

March 2019

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EDUCATION

Ph.D. (Social Science) California Institute of Technology, 1979

J.D. University of Southern California, 1977

B.A. (Mathematics) University of California, Los Angeles, 1973

PROFESSIONAL ASSOCIATIONS AND SERVICE POSITIONS

Member, KUSC University Advisory Board, July 2000 to October 2001.

Member, Budget Steering Group, August 2000 to July 2001.

Member, Capital Planning Committee Radisson Subcommittee, August 2000 to August 2001.

Member, Urban Deans Council, July 2000 to March 2004.

Member, Provost's Council, USC, August 2000 to 2006.

Member, Executive Committee, Provost's Council, USC, August 2001 to June 2005.

Member, Board of Directors, American Law and Economics Association, 1997 to 2000.

Member, Board of Editors, American Law & Economics Review, 1998 to 2000.

Director, American Law Deans Association, September 2000 to 2002.

Member, American Law Deans Association, September 2000 to 2006.

Member, The American Law Institute, 2000 to present.

Member, The Fellows of the American Bar Foundation, 2003 to 2007.

Member, Board of Governors, Beverly Hills Bar Association, 2005 to 2007.

Member, Law School Council, The Committee of Bar Examiners of The State Bar of California, 2005 to 2006.

Member, Board of Directors, Telecommunications Policy Research Conference, 1993 to 1995.

Organizing Committee for Telecommunications Policy Research Conference, 1991 to 1994.

APPOINTMENTS

Litigator with Nossaman, Krueger & Marsh, Los Angeles, California, from January 1977 to July 1979.

Assistant Professor of Law at the Northwestern University School of Law, July 1979 to August 1981.

Associate Professor of Law at the University of Southern California Law School, August 1981 to May 1984.

Professor of Law at the University of Southern California Law School, May 1984 to July 1987.

William T. Dalessi Professor of Law at the University of Southern California, August 1987 to June 2000.

Visiting Professor of Law and Social Science in Division of Humanities and Social Sciences at California Institute of Technology, Pasadena, California, January 1988 to June 1988; January 1990 to June 1990; January 1991 to June 1991; and January 1992 to June 1992.

Professor of Law and Social Science in Division of Humanities and Social Sciences at California Institute of Technology, Pasadena, California, July 1992 to June 2001 and July 2006 to June 2010.

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Visiting Associate in Division of Humanities and Social Sciences at California Institute of Technology, Pasadena, California, July 2001 to June 2006.
Visiting Professor of Law at University of Chicago, October 1996 to December 1996.
Visiting Professor of Law at Stanford University, September 1997 to December 1997.
Director, Olin Program in Law and Rational Choice at the University of Southern California Law School, July 1990 to June 2000.
Director, USC Center for Communications Law and Policy, August 1998 to June 2000.
Dean and Carl Mason Franklin Chair in Law at the University of Southern California Law School, July 2000 to June 2006.
Dean and Carl Mason Franklin Chair in Law and Professor of Political Science at the University of Southern California Law School, November 2002 to June 2006.
Robert C. Packard Trustee Chair in Law and Professor of Political Science at the University of Southern California Gould School of Law, July 2006 to June 2010.
Director, Center for Law, Business and Economics, University of Texas, Schools of Law and Business, July 2010 to present.
Director, Massey Prize in Law, Innovation & Capital Markets, University of Texas School of Law, July 2010 to present.
Hayden W. Head Regents Chair for Faculty Excellence, School of Law, and Professor, McCombs School of Business, University of Texas, July 2010 to July 2013.
Howard and Elizabeth Chapman Professor of Law, Pritzker School of Law, Northwestern University, July 2013-present.
Director, Searle Center for Law, Regulation and Economic Growth, and Chapman Professor of Law, Northwestern University, July 2013-present.

PUBLICATIONS -- BOOKS

SEVEN DIRTY WORDS AND SIX OTHER STORIES: CONTROLLING THE CONTENT OF PRINT AND BROADCAST (1986, Yale University Press).
PUBLIC POLICY TOWARD CABLE TELEVISION (1997, AEI/MIT Press)(with Thomas Hazlett).
ADMINISTRATIVE LAW AND REGULATORY POLICY: PROBLEMS, TEXT, AND CASES (5th Edition, 2002, Aspen Law & Business)(with Stephen Breyer, Richard Stewart, and Cass Sunstein).

PUBLICATIONS -- ARTICLES

1. *An Economic Analysis of Sovereign Immunity in Tort*, 50 S. CAL. L. REV. 515 (1977).
2. *Multicriteria Choice Processes: An Application of Public Choice Theory to Bakke, the FCC, and the Courts*, 88 YALE L.J. 717 (1979).
3. *A Reply to Consumption Theory, Production Theory, and Ideology in the Coase Theorem*, 53 S. CAL. L. REV. 1187 (1980) (with Elizabeth Hoffman).
4. *Radio Formats by Administrative Choice*, 47 U. CHI. L. REV. 647 (1980).
5. *The Coase Theorem: Some Experimental Tests*, 25 J. LAW & ECON. 73 (1982) (with Elizabeth Hoffman).
6. *Unions, Fairness, and the Conundrums of Collective Choice*, 56 S. CAL. L. REV. 465 (1983) (with Mayer Freed and Daniel Polsby).
7. *A Reply to Hyde, Can Judges Identify Fair Bargaining Procedures?* 57 S. CAL. L. REV. 425 (1984) (with Mayer Freed and Daniel Polsby).
8. *Entitlements, Rights and Fairness: An Experimental Examination of Subjects' Concepts of Distributive Justice*, 14 J. LEGAL STUDIES 259 (1985) (with Elizabeth Hoffman). [Reprinted in Fall/Winter USC Cites at 10-23; reprinted in ECONOMIC JUSTICE (G. Brosio and H. Hockman, Eds. 1998).]
9. *Experimental Law & Economics: An Introduction*, 85 COLUM. L. REV. 991 (1985) (with Elizabeth Hoffman).
10. *Controlling the Content of Print and Broadcast*, 58 SO. CAL. L. REV. 1349 (1985).
11. *Experimental Tests of the Coase Theorem with Large Bargaining Groups*, 15 J. LEGAL STUDIES 149 (1986) (with Elizabeth Hoffman).
12. *Fear and Loathing in the Coase Theorem: Experimental Tests Involving Physical Discomfort*, 16 J. LEGAL STUDIES 217 (1987) (with Don L. Coursey and Elizabeth Hoffman).
13. *Coasian Solutions to the Externality Problem in Experimental Markets*, 97 ECONOMIC J. 388

- (1987) (with Glenn W. Harrison, Elizabeth Hoffman and E. E. Rutstrom).
14. *Antitrust Federalism and Rational Choice Political Economy: A Critique of Capture Theory*, 61 SO. CAL. L. REV. 1293 (1988).
 15. *Broadcasting and the First Amendment* in Volume 1 of NEW DIRECTIONS IN TELECOMMUNICATIONS POLICY (1989, Duke Univ. Press).
 16. *The Constitutionality of Licensing Broadcasters*, 64 N.Y.U.L. REV. 990 (1989).
 17. *Comment on Noll and Krier's Some Implications of Cognitive Psychology for Risk Regulation*, 19 J. LEG. STUD. 801 (1990).
 18. *Justifying Minority Preferences in Broadcasting*, 64 S. CAL. L. REV. 293 (1990).
 19. *Extensions of Ferejohn and Shipan's Model of Administrative Agency Behavior*, 6 J.L. ECON. & ORGANIZATION 29 (1990).
 20. *Judicial Choice of Legal Doctrines*, 8 J.L. ECON. & ORGANIZATION 8 (1992)(with Pablo Spiller).
 21. *Term Limits*, 80 GEORGETOWN L.J. 477 (1992)(with Linda Cohen). [Reprinted in MAXWELL STEARNS, PUBLIC CHOICE AND PUBLIC LAW (1996).]
 22. *Willingness-to-Pay versus Willingness-to-Accept: Legal and Economic Implications*, 71 WASHINGTON UNIVERSITY L.Q. 59 (1993)(with Elizabeth Hoffman).
 23. *Solving the Chevron Puzzle*, 57 JOURNAL OF LAW & CONTEMPORARY PROBLEMS 65 (1994)(with Linda Cohen).
 24. *Testing Minority Preferences in Broadcasting*, 68 SOUTHERN CALIFORNIA LAW REVIEW 841 (1995)(with Jeff Dubin).
 25. *Judicial Deference to Agency Action*, 69 SOUTHERN CALIFORNIA LAW REVIEW 431 (1995)(with Linda Cohen).
 26. *Framing the Jury*, 81 VIRGINIA LAW REVIEW 1342 (1995)(with Ed McCaffery and Dan Kahneman).
 27. *Where is the Sin in Sincere? Sophisticated Exploitation of Naive Judges*, 11 JOURNAL OF LAW, ECONOMICS & ORGANIZATION 32 (1995)(with Pablo Spiller).
 28. *Dean Krattenmaker's Road Not Taken: The Political Economy of Broadcasting in the Telecommunications Act of 1996*, 29 CONN. L. REV. 353 (1996).
 29. *An Introduction to the Law and Economics of the V-Chip*, 15 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 429 (1997).
 30. *Evaluating Direct Democracy: A Response*, 4 UNIVERSITY OF CHICAGO LAW SCHOOL ROUNDTABLE 37 (1997).
 31. *A First Glance at the Constitutionality of the V-Chip Ratings System*, in TELEVISION VIOLENCE AND PUBLIC POLICY, Edited by James T. Hamilton (U. Mich. Press, 1998).
 32. *Turner, Denver and Reno*, pages 172-217 in A COMMUNICATIONS CORNUCOPIA: MARKLE FOUNDATION ESSAYS ON INFORMATION POLICY (1998, Roger Noll and Monroe Price, Eds.).
 33. *Judicial Auditing*, 29 JOURNAL OF LEGAL STUDIES 649 (2000) (with Eric Talley).
 34. *The Government Litigant Advantage: Implications for the Law*, 28 FLORIDA STATE UNIV. L. REV. 391 (2000) (with Linda R. Cohen).
 35. *Digital Television and the Quid Pro Quo*, 2 BUSINESS AND POLITICS 115 (2000) (with Thomas Hazlett).
 36. *Endowment Effects within Corporate Agency Relationships*, 31 JOURNAL OF LEGAL STUDIES 1 (2002) (with Jennifer H. Arlen and Eric L. Talley).
 37. *Advanced Wireless Technologies and Public Policy*, 79 SOUTHERN CALIFORNIA LAW REVIEW 595 (2006)(with Thomas W. Hazlett).
 38. *Television Mergers and Diversity in Small Markets*, 6 JOURNAL OF COMPETITION LAW AND ECONOMICS 705-770 (2010).
 39. *Left, Right and Center: Strategic Information Acquisition and Mixed Judicial Panels*, 29 JOURNAL OF LAW, ECONOMICS & ORGANIZATION 638-680 (2013)(with Eric Talley)
<http://jleo.oxfordjournals.org/content/early/2011/09/14/jleo.ewr013.full.pdf+html?sid=1743e796-4793-49dc-b193-91bec4984b31>.
 40. *The Enduring Power of Coase*, 54 JOURNAL OF LAW AND ECONOMICS S63 (2011)(with Elizabeth Hoffman).
 41. *What's Age Got To Do With It? Supreme Court Appointees and the Long Run Location of the Supreme Court Median Justice*, 46 ARIZONA STATE LAW JOURNAL 41 (2014) (with Jonathan Katz).

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42. *On Experimentation and Real Options in Financial Regulation*, 43 JOURNAL of LEGAL STUDIES S 121 – S 149 (2014)(with Eric Talley).
43. *Preferences over Punishment and Reward Mechanisms in Social Dilemmas: Comment*, 172(1) JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS (JITE) 195-99 (2015).
Published Online January 28, 2016, DOI: 10.1628/093245616X14500948554117.
http://www.ingentaconnect.com/content/mohr/jite/pre-prints/content-JITE-ID172_1_61.
44. *Appointing Extremists*, AMERICAN LAW and ECONOMICS REVIEW, published November 2, 2017, <https://doi.org/10.1093/aler/ahx020> (with Michael Bailey).
45. *Patent Trolls, Nuisance Suits, and the Federal Trade Commission*, 20 North Carolina Journal of Law and Technology 75 (2018).

OTHER PUBLICATIONS

1. *Book Review* (of HUMAN INFERENCE by Richard Nisbett and Lee Ross), 9 HOFSTRA L. REV. 1621 (1981).
2. *Book Review* (of MISREGULATING TELEVISION by Stanley M. Besen, Thomas G. Krattenmaker, A. Richard Metzger, and John R. Woodbury), 2 INFORMATION ECON. AND POLICY 91 (1986).
3. Editor of Discussion in *Symposium: Punitive Damages*, 56 S. CAL. L. REV. 1, 155 (1982). 4. *Bargaining Solutions to Environmental Problems*, NEUE ZURCHER ZEITUNG, pg. 66, Sept. 16, 1987, (with R. S. Radford).
5. *Jurisprudence and Formal Models*, 12 INT'L REV. L. AND ECON. 284 (1992).
6. *Freedom of Expression*, in THE NEW PALGRAVE DICTIONARY OF ECONOMICS AND THE LAW, Edited by Peter Newman (Stockton Press, 1998).
7. *Book Review* (of J. GREGORY SIDAK, FOREIGN INVESTMENT IN TELECOMMUNICATIONS), 59 Journal of Economic History 1124 (1999).
8. *Taking Over*, 33 UNIVERSITY OF TOLEDO LAW REVIEW 213 (Fall 2001).
9. *Evaluating Valuing Empiricism (at Law Schools)*, 53 JOURNAL OF LEGAL EDUCATION 3 (September 2003).
10. *Diamonds and Deep Breathing*, 36 UNIVERSITY OF TOLEDO LAW REVIEW 191 (Fall 2004).
11. *Memorial Tribute to Dave Carroll*, 78 SOUTHERN CALIFORNIA LAW REVIEW 13 (2004).

WORKS IN PROGRESS

- Cheap Sex and the Changing Economics of Broadcast Television* (with Amit Gandhi and Simon Wilkie)
Vertical Integration in Commercial Broadcast and Local Programming Preemption (with Amit Gandhi and Simon Wilkie)
Patently Risky: Framing, Innovation and Entrepreneurial Preferences (with Elizabeth Hoffman, David Schwartz, and Eric Talley)(under submission)
Experimental Tests of Race and Sex Discrimination in Employment (with Deborah Weiss).

PRIZE

- Ronald H. Coase Prize for excellence in law and economics (shared with Elizabeth Hoffman).
American Law and Economics Association Prize for best article of 2018 (shared with Michael Bailey).