

Tom Baker

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ACADEMIC APPOINTMENTS

University of Pennsylvania. Professor of Law 2008-2009. William Maul Measey Professor of Law and Health Sciences 2009-present. Secondary appointment, Wharton School: Business Economics and Public Policy Department (formerly Insurance and Risk Management), 2008-present; Healthcare Management Department, 2014-present.

Service: Leonard Davis Institute for Health Economics (executive committee, co-chair HIX research group,) 2011-present. Steering Committee, Wharton/Penn Risk and Insurance Program 2011-2015. Law school deputy dean, 2010-12. Law school representative, Faculty Senate Executive Committee 2009-11. Chair, University Council Committee on Personnel Benefits 2012-14. Faculty Liaison to the Trustee Committee on Facilities and Campus Planning 2014-present. Chair, Law Building Committee 2009-10. Chair, Law Tenure & Promotion Committee 2013-14. Chair, Law Appointments Committee, 2014-15. Chair, Gruss Committee 2008-.

Teaching: Insurance Law and Policy, Insurance Insolvency, Health Insurance Market Regulation, Risk Management, Torts, Public Policy Seminar, Liability and Insurance.

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

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

Columbia Law School. Fall 2006. Joseph F. Cunningham Visiting Professor of Commercial and Insurance Law teaching torts, and liability and insurance seminar.

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

Yale Law School. Fall semester 2002. Visiting Lecturer (taught Insurance Law and Policy).

University of Miami School of Law. 1992-97. Associate Professor. Teaching: 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); 124 Harv. L. Rev. 2131 (2011) (recent publications); 14 U. Penn. J. Bus. L. 927 (2012) (Miriam Baer). Review essay symposium in 38 Law and Social Inquiry 474 (2013) (essays by Carol Heimer and Jodi Short; introduction by Donald Langevoort).

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. Nastro); 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; third edition, with Kyle Logue, 2013) (adopted at 41 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:

Liability Insurer Data as a Window on Lawyers' Professional Liability, *U.C. Irvine L. Rev.* (forthcoming 2016) (with Rick Swedloff)

Everything's Bigger in Texas except the Medmal Settlements, *Conn. Ins. L. J.* (forthcoming 2016) (with Eric Helland and Jonathan Klick)

Putting the Health Back in Health Insurance, 71 *Medical Care Research and Review* 337 (2014) (with Pavel Atanasov)

Can Consumers Make Affordable Care Affordable? The value of choice architecture (2013) (with Eric Johnson, Ran Hassin, Allison Bajger, Galen Treuer), 8(12) *PLOS ONE* e81521 <http://dx.plos.org/10.1371/journal.pone.0081521>

"You Want Insurance with That?" Using Behavioral Economics to Protect Consumers from Add-On Insurance Products, 20 *Conn. Ins. L. J.* 1 (2013) (with Peter Siegelman) (relied on by

- the U.K. Financial Conduct Authority in General Insurance Add-Ons Market Study, MS 14/1)
- Regulation by Liability Insurance: From Auto to Lawyers Professional Liability, 60 *UCLA L. Rev.* 1412 (2013) (with Rick Swedloff)
- Predicting Securities Fraud Settlements and Amounts: A Hierarchical Bayesian Model of Federal Securities Class Action Lawsuits, 9 *J. Empirical Legal Studies* 482 (2012) (with Blakely McShane, Oliver Watson, Sean Griffith)
- Health Insurance, Risk, and Responsibility after the Affordable Care Act, 159 *University of Pennsylvania Law Review* 1577 (2011)
- The Shifting Terrain of Risk and Uncertainty on the Liability Insurance Field, 60 *DePaul Law Review* 521 (2011) (updated version in 1 *Journal of Financial Perspectives* 29 (2013))
- Insurance in Sociological Research, 6 *Annual Review of Law and Social Science* 433 (2010)
- 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) (reprinted in *Matera & Sbarbaro, eds., Saggi di Diritto Commerciale Interno e Comparativo*, 2012).
- 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; reprinted in *Economics of Corporate Law*, edited by Claire A. Hill and Brett McDonnell).
- 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). Reprinted in *Law and Economics of Insurance*, D. Schwarcz, ed).
- 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:

- Mandatory Rules and Default Rules in Insurance Contracts, in *Law and Economics of Insurance*, D. Schwarcz & P. Siegelman, eds., (2015) (with Kyle Logue)
- Behavioral Economics and Insurance Law: The Importance of Equilibrium Analysis, in *Handbook of Behavioral Economics and Law*, Eyal Zamir and Doron Teichman, eds., (2014) (with Peter Siegelman)

- The Law and Economics of Liability Insurance: A Theoretical and Empirical Review, in *Handbook on the Economics of Torts*, Jennifer Arlen, ed., (2013); reprinted in *Law and Economics of Insurance*, D. Schwarcz, ed., (2015) (with Peter Siegelman).
- Transparency through Insurance: Mandates Dominate Discretion, in *Confidentiality, Transparency, and the U.S. Civil Justice System*, Joseph Doherty, Robert T. Reville, and Laura Zakaras, eds., (2012)
- 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). Translated to Chinese and published in 2012(2) *Renmin University Law Review* 233 (translated by Li Weina).
- 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).
- Risk, Insurance and the Social Construction of Responsibility, in *Embracing Risk*, Tom Baker and Jonathan Simon, eds (U. Chicago P. 2002).
- Insurance Claims Discrimination, in *Insurance Redlining*, Gregory Squires, ed. (Urban Institute Press 1997) (with Karen McElrath).

Book reviews and other short pieces:

- CA Wong, R Town, D Polsky, T Baker, For Third Enrollment Period, Marketplaces Expand Decision Support Tools To Assist Consumers, 35 *Health Affairs* 680 (2016)
- CA Wong, G Nirenburg, R Town, D Polsky, T Baker, Insurance Plan Presentation and Decision Support on HealthCare.Gov and State-Based Websites Created for the Affordable Care Act, Letter, *Annals of Internal Medicine* (2015)

- CA Wong, DA Asch, CM Vinoya, CA Ford, T Baker, R Town, RM Merchant, Seeing Health Insurance and HealthCare.gov Through the Eyes of Young Adults, *J. Adolescent Medicine* (2015)
- CA Wong, DA Asch, CM Vinoya, CA Ford, T Baker, R Town, RM Merchant, The Experience of Young Adults on HealthCare.gov: Suggestions for Improvement: A Case Report, *Ann Intern Med.* Published online 8 July 2014 doi:10.7326/L14-0287.
- The Economics of Health Insurance, 9 *J. Am. Col. Radiol.* 866 (2012) (with Saurabh Jha)
- The Patient Protection and Affordable Care Act and the Regulation of Health Insurance, 9 *J. Am. Col. Radiol.* 871 (2012) (with Saurabh Jha).
- 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).

Manuscripts in Circulation:

- The Mystery of Mutual Insurance in the Lawyers Professional Liability Insurance Market (with Rick Swedloff) (2016) (selected for presentation to the Insurance Law Section at the 2016 annual meeting of the American Association of Law Schools)
- Insurers as Bumblebees in the Garden of Law Firm Norms (with Rick Swedloff) (2016)

Reports and popular press:

- Window Shopping on Healthcare.gov and the State-Based Marketplaces in the Second Enrollment Period: More Consumer Support is Needed (December 17, 2014) (with Gabbie Nirenburg, Adrienne Beatty, and Janet Weiner). Available at www.rwjf.org/en/research-publications/find-rwjf-research/2014/12/window-shopping-on-healthcare-gov-and-the-state-based-marketplac.html
- Modernizing Insurance Regulation in the United States (October 17, 2011) (with L. Charles Landgraf and John S. Pruitt). Available at <http://www.fsround.org/fsr/pdfs/cluff/CluffFundInsuranceModernizationStudy.pdf>.

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>

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://changelabsolutions.org/publications/liability-schools-50-states>

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)

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).

AMERICAN LAW INSTITUTE

- Reporter, Principles of Liability Insurance Law Project (2010-14), Restatement of the Law, Liability Insurance (2014-).
- Principles of the Law of Liability Insurance:
 - Preliminary Draft No.1 distributed February 2011.
 - Preliminary Draft No. 2 distributed October 2011.
 - Council Draft No. 1 distributed January 2012.
 - Preliminary Draft No. 3 distributed February 2012.
 - Preliminary Draft No. 4 distributed March 2012.
 - Discussion Draft No. 1 distributed April 2012.
 - Preliminary Draft No. 5 distributed August 2012.
 - Council Draft No. 2 distributed September 2012.
 - Council Draft No. 3 distributed January 2013.
 - Tentative Draft No. 1 distributed April 2013.
 - Chapter 1 approved by Council (January 2013) and Annual Meeting (May 2013).
 - Council Draft No. 4 distributed September 2013.
 - Preliminary Draft No. 6 distributed March 2014.
 - Tentative Draft No. 2 distributed April 2014.
 - Chapter 2 approved by Council (October 2013) and Annual Meeting (May 2014).
 - Preliminary Draft No. 7 August 2014.
 - Restatement of the Law, Liability Insurance:
 - Preliminary Draft No. 1, distributed February 2015.

- Discussion Draft No. 1, distributed April 2015.
- Council Draft No. 1, distributed September 2015 (approved October 2015).
- Preliminary Draft No. 2, distributed September 2015.
- Council Draft No. 1, distributed December 2015 (approved January 2016).
- Tentative Draft No. 1, distributed April 2016 (for vote at May 2016 Annual Meeting)

CONFERENCES, WORKSHOPS, AND SYMPOSIA ORGANIZED

- Fourth Annual Health Insurance Exchange Conference: The Future of Health Insurance Exchanges in the Direct to Consumer Market, Penn Law School (April 2016) (with Health Insurance Exchange Research Group and the Princeton Center for Health and Wellbeing; supported by the Robert Wood Johnson Foundation)
- Third Annual Health Insurance Exchange Conference, Penn Law School (April 2015) (with Health Insurance Exchange Research Group and the Princeton Center for Health and Wellbeing; supported by the Robert Wood Johnson Foundation)
- Toward HIX 2.0, Penn Law School (April 2014) (with Health Insurance Exchange Research Group and the Princeton Center for Health and Wellbeing; supported by the Alfred P. Sloan Foundation)
- Health Insurance Exchanges, Penn Law School (April 2013) (with Health Insurance Exchange Research Group; supported by the Alfred P. Sloan Foundation and the Leonard Davis Institute for Health Economics).
- 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

Recent Academic:

The Organization of Lawyers' Liability Insurance Companies: Mutual and Stock, International Institute for the Sociology of Law Conference on Consumer Redress When Lawyers are Negligent, Onati (July 2015), Northwestern University Law School (November 2015).

Insurers as Bumblebees in the Garden of Law Firm Norms, University of North Carolina Law School (October 2015).

Smart Choice Sets: Reducing Choice Overload by Partitioning Health Insurance Recommendation Lists, Boulder Summer Conference on Consumer Financial Decision Making, U. Colorado, Boulder (May 2015).

Mapping the Lawyers' Malpractice Insurance Market, University of California, Irvine (September 2014).

Using Big Data and Predictive Analytics to Improve Health Insurance Choice, Insurance Law Center, University of Connecticut School of Law (April 2014).

Liability Insurance as Governance, American Association of Law Schools Annual Meeting, Insurance and Tort Law Sections (New York, January 2014).

The Impact of Insurance on Civil Justice, Private Law Consortium, Bar Ilan University Law School (June 2013).

Choice Architecture and Health Insurance Exchanges: What We Know and Don't Know, and the Research Opportunities that Lie Ahead, Columbia Business School (May 2013).

Conference on Beyond Nudges: Topics in Choice Architecture.

Lawyers Liability as Governance, UCLA Law School (January 2013), University of Texas Law School (January 2013), University of California, Irvine, Law School (March 2013), University of Connecticut Law School (April 2013), Law and Society Association Annual Meeting (June 2013).

Protecting Consumers from Add-On Insurance Products: New Lessons for Insurance Regulation from Behavioral Economics, U. Miami Law School (March 2012), Rutgers (Camden) Law School (April 2012), Law and Society Association Annual Meeting (June 2012), Columbia Law School Law and Economics Seminar (November 2012).

Incorporating Insights of Judgment and Decision Making and Behavioral Economics into the Design of the Health Exchanges, Harvard Law School (October 2011).

Law and Economics after the Behavioral Turn: Learning from Insurance, Penn Law School (September 2011).

Health Insurance Regulation and Healthy Behavior, Law and Society Annual Meeting (San Francisco May 2011), Green College (Vancouver September 2011).
Comment on Annelise Riles' *Collateral Knowledge*, book publication symposium, Cornell Law School (April 2011), Law and Society Association Annual Meeting (June 2012).
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).

Selected Professional:

Consumer Decision Making: Lessons from the Research, America's Health Insurance Plans Exchange Forum (March 2016); Enroll America annual conference (May 2016).
The Consumer Choice Paradigm in Healthcare, New Jersey Health Care Quality Institute (May 2015)
The American Law Institute's Restatement of the Law of Liability Insurance, ABA Section on Trial, Torts and Insurance Practice CLE Conference (February 20, 2015); Rutgers Law School Risk Center Conference (February 27, 2015)
The American Law Institute's Principles of the Law of Liability Insurance Project, ABA Section on Litigation 2014 Insurance Coverage Litigation CLE Seminar (March 7, 2014); Defense Research Institute Insurance Coverage and CLE Conference, New York, New York (December 2012); Law and Regulation Committee of the American Insurance Association (June 2011).
Behavioral Economics and Insurance Regulation, ACE Global Legal Conference (June 2014).
Why Insurance Law, 2013 Torts Trial and Insurance Law Section Awards Dinner, San Francisco CA (August 2013).
Health Insurance Exchanges Research Group, Penn Medicine Innovation Seminar (December 2012).
Healthcare Exchange Design, Center for Consumer Information and Insurance Oversight, State Grantee Meetings (May and September 2011).
How D&O Insurance Transforms Securities Litigation, Professional Liability Underwriting Society Annual Meeting, San Antonio (November 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 Malpractice and Health Reform, briefing to U.S. Senate staff (October 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).
D&O Insurance, Corporate Governance, and Securities Litigation, ABA Tort Trial and Insurance Practice Section Task Force on Corporate Governance (May 2007).
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).

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

Insurance Economics and Legal Systems, 30th General Assembly of the Geneva Association (June 2003).

HONORS AND AWARDS

Appointed Connecticut Mutual Professor of Law, University of Connecticut (September 1997).
 Elected to American Law Institute (October 2000).
 Fulbright Professor, The Hebrew University (Fall 2001).
 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).
 McKay Award, Tort Trial and Insurance Practice Section, American Bar Assn. (August 2013).
 A. Leo Levin Teaching Award for Excellence in an Introductory Course (May 2014).

PROFESSIONAL ACTIVITIES 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 (formerly Fidelity & Surety News) (1999-2006); Presenter at ABA events (1996, 2002, 2004, 2007, 2014); Recipient of Robert B. McKay Law Professor Award (2013).

American Law and Economics Association. Member.

International Association for the Study of Insurance Economics (the Geneva Association). Scientific Committee (2003-13).

Journal of Financial Perspectives, Editorial Board (2012-)

Law and Society Association. Site Evaluation Committee (2001); Graduate Student Workshop Committee (2002-05, 2012-13; 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 (2008-09, 2012-13; Co-chair 2008-09).

Law and Society Review, Editorial Board Member (2006-12)

New Appleman Advisory Board (2005-14)

New England Insurance and Society Study Group. Founder and facilitator (1997-2010).

Peer reviewer: American Journal of Health Economics; American Journal of Industrial Medicine; American Journal of Sociology; American Law and Economics Review; Austrian Science Fund, Humanities and Social Science Division; Behavioral Science & Policy; BioSocieties; Cambridge University Press; Economic and Social Research Council (UK); CHEST Journal; 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 Empirical Legal Studies; Journal of Health Politics, Policy and Law; Judgment and Decision Making; Journal of Legal Studies; Journal of Law, Medicine & Ethics; Journal of Law & Society; Journal of Risk and Insurance; 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; Princeton University Press; Regulation and Governance; Science, Technology and Human Values; Social Science and Medicine; Stanford Law Review; University of Chicago Press; University of Toronto Press; Yale Law Journal; Yale University Press.

Picwell, Inc., Co-Founder and Secretary (2012-present).

Professional Liability Underwriting Society. Academic member (2004-present). Presenter in educational programs (2004-08, 2010).

Promotion and tenure reviewer (external): American Bar Foundation; Bar Ilan University; Cornell University; George Mason University; The Hebrew University of Jerusalem; Rutgers University (Camden); Stanford University; SUNY Potsdam; Syracuse University; Tel Aviv University; University of California, Berkeley; University of California, Hastings; University of California, Irvine; University of California, Los Angeles; University College of London; University of Connecticut; 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; Vanderbilt University.

Sloan and Russell Sage Foundations. Working group on Behavioral Economics and the Regulation of Retail Financial Markets (2008-2014).

Society for Empirical Legal Studies. Member.

The Tobin Project. Government and Markets Initiative.

PRIOR 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).