

CURRICULUM VITAE

RICHARD A. EPSTEIN

I. PERSONAL

Born: April 17, 1943

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II. PROFESSIONAL

Laurence A. Tisch Professor of Law, New York University, since 2010

James Parker Hall Distinguished Service Professor of Law Emeritus and senior lecturer, The University of Chicago, since 2011

James Parker Hall Distinguished Service Professor of Law, University of Chicago, 1988-2010

Peter and Kirstin Bedford Senior Fellow, Hoover Institution, since 2000.

Visiting Professor, New York University Law School, 2005-2010.

Norman McLean Prize for Teaching Excellence, University of Chicago 2014

Bradley Prize 2011

Honorary Member, The Law and Economics Association of New Zealand, 2008

Honorary Doctorate, University of Ghent 2003

Honorary Professor, the University of Applied Sciences, Lima Peru, 2003

Interim Dean, University of Chicago Law School (February 19, 2001-June 30, 2001).

James Parker Hall Professor of Law, University of Chicago, since 1982.

Professor of Law, University of Chicago, since 1973.

Visiting Associate Professor of Law, University of Chicago, 1972-73.

Associate Professor of Law, University of Southern California, 1970-73.

Assistant Professor of Law, University of Southern California, 1968-70.

Seminar Leader, National Endowment for the Humanities, Summer 1987

Member, American Academy of Arts and Sciences, since 1985.

Senior Fellow, Center for Clinical Medical Ethics, since 1984.

Editor, Journal of Law and Economics 1991 to 2001.

Editor, Journal of Legal Studies, 1981 to 1991.

Member, California Bar, 1969 to present.

III. EDUCATION

Yale Law School, LL.B. 1968, cum laude, Order of the Coif.

Oxford University, B.A. (Juris.) 1966, First Class Honors.

Columbia College, B.A. 1964, summa cum laude, phi beta kappa.

Great Neck North Senior High School, 1960.

IV. SUBJECTS TAUGHT

Administrative Law
Antitrust
Civil Procedure
Communications
Contracts
Conflicts of Law
Constitutional Law

Future Interests
Health Law
Individual Income Taxation
Jurisprudence
Land Finance
Land Use Planning
Legal History

Corporate Taxation
Corporations
Criminal Law
Criminal Procedure
Environmental Law
Estate Planning
Financial Regulation (Banking
Food and Drug Law

Labor Law
Military Law
Patents
Property
Restitution
Roman Law
Torts
Workers' Compensation

V. PUBLICATIONS

Books:

Monographs

The Dubious Morality of the Modern Administrative State (Rowman & Littlefield) (2020).

The Classical Liberal Constitution: The Uncertain Quest for Limited Government (Harvard UP 2014) <http://www.hup.harvard.edu/catalog.php?isbn=9780674724891>

Design for Liberty: Private Property, Public Administration, and the Rule of Law (Harvard UP 2011)

Why Progressive Institutions Are Unsustainable, Encounter Broadside No 26 (2011)

The Case Against the Employee Free Choice Act, (Hoover Press, 2009), on line at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1337185.

Supreme Neglect: How to Revive the Constitutional Protection of Property Rights (Oxford 2008)

Antitrust Consent Decrees in Theory and Practice: Why Less is More (AEI 2007)

Overdose: How Excessive Government Regulation Stifles Pharmaceutical Innovation (Yale University Press. 2006)

How Progressives Rewrote the Constitution (Cato 2006).

Intellectual Property for the Technological Age (NAM 2006)

Free Markets Under Siege: Cartels, Politics and Social Welfare (IEA 2004); (Australia/New Zealand ed. 2004) (Hoover Institution 2005).

Skepticism and Freedom: A Modern Case for Classical Liberalism (, University of Chicago Press 2003).

Torts (Aspen Law & Business, 1999).

Principles for a Free Society: Reconciling Individual Liberty with the Common Good (Perseus, 1998)

Mortal Peril: Our Inalienable Right to Health Care? (Addison-Wesley, 1997)

Simple Rules for Complex World (Harvard University Press, 1995)

Bargaining with the State (Princeton University Press, 1993).

Forbidden Grounds: The Case Against Employment Discrimination Laws (Harvard University Press, 1992)

Takings: Private Property Under the Power of Eminent Domain. Cambridge, MA: Harvard University Press (1985)

Modern Products Liability Law. Westport, CT: Quorum Books of the Greenwood Press (1980).

Casebooks and supplements

Cases and Materials on Torts, 12th ed. New York, Wolters Kluwer Law and Business (2020) (with Catherine M. Sharkey).

Cases and Materials on Torts, 11th ed. New York, Wolters Kluwer Law and Business (2016) (with Catherine M. Sharkey).

Cases and Materials on Torts, 10th ed. New York, Wolters Kluwer Law and Business (Aspen Publishers (2012) (with Catherine M. Sharkey)

Cases and Materials on Torts, 9th ed., New York, Wolters Kluwer Law and Business (Aspen Publishers) (2008).

Cases and Materials on Torts, 8th ed., New York: Aspen Publishing (2004).

Cases and Materials on Torts, 7th ed., New York: Aspen Law & Business (2000).

Cases and Materials on Torts, 6th ed. Boston: Little, Brown & Co. 1995)

Torts Supplement for Epstein, Cases and Materials on Torts (1993 Little, Brown Inc.)

Cases and Materials on Torts, 5th ed, Boston: Little, Brown & Co. (1990).

Supplement to Cases and Materials on Tort. Boston: Little, Brown & Co. (1987).

Cases and Materials on the Law of Tort (with C. Gregory and H. Kalven: 4th edition Richard A. Epstein). Boston: Little, Brown (1984).

Supplement to Cases and Materials on the Law of Tort. Boston: Little, Brown (1981).

Cases and Materials on the Law of Tort (with C. Gregory and H. Kalven: 3d edition Richard A. Epstein). Boston: Little, Brown (1977).

Edited

Economics of Constitutional Law (2 volumes, Edward Elgar Publishing Limited, 2009).

Economics of Property Law (Edward Elgar Publishing Limited, 2007).

Federal Preemption: States' Powers, National Interests (with Michael Greve) (AEI 2007),

Competition Laws in Conflict: Antitrust Jurisdiction in the Global Economy (with Michael Greve) (AEI 2004).

The Vote: Bush, Gore and the Supreme Court (Editor, with Cass R. Sunstein) (2001)

Liberty, Property and the Law (5 Volumes, with series introduction and volume introductions) (Garland Press 2000).

The Bill of Rights in the Modern State (ed., with Geoffrey R. Stone & Cass R. Sunstein, University of Chicago Press, 1992).

Labor Law and the Employment Market (ed., with Jeffrey Paul) (New Brunswick Transaction Press, 1985).

Articles

Harm Principle, EECF (forthcoming 2023)

Texas A & M

MSU art stuff Goldstein v.

The Classical Liberal Version of Labor Law: Beware of Coercion Dressed Up as Liberty, 24 Theoretical Inquires in Law 97 (2023).

The Plasticity of Property: legal transitions between different property rights regimes for different resources, in *The Changing Role of Property Law: Rights, Concepts and Values* (2023).

The Private Law Connections to Public Nuisance Law: Some Realism About Today's Intellectual Nominalism, 17 *J Law & Econ and Organ*, (2023).

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Birth Rights and Birth Wrong: Why the No Liability Regime is Likely to Endure, 23 *The Journal of Contemporary Legal Issues* 67 (2021)

The Old Brandeis and New Madison in Historical Perspective, available at <https://www.competitionpolicyinternational.com/the-old-brandeis-and-the-new-madison-in-historical-perspective/>

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Toward the Peaceful Coexistence of Patent and Antitrust Law, available at <https://gaidigitalreport.com/wp-content/uploads/2020/11/Epstein-Toward-the-Peaceful-Coexistence-of-Patent-and-Antitrust-Law.pdf>

Delegation of Powers: A Historical and Functional Analysis, 24 Chap. L. Rev. 649 (2020-2021)

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America Does Not Need Unions, Law and Liberty Forum, July 1, 2020, available at <https://lawliberty.org/forum/american-workers-do-not-need-unions/>

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Our Implied Constitution, 53 Willamette L. Rev. 295 (2017).

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Richard A Epstein, “Disappointed Expectations: How the Supreme Court Failed to Clean up Takings Law in *Murr v. Wisconsin*”, 11 NYU J Law & Lib 151 (2017).

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My Methodological Flip-Flop on Individual Liberty 14 (2) Econ. Journal Watch 288 (2017)

Introduction to An Illinois Constitution for the Twenty-First Century, (Illinois Policy Institute (Joseph Tabor, editor, 2017)

Missed Opportunities, Good Intentions: The Takings Decisions of Justice Antonin Scalia, 6 British Journal of American Legal Studies 111 (2017).

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Returning to the Common-law Principles of Insider Trading After *Newman v. United States*, 125 *Yale L. J.* 1482 (2016)

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Innovation and Inequality: The Separability Thesis, 39 *Harv. J. Law & Pub. Pol.* 1 (2016).

From Common Law to Environmental Protection: How the Modern Environmental Movement Has Lost its Way, 23 *Sup. Ct. Econ. Rev.* 141 (2015).

The Ends of Capitalism: An Introduction, 23 *Sup. Ct. Econ. Rev.* 1 (2015) with Mario Rizzo).

The Double-Edged Sword of State Constitutional Law, 9 *N.Y.U. J. Law & Lib.* 723 (2015).

"Rediscovering the Classical Liberal Constitution: A Reply to Professor Hovenkamp, 101 *Iowa L. Rev.* 55 (2015)

The Role of Guidances in Modern Administrative Procedure: The Case for De Novo Review, 8 *Journal of Legal Analysis* (2015), <http://jla.oxfordjournals.org/content/8/1/47.full.pdf+html>

A Cautionary Warning on Healthcare Exchanges: A Plea for Deregulation, In *The Future of Health Care Reform in the United States* (Anup Malani & Michael H. Schill eds. 2015)

The Bundling Problem in Takings Law: Where the Exaction Process Goes off the Rails, 4 *Brigham-Kanner Property Rights Conf. J.* 133 (2015).

Discussion with others) on Balancing Private Property and Community Rights.: 4 *Brigham-Kanner Property Rights Conf. J.* 229 (2015).

Common Ground: How Intellectual Property Unites Creators and Innovators, 22 *George Mason L. Rev.* 805 (2015).

How Spontaneous? How Regulated? The Evolution of Property Rights Systems, 100 *Iowa L. Rev.* 2341 (2015).

Introduction to Spontaneous Order and Emergence of New Systems of Property Rights, 100 *Iowa L. Rev.* 2249 (2015) (with Yun-chien Chang)

The Upside-Down Law of Property and Contract: Of Fannie Mae, Freddie Mac, and San Jose, 93 *Neb. L. Rev.* 869 (2015).

From Natural Law to Social Welfare: Theoretical Principles and Practical Applications, 100 Iowa L. Rev. 1744 (2015)

Clearing the Path to Growth, 24 National Affairs 34 (Summer 2015)

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