

CURRICULUM VITAE

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EDUCATION

University of Chicago, School of Law

National Honor Scholarship

Doctor of Law, 1971

Birmingham-Southern College

President's Career Scholarship

B.A., 1968. Major in history and minor in political science

PROFESSIONAL EXPERIENCE

2004 to present	Josiah Meigs Distinguished Teaching Professor
1984 to present	Professor Faculty of Legal Studies The University of Georgia Athens, GA
1990	Visiting Professor Faculty of Legal Studies, Wharton School The University of Pennsylvania Philadelphia, PA
1978-1984	Associate Professor Faculty of Legal Studies The University of Georgia Athens, GA

1972-1978

Assistant Professor
Faculty of Business Law
The University of Georgia
Athens, GA

AWARDS

Career Awards

1995 Senior Faculty Award for Excellence. The Academy of Legal Studies in Business's highest career achievement award. Presented once every other year.

Research Awards

1998 Ralph C. Hober Award for Excellence in Research, Vol. 35 (4 issues), *American Business Law Journal*. Presented for the solely authored article "A Free Speech Metavalue for the Next Millennium: Autonomy of Consciousness in First Amendment Theory and Practice."

1997 Ralph C. Hober Award for Excellence in Research, Vol. 34 (4 issues), *American Business Law Journal*. Presented for the solely authored article "Is Commercial Speech Really Less Valuable Than Political Speech?"

1995 Ralph C. Hober Award for Outstanding Article, Vol. 32 (4 issues), *American Business Law Journal*. Presented for the solely authored article "Should the First Amendment Protect Joe Camel? Toward an Understanding of Constitutional 'Expression'."

1988 Best Article Award, Vol. 26 (4 issues), *American Business Law Journal*. Presented for the article "Facilitating the Flow of Truthful Personnel Information: Some Needed Change in the Standard Required to Overcome the Qualified Privilege to Defame." (co-authored with Jan W. Henkel).

1981 Best Major Article, Vol. 19 (4 issues), *American Business Law Journal*, for the solely authored article "Must Quasi-Legislators, Like Caesar's Wife, Be Above Suspicion?"

Teaching Awards

Alpha Kappa Psi Teacher of the Year, 2002-2003

Alpha Kappa Psi Outstanding Professor Award, 2001-2002

Alpha Kappa Psi Outstanding Professor Award, 1998

Senior Teaching Fellow, 1998, University of Georgia.

Josiah Meigs Award for Excellence in Teaching, 1996, University of Georgia.

Distinguished Teacher of the Year, Terry College of Business, University of Georgia. Voted by the students, 1995.

Outstanding Teaching Honoree, 1995 Honors Day, University of Georgia.

Outstanding Teaching Honoree, 1985 Honors Day, University of Georgia.

Teacher of the Year. Voted by the Graduate Business Association, 1984.

Outstanding Teaching Honoree, 1980 Honors Day, University of Georgia.

College of Business Outstanding Teacher of the Year. Voted by the members of Delta Sigma Pi business fraternity, 1977.

Service

Outstanding Service Award. Presented at the 1993 annual meeting of the Academy of Legal Studies in Business.

Outstanding Service Award. Presented at the 1986 annual meeting of the Academy of Legal Studies in Business.

RESEARCH

Articles

“The Connection Between a Property-Based Legal System and National Prosperity: Example from a Divided Germany Reunified” (with Florian Stamm), *Georgia Journal of International and Comparative Law*, Vol. 33, pp. 574-603 (2005) (lead article).

“What Is Property?” *American Business Law Journal*, Vol. 41, pp. 459-501 (2004).

“Development of Market Democracy in Iraq” *Georgia Journal of International and Comparative Law*, Vol. 33, pp. 210-215 (2004).

“Nationbuilding 101: Reductionism in Property, Liberty, and Corporate Governance,” *Vanderbilt Transnational Law Journal*, Vol. 36, pp. 673-721 (2003).

“Law, the Rule of Law, and Property,” *American Business Law Journal*, Vol. 38, No. 3, pp. 441-473 (2001) (lead article).

Taking Sides: Legal Issues (Katsh & Ross, eds., McGraw Hill 2002) (a reprint of “The State Is Strong But I Am Weak,” an article that appeared in *American Business Law Journal*, Vol. 38, 2000).

“The State Is Strong But I Am Weak: Why the ‘Imminent Lawless Action’ Standard Should Not Apply to Targeted Speech,” *American Business Law Journal*, Vol. 38, No. 1, pp. 177-208 (2000).

“The Newsbox and the First Amendment” (with Charles F. Floyd), *Journal of Legal Studies in Business*, Vol. 6, pp. 29-43 (1998).

“Controlling Newsbox Clutter” (with Charles F. Floyd), *Land Use Law & Zoning Digest*, Vol. 49, No. 9, pp. 3-8 (1997).

“A Free Speech Metavalue for the Next Millennium: Autonomy of Consciousness in First Amendment Theory and Practice,” *American Business Law Journal*, Vol. 35, pp. 1-46 (1997) (lead article).

“Copyright Infringement at the User Interface: An Analysis of Intellectual Property Rights in Computer Software” (with Steven E. Follin), *Journal of Legal Studies in Business*, Vol. 5, pp. 235-253 (1997).

“Is Commercial Speech Really Less Valuable Than Political Speech? On Replacing Values and Categories in First Amendment Jurisprudence,” *American Business Law Journal*, Vol. 34, pp. 1-37 (1996) (lead article).

“Regulating Campus Discord in an Era of Free Speech: The Hostile Work Environment Analogy,” *Journal of Legal Studies in Business*, Vol. 4, No. 2, pp. 45-69 (1995).

“Social Science, Harm, and Advertising Regulation,” *Advertising Law Anthology*, Vol. 18, Part 1, pp. xix-xxv, International Library (1995). (An article invited by the publisher to serve as an introduction to the anthology).

“Does the First Amendment Protect Joe Camel: Toward an Understanding of Constitutional Expression,” anthologized in *Advertising Law Anthology*, Vol. 18, Part 1, pp. 411-456, International Library (1995).

“Does the First Amendment Protect Joe Camel: Toward an Understanding of Constitutional ‘Expression,’” *American Business Law Journal*, Vol. 32, pp. 311-354 (1995) (lead article).

- “Nonspeechlike Advertising and the First Amendment: A Refinement and Application of ‘Nonverbal Communication and the Freedom of Speech,’” *University of Wisconsin Law Review*, Vol. 1994, pp. 1025-1031 (1994).
- “The Psychological Impact of TV Advertising and the Need for F.T.C. Regulation,” anthologized in *A Reader in Business Ethics and Social Responsibility* 138 (Wines and Anderson, eds.), Kendall/Hunt (1993).
- “Reading the Tea Leaves: Future Regulation of Product Extrinsic Advertising,” *Business Horizons*, p. 88 (Sept.-Oct. 1990).
- “A Constitutional and Policy-Related Evaluation of Prohibiting Use of Certain Nonverbal Techniques in Legal Advertising,” anthologized in *Advertising Law Anthology*, Vol. 13, p. 349, International Library (1990). (co-authored with Douglas M. Whitman).
- “Work Product Privilege and Discovery of Expert Testimony: Resolving the Conflict Between Federal Rules of Civil Procedure 26(b)(3) and 26(b)(4),” reprinted in *Defense Law Journal*, Vol. 38, p. 565 (1989). (co-authored with Jan W. Henkel).
- “A Constitutional and Policy-Related Evaluation of Prohibiting Use of Certain Nonverbal Techniques in Legal Advertising,” *Brigham Young University Law Review*, Vol. 1988, p. 265 (1988). (co-authored with Douglas M. Whitman).
- “Facilitating the Flow of Truthful Personnel Information: Some Needed Change in the Standard Required to Overcome the Qualified Privilege to Defame,” *American Business Law Journal*, Vol. 26, p. 305 (1988). (co-authored with Jan W. Henkel).
- “Work Product Privilege and Discovery of Expert Testimony: Resolving the Conflict Between Federal Rules of Civil Procedure 26(b)(3) and 26(b)(4),” *Florida State University Law Review*, Vol. 16, p. 313 (1988). (co-authored with Jan W. Henkel).
- “Product Liability Tort Reform: The Case for Federal Action,” *Nebraska Law Review*, Vol. 63, p. 391 (1984). (co-authored with John L. Watkins).
- “The DES Cases and Liability Without Causation,” *American Business Law Journal*, Vol. 19, p. 511 (1982). (co-authored with Arthur Davison).
- “The Next 25 Years of Advertising Regulation,” *The Collegiate Forum*, p. 7 (Fall 1981).

- “Employee Complaints and the Scope of OSHA Inspections: Heading for a Showdown,” *American Business Law Journal*, Vol. 19, p. 196 (1981). (co-authored with Arthur Davison).
- “Rulemaker Disqualification for Prejudgment: The Emerging Standard,” *Law Notes*, Vol. 17, p. 1 (No. 1, 1981).
- “Must Quasi-Legislators, Like Caesar’s Wife, Be Above Suspicion?,” *American Business Law Journal*, Vol. 19, p. 1 (1981).
- “A Setback for Comparative Fault in Strict Product Liability,” *Business Law Review*, Vol. 13, p. 34 (No. 1, Summer 1980).
- “The FTC and Corrective Advertising: Act One,” *American Business Law Journal*, Vol. 17, p. 246 (1979).
- “Eighteenth-Century Legal Doctrine Meets Twentieth-Century Marketing Techniques,” anthologized in *Advertising Law Anthology*, Vol. 5, p. 434, International Library (1978). (co-authored with John L. Coalson).
- “Social Science, Advertising Regulation at the FTC, and the Emerging Commercial Speech Doctrine,” *Advertising Law Anthology*, Vol. 5, p. xvi, International Library (1978). (An article invited by the publisher to serve as an introduction to the anthology).
- “Eighteenth-Century Legal Doctrine Meets Twentieth-Century Marketing Techniques,” *Georgia Law Review*, Vol. 11, p. 733 (1977).
- “The Psychological Impact of TV Advertising and the Need for FTC Regulation,” anthologized in *Advertising Law Anthology*, Vol. 4, p. 29, International Library (1976).
- “Law and Language,” *ALSA Forum*, p. 2 (No. 2, 1976).
- “Constitutional Challenge to Dormitory Residency Requirements: The End of the Tunnel,” *Journal of College Student Personnel*, Vol. 17, p. 181 (1976). (co-authored with J. D. Irving).
- “The Psychological Impact of TV Advertising and the Need for FTC Regulation,” *American Business Law Journal*, Vol. 13, p. 171 (1975).
- “Insurance Subrogation of Personal Injury Actions: The Silent Explosion,” *American Business Law Journal*, Vol. 12, p.111 (1974).

Selected Citations by Journal

Selected citations to my publications may be found in the *Arizona State Law Journal* (2005), *DePaul Law Review* (2005), *Alabama Law Review* (2004), *American University International Law Review* (2004), *Connecticut Law Review* (2004), *Hofstra Labor Law Journal* (2004), *Northwestern University Law Review* (2004), *Texas International Law Journal* (2004), *St. John's Journal of Legal Commentary* (2004), *St. Thomas Law Review* (2004), *Texas International Law Journal* (2004), *Albany Law Journal of Science & Technology* (2003), *American Business Law Journal* (2003)(2), *California Western International Law Journal* (2003), *Creighton Law Review* (2003), *Seton Hall Legislative Journal* (2003), *Vanderbilt Journal of Transnational Law* (2003)(3), *American Business Law Journal* (2002), *Brigham Young University Law Review* (2002), *California Western International Law Journal* (2002), *Creighton Law Review* (2002), *Harvard International Law Journal* (2002), *Journal of International Business Studies* (2002), *Texas Law Review* (2002), *William & Mary Bill of Rights Journal* (2002), *Cornell Journal of Law and Public Policy* (2001), *Journal of Contemporary Legal Issues* (2001), *Texas International Law Journal* (2001), *Indiana Law Journal* (2001), *Journal of Contemporary Legal Issues* (2001), *Valparaiso University Law Review* (2001), *Arizona State Law Journal* (2001), *American Business Law Journal* (2001), *Psychology of Marketing* (2001), *Stanford Law Review* (2000), *Syracuse Law Review* (2000), *Minnesota Law Review* (2000), *American Business Law Journal* (2000 & 1999), *Arizona State Law Journal* (2000), *Arizona Law Review* (1999), *University of Dayton Law Review* (1999), *William & Mary Bill of Rights Journal* (1999), *Valparaiso Law Review* (1999), *Wake Forest Law Review* (1999), *American Business Law Journal* (1998), *University of Chicago Law Review* (1998), *Indiana Lawyer* (1998), *Virginia Journal of Social Policy and the Law* (1998), *Journal of Law & Politics* (1998), *Harvard Journal on Legislation* (1997), *National Law Journal* (1997), *Fordham I.P.M. & E Law Journal* (1997), *Georgia Law Review* (1997), *Journal of Business Ethics* (1997), *Notre Dame Law Review* (1997), *William & Mary Law Review* (1997), *New York Law Journal* (1997), *Iowa Law Journal* (1996), *Washington and Lee Law Review* (1996), *Georgia Law Review* (1996), *American Business Law Journal* (1996), *Supreme Court of New Jersey* (1996) *Buffalo Law Review* (1996), *Capitol University Law Review* (1996), *American Business Law Journal* (1995), *Yale Journal of Law and Public Policy* (1995), *Yale Law & Policy Review* (1995), *Yale Journal on Regulation* (1995), *South Texas Law Review* (1995), *South Dakota Law Review* (1995), *Minnesota Law Review* (1994), *Oregon Law Review* (1994), *Tulane Law Review* (1994), *Oklahoma Law Review* (1994), *Institute of Medicine, Growing Up Tobacco Free* (1994), *Journal of Marketing* (1993), *American Business Law Journal* (1993), *Case Western University Law Review* (1992), *University of Michigan Journal of Law References* (1991), *Southern California Law Review* (1991), *University of Miami Law Review* (1990), *Michigan Law Review*

(1990), *Vanderbilt Law Review* (1990), *UCLA Law Review* (1990), *Journal of Marketing*, *Texas Law Review* (1989), *American University Law Review* (1989), *University of Cincinnati Law Review* (1989), *Southern California Law Review* (1989), *Georgia Law Review* (1989), *University of Miami Law Review* (1989), *Journal of Purchasing and Materials Management* (1989), Doely, *The Product Liability Mess* (1988), *Journal of Consumer Research*, *Notre Dame Law Review* (1986), *Journal of Public Policy* (1986), *California Court of Appeals* (1985), *University of Iowa Law Review* (1985), *Georgia Law Review* (1985), *University of Michigan Journal of Law Reference* (1985), *Vanderbilt Law Review* (1985), *Southern California Law Review* (1985), *Journal of Legal Studies Education* (1985), *Boston University Law Review* (1985), *American Business Law Journal* (1984), *Current Issues and Research in Advertising* (Preston 1983), *Journal of Legal Studies Education* (1983), *Collegiate New and Views* (1983), *Georgetown Law Journal* (1981), the *Wisconsin Law Review* (1981), the *Georgia Law Review* (1981 and 1980), the *John Marshall Law Review* (of Chicago 1981), *Advertising Law Anthology* (1981, 1980, 1979), *Journal of Advertising Research* (1981), *Current Issues and Research in Advertising* (Leigh and Martin eds. 1980), *Consumer Information Remedies* (Federal Trade Commission 1979), *Kentucky Law Journal* (1979), the *Arkansas Law Review* (1978), *Michigan Law Review* (1978), and *Yale Legislative Services* (1978).

TEACHING

Courses Taught

Legal Environment of Business - LS 270
Legal Environment of Business Honors - LS 280H
Business Law I - LS 470
Business Law II - LS 576
Business Law II - LS 776
Social, Political, and Legal Environment of Business - LS 800
Torts in the Business Environment - LS 830

Textbooks

The Legal and Regulatory Environment of Business, 13th ed., Irwin/McGraw-Hill, NY (2005). (co-authored with, Peter J. Shedd, Jere W. Morehead, Robert N. Corley).

The Legal and Regulatory Environment of Business, 12th ed., Irwin/McGraw-Hill, NY (2002). (co-authored with, Peter J. Shedd, Jere W. Morehead, Robert N. Corley).

The Legal and Regulatory Environment of Business, 11th ed., Irwin/McGraw-Hill, NY (1999). (co-authored with Robert N. Corley, Peter J. Shedd, and Jere W. Morehead).

The Legal and Regulatory Environment of Business, 10th ed., McGraw-Hill, NY (1996). (co-authored with Robert N. Corley, Peter J. Shedd, and Jere W. Morehead).

The Legal and Regulatory Environment of Business, 9th ed., McGraw-Hill, NY (1993). (co-authored with Robert N. Corley and Peter J. Shedd).

The Legal Environment of Business, 8th ed., McGraw-Hill, 8th, ed., McGraw-Hill, NY (1990). (co-authored with Robert N. Corley and Peter J. Shedd).

The Legal Environment of Business: Briefed Case Edition, McGraw-Hill, NY (1989). (co-authored with Robert N. Corley).

The Legal Environment of Business, 7th ed., McGraw-Hill, NY (1987). (co-authored with Robert N. Corley).

Fundamentals of the Legal Environment of Business, McGraw-Hill, NY (1986). (co-authored with Robert N. Corley).

The Legal Environment of Business, 6th ed., McGraw-Hill, NY (1984). (co-authored with Robert N. Corley).

The Legal Environment of Business, 5th ed., McGraw-Hill, NY (1981). (co-authored with Robert N. Corley and Robert L. Black).

The Legal Environment of Business, 4th ed., McGraw-Hill, NY (1977). (co-authored with Robert N. Corley and Robert L. Black).

Chapters in Textbooks

“Advertising and the Federal Trade Commission,” *Business Law: Key Issues and Concepts* 97 (Dunfee and Reitzel, eds.), Grid Publishing (1978).

“Constitutional Challenge to Dormitory Residency Requirements: The End of the Tunnel,” anthologized in *College Student Development Revisited* 214 (Peitrofesa, ed.) (1977). (co-authored with J.D. Irving).

Articles

“King Contract Wears No Clothes,” *Journal of Legal Studies Education*, Vol. 9, p. 31 (1990).

“The Role of Contracts in the Introductory and Only Law Course That Most Business Students Well Ever Take,” *Journal of Legal Studies Education* Vol. 9, p. 1 (1990) (co-authored with panel members).

SERVICE

Service at the University of Georgia

Service at the University of Georgia has included work on the Terry College Strategic Planning Committee, Executive Committee of the University Council (3 yrs.), Charter Lecture Committee (2 yrs.), the Undergraduate Programs Committee (4 yrs.), the Graduate Programs Committee, the Honors Committee (2 yrs.), the Educational Policy Committee (2 yrs.), the Faculty Concerns Committee (5 yrs.), the University Statutes and Bylaws Revision Committee, advisor to Delta Sigma Pi business fraternity (2 yrs.), advisor to Theta Chi social fraternity (3 yrs.), and member of the Athens/University Food Cooperative board of directors (2 yrs.). I have also chaired three ad hoc student appeals committees and one employee appeals committee, taught in the CPA Review Course (4 yrs.), and taught in the Executive Development Program (4 yrs.).

Service to Academic Organizations

Service to academic organizations has included being president, vice-president, program chair, and secretary-treasurer of the international Academy of Legal Studies in Business and president, vice-president, program chair, and secretary-treasurer of the Southeastern Business Law Association. I also spent 8 years on the editorial board of the *American Business Law Journal*, including two years as editor-in-chief.

CONSULTING AND OTHER PROFESSIONAL ACTIVITIES

Expert Witness - Florida Bar Association, 1992-1993.

Invited Testifier to Federal Trade Commission, 1990.

Expert Witness - Alabama Bar Association, 1987.

Expert Witness - New Jersey Supreme Court, 1985.