where They Came From* (Oxford U. Press, 2005)

*Debt's Dominion: A History of Bankruptcy Law in America*  
(Princeton University Press, 2001)

### Edited Volumes and Casebooks

*Bankruptcy* (10<sup>th</sup> edition, Foundation, 2015)(with Daniel Bussel)

*The Political Heart of Criminal Procedure: Essays on Themes of William J. Stuntz* (Cambridge University Press, 2012)(co-edited with Michael Klarman and Carol Steiker)

*When States Go Broke: The Origins, Context, and Solutions for the American States in Fiscal Crisis* (Cambridge University Press, 2012)(edited with Peter Conti-Brown)

### Articles and Book Chapters

“The Empty Idea of ‘Equality of Creditors,’” *University of Pennsylvania Law Review* (forthcoming, 2018)

“Bankruptcy on the Side,” *Northwestern University Law Review* (forthcoming, 2017)(with Kenneth Ayotte and Anthony Casey)

“The Bylaw Puzzle in Delaware Corporate Law,” *72 Business Lawyer* 1 (2017)

“Governmental Intervention in an Economic Crisis,” *19 University of Pennsylvania Journal of Business Law* 7 (2017)(with Robert Rasmussen)(written by invitation)

“Defending the (Delaware) Corporate Law Bastion,” in *Regole Del Mercato E Mercato Delle Regole* (edited by Carcano, Mosca, & Ventrizzo, 2016)

“A Two-Step Plan for Puerto Rico,” available at [www.ssrn.com](http://www.ssrn.com) (2016) (with Clayton Gillette)

“Governance and the Judicial Role in Municipal Bankruptcy,” *125 Yale Law Journal* 1150 (2016)(with Clayton Gillette)

“The New Synthesis of Bank Regulation and Bankruptcy in the Dodd-Frank Era,”

in *Research Handbook on Corporate Bankruptcy Law* (ed. Barry Adler, Elgar Press)(forthcoming, 2017)(written by invitation)

“Financing Systemically Important Financial Institutions in Bankruptcy,” in *Making Failure Feasible: How Bankruptcy Reform Can End Too Big Too Fail* (ed. Scott, Jackson & Taylor, Hoover Inst Press)(forthcoming summer 2015)(written by invitation)

“Rediscovering Corporate Reorganization in Bankruptcy,” 87 *Temple Law Review* 1015 (2015)(symposium honoring Bill Whitford)(written by invitation)

“Behavioral Economics in Corporate and Securities Law,” 21 *Supreme Court Economic Review* 77 (2013)(written by invitation)

“What is a Lien: Lessons from Municipal Bankruptcy,” 2015 *Illinois Law Review* 675 (written by invitation)

“From Chrysler and General Motors to Detroit,” 24 *Widener Law Review* 121 (2015)(written by invitation for municipal bankruptcy symposium)

“The Meaning of Detroit,” *National Affairs*, Winter 2015 (cover story)

“Single Point of Entry and the Bankruptcy Alternative,” in *Across the Great Divide: New Perspectives on the Financial Crisis* (Brookings and Hoover Institutions, 2014) (written by invitation)

“When Should Bankruptcy be an Option (for People, Places or Things),” 55 *William & Mary Law Review* 2217 (2014)(2012 Wythe Lecture)

“Corporate Governance and Social Welfare in the Common-Law World,” 92 *Texas Law Review* 973 (2014)(essay review of Christopher Bruner, *Corporate Governance in the Common-Law World*)(written by invitation)

“Bankruptcy Law as a Liquidity Provider,” 80 *University of Chicago Law Review* 1557 (2013)(with Kenneth Ayotte)

“Bankruptcy and Economic Recovery,” in *Financial Restructuring to Sustain Recovery* (ed. Martin Baily, Richard Herring & Yuta Seki, Brookings 2013) (written by invitation)(with Thomas Jackson)

“Is Bankruptcy the Answer for Troubled Cities and States,” 50 *University of*

- Houston Law Review* (2013)(written by invitation for Frankel Lecture; with commentary by Clay Gillette and Anna Gelpern)
- “Institutional Analysis in an Economic Crisis,” 2013 *Wisconsin Law Review*  
(written by invitation for symposium on Neil Komesar)
- “A Dialogue on the Costs and Benefits of Automatic Stays for Derivatives and Repurchase Agreements” in *Bankruptcy Not Bailouts* (Hoover Institution, 2012)(with Darrell Duffie)
- “Dynamic Resolution of Large Financial Institutions,” *Harvard Business Law Review* (2012)(solicited by the editors)(with Thomas Jackson)
- “The Mosaic Law in Christian Perspective” (with Tremper Longman)  
in *Law and the Bible: Justice, Mercy, and Legal Institutions* (InterVarsity Press, 2013)(written by invitation)
- “Hauerwasian Christian Legal Theory,” *Law and Contemporary Problems*  
(2012)(written by invitation for Duke Law School conference  
on Stanley Hauerwas)
- “States of Bankruptcy,” *University of Chicago Law Review* (2012)
- “Transaction Consistency and the New Finance in Bankruptcy,” *Columbia Law Review* (2012)(with Thomas Jackson)
- “Inside-Out Corporate Governance,” *Journal of Corporation Law* (2011)  
(with 12 others)
- “Making Sense of the New Financial Detail,” *Liberty University Law Review*  
(2011)(essay based on invited lecture)
- “Assessing the Chrysler Bankruptcy,” 108 *Michigan Law Review* 727 (2010)  
(with Mark Roe)
- “Welcome Back, SEC?,” *American Bankruptcy Institute Law Review* (2011)  
(keynote for symposium on the SEC in bankruptcy)
- “Bankruptcy or Bailouts?,” *Journal of Corporation Law* (2010)  
(with Kenneth Ayotte)( selected as one of ten best corporate and securities  
articles of year and reprinted in *Corporate Practice Commentator*)

- “Bankruptcy Boundary Games,” *Brooklyn Journal of Corporate, Financial and Commercial Law* (2010)(written by invitation for symposium on bankruptcy and claims trading)
- “Competing Narratives in Corporate Bankruptcy: Debtor in Control vs. No Time to Spare,” *Michigan State Law Review* (2010)(written by invitation for symposium on narrative and business law)
- “The Puzzling History of the Criminal Law of Gambling” (Baylor University Press, 2009)(with William J. Stuntz)(written by invitation)
- “The Accidental Elegance of *Aronson v. Lewis*,” in *Iconic Cases in Corporate Law* (ed. Jonathan Macey, 2008)(written by invitation)
- “The Paths of Christian Legal Scholarship,” 12 *Green Bag* 169 (2008)(written by invitation)
- “Governance in the Ruins,” 122 *Harvard L. Rev.* 696 (2008)(essay review of *Law and Capitalism* by Curtis Milhaupt and Katharina Pistor)
- “The Unbearable Lightness of Christian Legal Scholarship,” 57 *Emory L.J.* 1471 (2008)
- “A Theory of Law Firm Globalization” (unpublished manuscript, 2008) (with John Armour)
- “Who Makes the Rules for Hostile Takeovers, and Why? The Peculiar Divergence of US and UK Takeover Regulation,” 95 *Georgetown Law Journal* 1727 (2007)(with John Armour); shorter version published by invitation in *Regulation* (October 2007)
- “Christianity and the Large Scale Corporation,” in *Cambridge Companion to Christianity and Law* (John Witte, ed.)(Cambridge University Press) (2008)
- “Odious Debt or Odious Regimes?,” *Journal of Law & Contemporary Problems* (2007)(with Patrick Bolton)(written by invitation for symposium on odious debt)

- “Time to Rethink Sovereign Bankruptcy: A New Role for the IMF?, *in Sovereign Debt and Sovereign Bankruptcy* (Jose Ocampo & Joseph Stigliz, eds.)(Cambridge University Press)(written by invitation)
- “The Promise and Perils of Credit Derivatives, 75 *U. Cincinnati Law Review* 1019 (2007)(with Frank Partnoy)(written by invitation for symposium on “Creditors as the Missing Lever in Corporate Governance”)
- “An Efficiency-Based Explanation for Current Corporate Reorganization Practice,” 73 *University of Chicago Law Review* 425-468 (2006)(with Ken Ayotte)(essay review of *Courting Failure* by Lynn LoPucki)
- “European Implications of Bankruptcy Venue Shopping,” *Buffalo Law Review* (2006)(written by invitation for symposium on *Courting Failure* by Lynn LoPucki)
- “Recharacterization and the Nonhindrance of Creditors,” 7 *European Business Organizations Law Review* 259-286 (2006)(written by invitation for symposium on creditors and corporate governance)
- “Icarus and American Corporate Regulation,” 61 *Business Lawyer* 155-177 (2005); included in slightly revised form in *After Enron: Improving Corporate Law and Modernizing Securities Regulation in Europe and in the U.S.* (John Armour & Joseph McCahery eds.)(Oxford University Press, 2006)
- “Redesigning the International Lender of Last Resort,” 6 *University of Chicago Journal of International Law* 177-201(2005)(with Patrick Bolton)(written by invitation for symposium on sovereign debt). A related, longer version of this article will be included in a book based on a project jointly sponsored by the United Nations and the Institute for Policy Dialogue at Columbia.
- “Christianity and the (Modest) Rule of Law,” 8 *University of Pennsylvania Journal of Constitutional Law* 809-839 (2006)(with William Stuntz)(written by invitation for symposium on law and religion)
- “The Bankruptcy of Churches and Sovereign Entities,” 29 *Seton Hall Legislation Journal* 345-360 (2005)(written by invitation for symposium on church bankruptcies)



- “Corporate Shaming Revisited: An Essay for Bill Klein,” 2 *Berkeley J.L. & Bus.* 105-117 (2005) (written by invitation for symposium on “Criteria for Good Corporate Law”).
- “The Racial Dimensions of Credit and Bankruptcy,” 61 *Washington & Lee L. Rev.* 1695-1724 (2005)(written by invitation for symposium on the future of Critical Race Theory)
- “The Past, Present and Future of Debtor-in-Possession Financing,” 25 *Cardozo L. Rev.* 1905-1934 (2004)(written by invitation for symposium on “Threats to Secured Transactions and Securitization”)
- “Corporate Anatomy Lessons,” 113 *Yale L.J.* 1519-1577 (2004)(essay review of Reinier Kraakman et al, *The Anatomy of Corporate Law*)
- “Bankruptcy’s Home Economics,” 12 *Amer. Bankr. Inst. L. Rev.* 43-58 (2004)(essay commenting on article by Elizabeth Warren, written by invitation for symposium on the 25<sup>th</sup> anniversary of the enactment of the 1978 Bankruptcy Code).
- “Inside the Black Box: How Should a Sovereign Bankruptcy Regime be Structured?, 53 *Emory L.J.* 763-822 ( 2004)(with Patrick Bolton)(symposium volume for sovereign debt conference at Georgetown University)
- “Employees, Pensions and Governance in Chapter 11,” 82 *Washington U.L.Q.* 1469-1483 (2004)(written by invitation for F. Hodge O’Neil symposium on corporate bankruptcy)
- “Creditors’ Ball: The “New” New Corporate Governance in Chapter 11,” 152 *U. Pennsylvania L. Rev.* 917-951 (2003)(written for symposium on corporate changes in control)
- “Avoiding Moral Bankruptcy,” 44 *Boston College Law Review* 1181-1200 (2003) (written by invitation for symposium on the legal issues raised by the clergy sexual misconduct scandal)
- “A Channeling Approach to Gambling (and Derivatives) Regulation” (unpublished manuscript, 2003)

- “Can Majority Voting Provisions Do It All?,” 52 *Emory Law Journal* 417-425 (2003)(commentary on Buchheit & Gulati, “Sovereign Bonds and the Collective Will,” 51 *Emory L.J.* 1317 (2002))(written by invitation)
- “Corporate Ownership and the Evolution of Bankruptcy: Lessons from the U.K.,” 55 *Vanderbilt Law Review* 1699-1785 (2002)(with John Armour and Brian Cheffins)
- “The Lawyer as Confidence-Man,” 101 *Columbia Law Review* 1750-1762 (2001) (written by invitation for mini-symposium on Lawrence Joseph novel, *Lawyerland*)
- "Shaming in Corporate Law," 149 *U. Pennsylvania L. Rev.* 1811-1868 (2001) (written by invitation for symposium on Norms in Corporate Law)
- “Virtual Privatization: Governance Strategies for Government-Owned Corporations,” 2 *J. Corp. L. Stud.* 82-108 (2002)(written by invitation for symposium on government owned corporations in Australia)(also published in slightly revised form in *From Bureaucracy to Business Enterprise* (Michael Whincop, ed.)(Ashgate, 2003)
- “What’s So Bad About Delaware?,” 54 *Vanderbilt Law Review* 309-329 (2001) (written by invitation for exchange about the Delaware’s role in corporate bankruptcy)
- “Lockups and Delaware Venue in Corporate Law and Bankruptcy,” 68 *U. Cincinnati L. Rev.* 1243-1279 (2000) (written by invitation for symposium on “Contemporary Issues in the Law of Business Organizations)
- “Vern Countryman and the Path of Progressive (and Populist) Bankruptcy Scholarship,” 113 *Harvard Law Review* 1075-1129 (2000).
- “The Market Revolution in Bank and Insurance Firm Governance: Its Logic and Limits,” 77 *Washington U.L.Q.* 433-459 (1999)(written by invitation for symposium on “Financial Services Modernization”).
- “The Genius of the 1898 Bankruptcy Act,” 15 *Bankr. Dev. J.* 321-341 (1999) (written by invitation for symposium on “100 Years of Bankruptcy;” presented at 1999 American Association of Law Schools annual meeting).

- "Bankruptcy Lawyers and the Shape of American Bankruptcy Law," 67 *Fordham L. Rev.* 497-522 (1998)(written by invitation for symposium on "The Legal Profession: The Influence of Theory on Practice").
- "An Evolutionary Theory of Corporate Law and Corporate Bankruptcy," 51 *Vanderbilt L. Rev.* 1325-1398 (1998)(selected as one of ten best corporate and securities articles of year and reprinted in *Corporate Practice Commentator* (vol. 41, 1999-2000)).
- "The Law and Finance of Bank and Insurance Insolvency Regulation," 76 *Texas L. Rev.* 723-780 (1998).
- "Bankruptcy Judges and Bankruptcy Venue: Some Thoughts on Delaware" 1 *Delaware L. Rev.* 1-45 (1998)(written by invitation for inaugural issue of new law journal).
- "The Unanimity Norm in Delaware Corporate Law," 83 *Virginia L. Rev.* 127-175 (1997)(selected in survey by *Corporate Practice Commentator* as one of ten best corporate and securities articles of year).
- "Public Choice and Future of Public Choice-Influenced Legal Scholarship," 50 *Vanderbilt L. Rev.* 647-676 (1997)(essay review of *Public Choice and Public Law: Readings and Commentary* by Maxwell Stearns).
- "A Reliance Damages Approach to Corporate Lockups," 90 *Northwestern U.L. Rev.* 564-605 (1996).
- "The Economic Analysis of Corporate Bankruptcy Law," 3 *Amer. Bankr. Inst. L. Rev.* 85-115 (1995)(with Robert Rasmussen)(written at the invitation of the American Bankruptcy Institute Law Review for symposium on current issues in bankruptcy).
- "Saul and David and Corporate Takeover Law," in *Literature and Legal Problem Solving*, pp.151-171 (Carolina Academic Press, 1998)(written by invitation for conference held at the University of Georgia School of Law, April, 1995).
- "Some Corporate and Securities Law Perspectives on Student Athletes and the NCAA," 1995 *Wisconsin L. Rev.* 669-708 (written by invitation of for symposium on student athletes and the NCAA).

"Practicing Poetry, Teaching Law," 92 *Michigan L. Rev.* 1754-1775 (1994)(essay review of *Before Our Eyes*, poems by Lawrence Joseph).

"Rethinking the Line Between Corporate Law and Corporate Bankruptcy," 72 *Texas L. Rev.* 471-557 (1994)(also selected as one of top ten corporate and securities articles and reprinted in *Corporate Practice Commentator* (vol. 36, No. 3 1994))

"Markets, Courts and the Brave New World of Bankruptcy Theory," 1993 *Wisconsin L. Rev.* 465-521.

"The Nature and Effect of Corporate Voting in Chapter 11 Reorganization Cases," 78 *Virginia L. Rev.* 461-533 (1992).

"Notes Toward an Aesthetics of Legal Pragmatism," 78 *Cornell L. Rev.* 84-105 (1992)(essay review of *The Wallace Stevens Case: Law and the Practice of Poetry* by Thomas C. Grey).

"The Uncertain State of an Unstated Rule: Bankruptcy's Contribution Rule Doctrine After Ahlers," 63 *Amer. Bankr. L.J.* 221-247 (1989).

## **SHORTER PUBLICATIONS**

"Living the in the Towers' Shadow," *Wall Street Journal*, Sept. 11, 2017 (review of Lawrence Joseph, *So Where Are We?*)

"What if a clearinghouse fails?," *Brookings Series on Financial Markets and Regulation*, June 6, 2017, available at [www.Brookings.edu](http://www.Brookings.edu)

"What would repeal of Dodd-Frank's resolution rules mean?," *Brookings Series on Financial Markets and Regulation*, Feb. 16, 2017, available at [www.Brookings.edu](http://www.Brookings.edu)

"Bankruptcy for Banks: A Sound Concept that Needs Fine-Tuning" (with Mark Roe), *New York Times Dealbook*, Aug 16, 2016, available at [www.nytimes.com](http://www.nytimes.com)

Money Columns in *World Magazine*

- “Competitors’ Club” (June 25, 2016)
- “Payday Pitfalls” (Aug 6, 2016)
- “The Money Talk” (Oct 15, 2016)
- “Wells Fargo Fallout” (Oct 29, 2016)
- “More Money Talk” (Nov 26, 2016)
- “A Boon for Business” (Dec 31, 2016)
- “College Loan Conundrum” (Feb 4, 2017)

“Fixing Puerto Rico’s Debt Mess,” *Wall St. J.*, Jan. 6, 2016, at A11.

“The Governance Gap in Municipal Bankruptcy,” *American Bankruptcy Institute Journal* (2015)

“How Congress Can Help Puerto Rico” (with Clay Gillette), *New York Times*, Sept. 14, 2015, at A3

“Now Isn’t the Time to Flee the Public Square,” *Wall Street Journal*, July 24, 2015

“After Debt: A Path Forward for Puerto Rico,” Issue Brief, *Penn Wharton Public Policy Initiative* (April 2016)

“Five Years after Dodd-Frank: Unintended Consequences and Room for Improvement,” Issue Brief, *Penn Wharton Public Policy Initiative* (Dec. 2015)

“Morals Legislation, Revisited,” *Books & Culture*, Sept/Oct 2015, at 15 (review of John W. Compton, *The Evangelical Origins of the Living Constitution*)

Money Columns in *World Magazine* (May 2015-April, 2016)

- “Death by Proxy” (May 16, 2015, p. 65)
- “Forgive Us Our Debts” (June 13, 2015, p. 90)
- “Rescue Rebuke” (July 11, 2015, p. 55)
- “Maximum Impacts” (July 25, 2015, p. 10)
- “Will Uber Go Under?” (Sept. 5, 2015, p. 68)
- “Psyched Out” (Oct. 3, 2015, p. 61)
- “Offers They Can’t Refuse” (Nov. 28, 2015, p. 55)
- “Low-Tax Matchmaking” (Dec 26, 2015, p. 58)
- “Out of the Fold” (Feb. 20, 2016, p. 70)
- “The *Big Short* Explanation” (March 19, 2016, p. 61)

--“Bailout Prevention” (April 30, 2016, p. 59)

“A New Kinder, Gentler Atheism,” *Wall Street Journal*, Oct. 24, 2014

“Christianity Will Live on in Iraq,” *USA Today*, Sept. 23, 2014

“Detroit’s Clever and Likely Illegal Art-for-Pension Deal,” *Washington Post*,  
May 9, 2014

“How Hobby Lobby Could Make it Harder for the Kochs and George Soros to  
Fund Campaigns,” *WashPost.Com*, (July 1, 2014)

“The Next Religious Liberty Case,” *Wall Street Journal*, July 18, 2014

“A Puerto Rican Solution for Illinois,” *Wall Street Journal*, Aug 4, 2014

“Their Daily Bread,” WEEKLY STANDARD (July 14, 2014) (review of Naomi  
Schaefer Riley, *Got Religion?*)

Money Columns in WORLD MAGAZINE (May, 2014- April, 2015)

--(May, 2014)

--(June, 2014)

--(July, 2014)

--(Aug, 2014)

--(Sept, 2014)

--(Oct, 2014)

--(Jan, 2015)

--(Feb, 2015)

“The Edge of All I Know” (review of Christian Wiman, *My Bright Abyss*),  
*Books & Culture*, March/April 2013, at 16

“Founding Finance” (review of William Hogeland, *Founding Finance*), *Books &  
Culture*, December, 2012 (web only), available at:  
[http://www.booksandculture.com/articles/webexclusives/2012/december/  
founding-finance.html](http://www.booksandculture.com/articles/webexclusives/2012/december/founding-finance.html)

“Unlikely Seer” (review of collected poems of Eugenio Montale), *Books &  
Culture*, Jan/Feb, 2013, at 32.

“Policking from the Pulpit and the Tax Man,” *Wall Street Journal*, Nov. 22, 2012

“The Military Balance of Faith and Freedom,” *Wall Street Journal*, Dec 27, 2012

“A Nation Adrift from the Rule of Law,” *Wall Street Journal*, August 22, 2012

“A Solution for Underwater States,” *Penn Law Review* (Summer 2012)(cover story)(revised and updated version of Dec 2010 *Weekly Standard* cover story)

“Caveat Pre-Emptor,” *Pacific Standard*, May/June, 2012, at 46

“Angle of Vision,” *Books & Culture*, May/June, 2012 (essay on William Stuntz, *The Collapse of American Criminal Justice* (2011))

“Mortgage Settlement or Mortgage Shakedown,” *Wall Street Journal*, Feb 21, 2012, at A19

“On Religious Freedom, Years of Battles Ahead,” *Wall Street Journal*, Jan 27, 2012

“The Euro Crisis: Lessons from Bear Stearns,” *Wall Street Journal*, Oct 18, 2011

“Bad Influences,” *World Magazine*, April 7, 2012, at 70

“Eating Our Broccoli,” *World Magazine*, January 14, 2012, at 34

“Beyond a Kneejerk ‘No,’” *World Magazine*, Nov 5, 2011, at 50

“In Defense of Jury Nullification,” *Atlantic.com*, Oct 25, 2011, available at <http://www.theatlantic.com/national/archive/2011/10/in-defense-of-nullification/247299/>

“Was it Immoral for American Airlines to File for Bankruptcy,” *Christianitytoday.com*, Dec 15, 2011, available at <http://www.christianitytoday.com/ct/2011/decemberweb-only/americanairlines.html>

“Strategic or Suicidal?,” *NYTimes.com*, Dec 7, 2011, available at <http://www.nytimes.com/roomfordebate/2011/12/07/waging-war-on-wages/bankruptcy-unthinkable-or-a-strategic-move>

- Book Note on Sarah Gordon, *Spirit of the Law*, *Books & Culture*, December, 2011 (web only)
- “Emigrant Nation,” *Books & Culture: A Christian Review*, Jan/Feb, 2011  
(review of Mark I. Choate, *Emigrant Nation: The Making of Italy Abroad*)(cover story)
- “A Bankruptcy Law—Not Bailouts—for the States,” *Wall Street Journal*, Jan. 18, 2011
- “Is Your Kid’s Tuition Unconstitutional,” *Wall Street Journal*, Nov 2010
- “Give States a Way to Go Bankrupt,” *Weekly Standard*, Nov 30, 2010  
(cover story)
- “Evangelicals Try Stand-Up,” *Wall Street Journal*, July 16, 2010
- “Bankruptcy Reform Will Limit Bailouts,” *Wall Street Journal*, April 21, 2010,  
at A21 (with Thomas Jackson)
- “The Dodd Bill: Bailouts Forever,” *Wall Street Journal*, April 7, 2010, at A15  
(with Peter Wallison)
- “Village Green: Debating Immigration,” *Christianity Today*, March 2010
- “Captain Dog,” *Books & Culture*, March/April 2010 (interview with Pulitzer  
Prize winning poet Charles Wright)
- “Darkness and Light,” *Books & Culture: A Christian Review*, Nov/Dec, 2009  
At 22 (review of poems of Umberto Saba and Alda Merini)
- “The Lehman Myth in the Financial Crisis,” *New York Times Dealbook  
Dialogue* (online discussion), Oct. 6, 2009, available at  
[www.nytimesdealbook](http://www.nytimesdealbook)
- “Calvin’s Legacy: Dour Aristocrat or Democracy’s Hero?,” *Wall Street Journal*,  
July 31, 2009
- “Give Bankruptcy A Chance,” *Weekly Standard*, June 29, 2009



- “Some Bankruptcies Are Worth It,” *N.Y. Times*, May 19, 2009, at A25  
(with Lee C. Buchheit)
- “Geithner is Overreaching on Regulatory Power,” *Wall Street Journal*, March 27, 2009 (with Francis Diebold)
- “On the Road,” *Books & Culture: A Christian Review*, Nov/Dec, 2008  
(review of poems of Adam Jagajewski)
- “Trustbusting 101,” *Books & Culture: A Christian Review*, Aug/Sept, 2008  
(review of *Taking on the Trust*)
- “Apres Lewis,” *Wall Street Journal*, Aug. 5, 2008
- “What Was Jesus Talking About When He Talked About Law?,” *J.L. & Religion*  
(2008)(comment on article by Chaim Saiman)
- “The Ghost of a Crisis in Equity Funds,” *Financial Times*, Sept 5, 2006, at 17
- “Credit Derivatives Play a Dangerous Game,” *Financial Times*, July 17, 2006,  
at 13
- “What’s Law Got to Do with It?,” *Books & Culture*, July/Aug, 2006, at 32-33  
(review of *The Teachings of Modern Christianity on Law, Politics, and Human Nature* (John Witte & Frank S. Alexander eds. 2005))
- “Why Contracts are Saving Sovereign Bankruptcy,” *International Financial L. Rev.*, March, 2006
- “An Ocean of Difference on Takeover Regulation,” in *European Takeovers: The Art of Acquisition* (Jeremy Grant, ed.)(Euromoney Books, 2005) 353-359  
(with John Armour)
- “Point Blank Verse,” *Legal Affairs* 56-59 (Sept/Oct 2005)
- “Behind the Hedge,” *Legal Affairs* 28-33 (Nov/Dec 2005)(cover story on hedge funds)(awarded the 2006 Award of Excellence in Financial Journalism by the New York State Society of Certified Public Accountants in category of articles over 1500 words).

- “How School Vouchers Might Help Religion-Science Debate Evolve,”  
*Philadelphia Inquirer*, April 16, 2006
- “How History Could Give a Hand to the Enron Accused,” *Financial Times*, April 10, 2006
- “Transatlantic Lessons on Takeovers,” *Financial Times*, June 22, 2005
- “The Empty Legacy of the Corporate Scandals,” 48 *Challenge* 104 (Jan/Feb 2005)
- “The Church & Chapter 11,” *California Lawyer*, March, 2005 at 31
- “Faith and the CEO Scandals,” *Chicago Tribune*, Feb. 9, 2005
- “Bush Ducked Real Corporate Reform,” *Financial Times*, July 9, 2004
- “Preserving the Social Security Nest Egg,” *Philadelphia Inquirer*, Dec. 5, 2004
- “Untangling Bankruptcy Reform,” *BankData.Com* (May 12, 2003)  
(column written by invitation for Bankdata.com website)
- “Why the Class Action Strategy is Worth a Second Look,” *International Financial L. Rev.*, Sept. 2003.
- “The Bankruptcy Act of 1841” (five hundred word entry for *Major Acts of Congress* (MacMillan, 2003)).
- “Not-so-Poor Richard,” *Books & Culture: A Christian Review*, March/April, 2003,  
at 36 (review of *God and Mammon: Protestants, Money and the Market, 1790-1860*)
- “America’s States Are Gambling with Their Principles,” *Financial Times*, Jan. 10, 2003, at 17.
- “Still a Lot Not to Like in Lotteries,” *Philadelphia Inquirer*, Jan. 5, 2003, at C5
- “Another Attempt to Legislate Corporate Morality,” *New York Times*, July 10, 2002, at A23 (with William Stuntz).
- “The Lessons of Enron,” *Books & Culture: A Christian Review*, May/June, 2002,  
at 24.

“On Ten Commandments, Religious Debate Falls Short,” *Philadelphia Inquirer*, March 13, 2002, at A23.

“Review of *Law’s Interior: Legal and Literary Constructions of the Self* (by Kevin Crotty),” 20 *Wallace Stevens Journal* 121 (Spring 2002).

“Punish the Real Enron Villains: The Top Executives,” *Philadelphia Inquirer*, Jan. 20, 2002, at C5.

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"Asking the Right Question About Bankruptcy Reform," 25 *Bankr. Ct. Dec.*, May 19, 1994, at A3.

"A Poet Who Found Order in the Court," *Philadelphia Inquirer*, Jan. 5, 1992, at F2 (review of *The Wallace Stevens Case* by Thomas C. Grey).

## **MEDIA APPEARANCES**

Appearances as expert on corporate governance or bankruptcy issues on PBS Evening News, ABC’s *Nightline*, *Chris Matthews’ Hardball*, CNBC, CNN Book TV, *Marketplace*, NPR and other TV and radio shows; interviewed or quoted in the *Wall Street Journal*, *New York Times*, *Washington Post*, *Los Angeles Times*, *Financial Times*, *Boston Globe*, *Time*, *U.S. News & World Report*, *Atlantic Monthly*, *Forbes*, *Fortune*, *The American Prospect*, *Economist*, *The Weekly Standard*, *Village Voice*, *Scientific American* and other newspapers and magazines.

## **PRESENTATIONS**

Numerous invited keynote speeches, scholarly workshops, moderator and panel appearances at conferences, and other presentations on corporate law, bankruptcy, Christianity and law, debt relief, law and literature, and other issues. Details available on request.

## **EDUCATION**

University of Virginia School of Law, J.D., 1987

Editor, Virginia Law Review; Order of the Coif.

University of North Carolina at Chapel Hill, B.A. 1983

Double majored in Zoology and English; Phi Beta Kappa (junior year); Phi Eta Sigma; Honors project in English.

## **LEGAL EXPERIENCE**

Duane, Morris & Heckscher; Philadelphia, PA. (Oct, 1988-June, 1990)  
Associate in Reorganization and Finance Department

Judicial Clerk for the Honorable Walter K. Stapleton (June, 1987-June, 1988)  
U.S. Court of Appeals for the Third Circuit; Wilmington, DE

Lewis and Roca; Phoenix, AZ. (May-August 1986)  
Summer Associate

White & Case; New York, NY. (May-August 1985)  
Summer Associate

## **OTHER**

Poems published in *Boulevard*, *Kansas Quarterly*.

Regular contributor to *Books & Culture: A Christian Review* (2002-2016)

Elder of Tenth Presbyterian Church (1000+ person church, Center City, Philadelphia)(since 1995); Board of Trustees, City Center Academy (Christian high school affiliated with Tenth Presbyterian Church)(1996-2004); Board of Directors, Medical Campus Outreach (medical outreach of Tenth Presbyterian Church)(2002-2006)

Board of Directors, God's World Publications (publisher of *World* magazine) (2010-)

Advisory Board, Agora Institute (Eastern College)(2011-)

Advisory Board, Anselm Institute (formerly McClaren Institute)(Minneapolis/St. Paul)(2009-)

Advisory Editor of *Boulevard* (1990-97).

Married; two children.