
BUSINESS FACULTY NOTES



Professor Eric Franklin Amarante joined the UT College of Law in 2017 after teaching at the University of Nevada Las Vegas William S. Boyd School of Law for four years. Prior to his stint at UNLV, Amarante was the inaugural Whiting Fellow at the University of Denver Sturm College of Law. **Professor Amarante** received his J.D. from Cornell Law School and his B.A. from the University of Texas. After law school, he joined Sullivan & Cromwell's corporate group in Palo Alto, where his practice primarily focused on mergers and acquisitions, corporate finance, and securities offerings. After several years at Sullivan, he moved to Seattle to join the business transaction group of Davis Wright Tremaine.

Professor Amarante's most recent article, *States as Laboratories for Charitable Compliance: An Empirical Study*, provides evidence that the IRS is failing to properly regulate the charitable sector. To do so, the article reviews the organizational documents of 500 recently formed charities and concludes that a majority of them fail to meet minimum organizational requirements for charities. This article, which will be published in *The George Washington Law Review* in Spring 2022, concludes by suggesting some cost-efficient practices that states might adopt to step into the void left by the IRS. **Professor Amarante** was also appointed to the Advisory Council for the Ihsan Standard, a project of the Muslim Philanthropy Initiative at the Indiana University Lilly Family School of Philanthropy. The Ihsan Standard engages in community-based participatory research concerning the Muslim nonprofit sector, which is subject to excessive regulatory and public scrutiny. Finally, **Professor Amarante** participated in a livestream event hosted by the Elmahaba Center on small business legal issues. The Elmahaba Center, based in Nashville, serves Arabic-speaking immigrants and refugees. The session, which was translated into Arabic, has been viewed over 1,500 times.



Professor Brad Areheart published a chapter in the book, *Feminist Judgments: Rewritten Employment Discrimination Opinions* (Cambridge U. Press, Ann McGinley & Nicole Porter eds., 2020). **Professor Areheart's** chapter provides commentary on *Young v. UPS*, 135 S. Ct. 1338 (2015), a case that discussed denial of pregnancy accommodations.

Professor Areheart's article, *GINA, Big Data, and the Future of Employee Privacy*, 128 Yale L.J.

710 (2019) (with Jessica Roberts) was favorably reviewed on JOTWELL by Professor Matt Bodie of Saint Louis University School of Law who concludes: "Their article is a terrific contribution to our understanding of the future of employment." It was also recently cited in a federal district court case involving indemnification under the Genetic Information Nondiscrimination Act. *Maness v. Village of Pinehurst, NC*, 2021 WL 723350 (M.D. N.C. Feb. 24, 2021).

Professor Areheart's work on organizational justice was recently featured in Forbes. In *Can We Trust Corporate Commitments to Racial Equity*, UNC law professor Ifeoma Ajunwa writes: "The legal scholar, **Brad Areheart**, has argued that organizational justice, which prescribes a moral obligation on the part of employers to create a fair work environment, if properly administered, could minimize discrimination in the workplace, mitigate its effects, and increase internal reporting when instances of discrimination do occur." She is referring to **Professor Areheart's** article, entitled *Organizational Justice and Antidiscrimination*, which was published in the *Minnesota Law Review* in 2020.

Professor Areheart recently spoke virtually at the 2021 iteration of SEALS. He spoke as part of a discussion group entitled "Work in the Digital Age" and presented an early version of an article entitled, "*Privacy Norms in an Age of Pandemics*."



Professor Teri Baxter practiced in the litigation and appellate sections in the Houston office of Locke Liddell & Sapp LLP (now Locke Lord LLP) for five years before joining the faculty at Saint Louis University School of Law in 2002. While there, **Professor Baxter** taught Contracts, Commercial Law, and Secured Transactions as well as seminars focused on the Fourth Amendment, Privacy, and Family Law issues.

In 2013, **Professor Baxter** joined the University of Tennessee College of Law, where she continues to teach Secured Transactions and a Family and Privacy seminar, but has added Constitutional Law and Torts. These new courses provide a great fit with her scholarly focus on family, privacy, and related constitutional issues.



Professor Zack Buck wrote a guest column with Dr. Carole Myers, titled *Knox County Board of Health Is Needed to Protect Citizens from COVID-19* for the Knoxville News-Sentinel.

Professor Buck also gave a virtual lecture titled “Antitrust Risk in an Era of Healthcare Regulation” at the Haslam College of Business as part of its Physician Executive MBA program and presented “Understanding Specialty Drugs and the Health Care Cost Crisis” at the Affordable Assisted Living Coalition Annual Conference (sponsored by the Southern Illinois University School of Medicine). Additionally, **Professor Buck** spoke as part of a panel for the Law and Economics Center webinar, entitled “The Growing Use of State Government Disclosure and Reporting Requirements for Pharmaceutical Pricing and Costs,” hosted by the George Mason University Antonin Scalia Law School on Feb. 12, 2021.

Professor Buck published a book review in the *Journal of Legal Medicine* of the book, *Exposed: Why Our Health Insurance Is Incomplete and What Can Be Done About It* (Harvard Univ. Press 2019), by Boston University law professor Chris Robertson published at 40 J. LEGAL MED. 283 (2020). **Professor Buck** also published a piece on The Conversation titled *While the Supreme Court Deliberates on the Affordable Care Act, Congress*

and the White House May Act. The piece was subsequently published in the Houston Chronicle.

Professor Buck's newest article, *The Drug (Pricing Wars): States, Preemption, and Unsustainable Prices*, has been published in the 99th volume of the North Carolina Law Review, 99 N.C. L. REV. 167. Also, **Professor Buck** published a review on JOTWELL: "In Search of Health Law Coherence," reviewing Gabriel Scheffler's, *The Dynamism of Health: Expanded Insurance Coverage As the Engine of Regulatory Reform*.

Professor Buck's piece, "The Meaning of "Medicare-for-All," that accompanied a symposium at the University of Houston, has been published in the 20th edition in the Houston Journal of Health Law and Policy.

On April 16, **Professor Buck** (virtually) presented his paper, "When Hospitals Sue Patients," at a University of Missouri faculty colloquium as part of the College of Law's faculty exchange with Mizzou.

Professor Buck also participated in a multi-day digital symposium, "Recommendations for a Biden/Harris Health Policy Agenda," hosted by the Petrie-Flom Center at Harvard Law School on its blog. His piece, "*Biden's Early Focus: Durable and Attainable Private Insurance*," was published on May 13. In it, he argues that, while an undeniably positive development for access to health insurance, the generous subsidies within the American Rescue Plan that stabilize the Affordable Care Act demonstrate President Biden's priorities of protecting and building private insurance, which may put bolder and more ameliorative financing reform, like a public option or universal health care plan, further out of reach.

Professor Buck (virtually) presented his forthcoming paper, "When Hospitals Sue Patients," at the 44th annual Health Law Professors Conference, which was hosted by Northeastern University School of Law on June 7, 2021. **Professor Buck** also presented as part of the Jay Healey Teaching Session, entitled "Radical Humanity, Vulnerability, and Community in Law Teaching and Learning," as part of the kickoff to the 44th annual Health Law Professors Conference, which was hosted by Northeastern University School of Law on June 7, 2021.

Professor Buck also published a piece on The Conversation, entitled *What's Next for Health Care Reform After the Supreme Court Rejects ACA's Most Recent Challenge?* The piece takes a brief look at the Supreme Court's recent decision, and looks ahead at what could be next in health reform.

At the Southeastern Association of Law Schools (SEALS) annual conference at Amelia Island, Florida, **Professor Buck** moderated the new

scholars workshop, "Environmental, Economic, and Racial Justice," on July 29, 2021. **Professor Buck** also participated in the SEALS discussion group on July 30, 2021, "Trending Topics in Health Law and Health Policy," where he presented his article, "When Hospitals Sue Patients, Next Steps," which is forthcoming in the *HASTINGS LAW JOURNAL*.

Professor Buck was the featured guest on HealthConnections, a show hosted on Knoxville's NPR affiliate, 91.9 FM WUOT. His interview, which aired during NPR's "Morning Edition" and "All Things Considered" on September 7, was entitled *Public Health Law During a Pandemic*. **Professor Buck** was also quoted in an article in *COMPASS KNOX*, *Grappling with a Mandate*, which was published Sept. 15, 2021. **Professor Buck** was also interviewed by WKRN, ABC's Nashville affiliate, and was quoted in its lead story at 5pm on Sept. 27, 2021, regarding federal court decisions that have blocked Governor Bill Lee's mask 'opt out' policy for public schools in three counties across the state.



Professor Iris Goodwin joined the College of Law faculty in 2005, having been a Faculty Fellow at Seton Hall Law School from 2003–2005. She earned her J.D. at New York University and her Ph.D. in political theory at Columbia University, where she was a Chamberlain Fellow and a member of the Columbia College of Law faculty. She then began her legal career as an associate at Sullivan & Cromwell. Later she was Senior Vice President and Associate Fiduciary Counsel at Bessemer Trust Company.



Professor Joan Macleod Heminway presented her paper *Federalized Corporate Governance: The Dream of William O. Douglas as Sarbanes-Oxley Turns 20* at Brooklyn Law School's May symposium honoring Professor Roberta Karmel. The symposium, "A Life Navigating the Securities Markets: A Celebration of Professor Roberta Karmel's Work, Teaching, and Mentorship," was sponsored by the Center for the Study of Business Law and Regulation, the Dennis J. Block Center for the Study of International Business Law, and the *Brooklyn Journal of Corporate,*

Financial & Commercial Law (which is publishing scholarship from the symposium, including Professor Heminway's paper, in a future volume).

Earlier in the year, **Professor Heminway** was interviewed for the "Future Law Podcast." The episode aired in May and focused on corporate law and leadership.

Professor Heminway also organized and moderated a panel for this year's Business Law Forum sponsored by the Tennessee Bar Association. The 2021 Business Law Forum (convened in May) covered Valuation Considerations for the Tennessee Business Lawyer. Prof. Heminway's panel, "Athlon and the Death of the Delaware Block Method," focused on business valuation in the context of mergers and acquisitions.

In addition, **Professor Heminway** participated in two programs at the Law and Society Association annual conference in May. She was a participant in a roundtable discussion addressing current scholarship, policy, and thinking about corporate board diversity entitled "Diversity and the U.S. Public Company Board: California and Beyond," and she chaired and moderated an Author Meets Reader session on Prof. Jennifer Taub's book *Big Dirty Money: The Shocking Injustice and Unseen Cost of White Collar Crime*.

In June, **Professor Heminway** offered both a keynote talk and a teaching presentation at Emory Law's recent Seventh Biennial Conference on the Teaching of Transactional Law and Skills. The theme of the conference was "Emerging from the Crisis: The Future of Transactional Law and Skills Education." Professor Heminway's keynote focused on the need to teach resilience to transactional business law students. In her "Try This" teaching session, "Leadership for the Transactional Business Law Student," Professor Heminway offered examples from transactional business law courses that illustrate how teaching moments can be created—or opportunistically used—to offer leadership education to law students.

Professor Heminway spoke on "An Innovative Way to Prevent Adversarial Supplier Relationships?" at the recent National Business Law Scholars Conference, hosted by UT Law in June on Zoom. Her presentation addressed the topic of her forthcoming essay, currently titled *The Potential Legal Value of Relational Contracts in a Time of Crisis or Uncertainty*. The essay, also presented at a workshop organized through the Temple University Beasley School of Law, is being published in a forthcoming volume of Duke Law School's *Law and Contemporary Problems* journal.

Professor Heminway was a panelist, moderator, and discussion group participant in several programs at the 2021 Southeastern Association of Law Schools conference. She offered commentary on securities and general business law opinions issued by the U.S. Supreme Court in its 2020–21 term as a panelist in the “Supreme Court and Legislative Update (Administrative, Corporate, and Intellectual Property)” program, moderated a discussion group for aspiring law professors on “Mapping Academic Opportunities,” participated in a discussion group on corporate governance entitled “First Things First: Is Short-Termism the Problem?,” organized, moderated, and participated in an additional intersectional discussion group on the legal treatment of business entity organic documents as contracts, and co-organized and co-moderated the “Insider Trading and Markets” discussion group. She also served as a mentor to a new scholar whose research and writing currently centers on income taxation and entrepreneurship.

Professor Heminway led a pupillage team in presenting the October program for the Hamilton Burnett Inn of Court. The team’s program focused on what lawyers need to know about cybersecurity in and outside their own workplaces.

Also in October, **Professor Heminway** offered a program for undergraduates as part of the Clifton M. Jones Leadership Workshops organized by the Clay and Debbie Jones Center for Leadership and Service. Her workshop, “Why Would Anyone Want to be Led by Me?,” addressed the meaning of leadership and how emergent leaders can think about its contours and applicability to their work and lives.

Professor Heminway’s book chapter, “U.S. Securities Crowdfunding: A Way to Economic Inclusion for Low-Income Entrepreneurs?,” was recently published by Routledge in a volume entitled *Digital Entrepreneurship and the Sharing Economy*. In addition, her recently recorded Tennessee Bar Association continuing legal education program on relational contracts and the pandemic was first aired in mid-December.



Professor Emeritus Amy Hess, who is an Academic Fellow of the American College of Trust and Estate Counsel (“ACTEC”), was one of the speakers at a webinar sponsored jointly by ACTEC and the American Law Institute in May 2021. The topic is Ethical Challenges for Trust and Estate Lawyers in Dealing with Clients with Diminished Capacity.

Professor Hess serves on a subcommittee that is revising the ACTEC Commentaries on Model Rule of Professional Conduct 1.14, Dealing With Clients With Diminished Capacity. The subcommittee gave presentations on this project to the ACTEC Committees on Elder Law and Professional Responsibility during the ACTEC Annual meeting in March 2021 and completed the revisions in June. Additionally, **Professor Hess** is serving as co-chair of a subcommittee the Knoxville Bar Association’s Access to Justice Committee that is working to establish a special court for homeless people in Knoxville.

In February 2021, **Professor Hess** submitted the manuscript for the 2021 supplements to her treatise, *BOGERT & HESS, THE LAW OF TRUSTS AND TRUSTEES*. The supplements were published in July. She is currently working on a replacement for the volume of the treatise that deals with trustees’ powers.



Professor Becky Jacobs, has several publications to report. The book, *DISCUSSIONS IN DISPUTE RESOLUTION: THE FORMATIVE ARTICLES*, to which she contributed a chapter, has been published by Oxford University Press. Her article, *Perpetuating Persecution: Mental Health and Psychosocial Barriers to U.S. Immigration*, is forthcoming in volume 26 of the *Texas Journal of on Civil Liberties & Civil Rights*. She will be contributing to the *Transactions Business Journal’s* Fall 2021 Symposium with commentary on the presentation of Professor

Colleen Baker and Professor James Coleman regarding the Texas 2021 energy black outs. She also will contribute to the journal *Open Rivers: Rethinking Water, Place & Community’s* 2022 issue on Women & Water.

Professor Jacobs worked with the UT COL student Environmental Law Organization to plan a very successful of the 12th Annual Appalachian Public Interest and Environmental Law (APIEL) Conference. As part of this year's APIEL, the Professor also organized and moderated a panel entitled, Ethical Issues in the Practice of Environmental Law: A Case Study Review, including UT COL's Dean Rivkin, Boston College's Zygmunt J.B. Plater, Vermont's Patrick A. Parenteau, Pace's Achinthei C. Vithanage, and Duke's Michele Okoh. She also helped the student organizers secure the keynote speaker, Alejandra Nunez, the Deputy Assistant Administrator for Mobile Sources, Office of Air and Radiation at the U.S. Environmental Protection Agency. **Professor Jacobs** is again coaching the College of Laws' Environmental Law Moot Court Team for the Jeffrey G. Miller National Environmental Law Moot Court Competition.

The Tennessee Court's Alternative Dispute Resolution Commission has extended its pilot program authorizing limited online Rule 31 training, and **Professor Jacobs** is participating in the pilot as part of the Spring 2022 Family Mediation Clinic. Her work with the Knox County Community Mediation Center, its partnership with the UT COL Clinic, and Professor Jacobs' membership on its Board also continue. **Professor Jacobs** also remains an organizing member of the Baker Center Energy and Environment Forum at the University of Tennessee. The Forum is an opportunity for academics to share their research across with a broad set of academics, researchers, and students from outside their own discipline who have a common interest in environmental- and energy-related issues. She also continues to serve as a member of the ABA Dispute Resolution Section's Ethics Committee and its Legal Educators in Dispute Resolution (LEDR) Committee, and she is serving as the representative for East Tennessee for the Tennessee Mapping Advisory Committee.



Professor Brian Krumm participated and provided commentary in the fourth annual "Connecting the Threads" symposium hosted by the Clayton Center for Entrepreneurial Law and Transactions: The Tennessee Journal of Business Law. **Professor Krumm** has agreed to serve on the provost's faculty review and promotion taskforce and also as a member of the working

group that is examining the lasting impact of the COVID pandemic.

On July 21, 2020, **Professor Krumm** was interviewed by News Channel 11 (Kingsport) on matters of Corporate Governance involving a corporation in which Congressional candidate Diana Harshbarger was a corporate secretary.

Additionally, **Professor Krumm** participated in a panel sponsored by the University of Indiana/Bloomington, Maurer School of Law's Center for Intellectual Property Research Workshop on the topic "Software & Technology in the IP Clinics" on July 28, 2020. In addition, he was a panelist in a workshop sponsored by the University of Indiana/Bloomington, Maurer School of Law's Center for Intellectual Property Research Workshop on the topic "Best Practices in Trademark Filing" on August 11, 2020.

On July 30, 2020, **Professor Krumm** was a discussant at the Southeastern Association of Law Schools Annual Conference, "Political Polarization in the Classroom." In addition, **Professor Krumm** and Professor Jiang dong from Renmin University College of Law in Beijing presented at SEALS on "International Collaborative Teaching." They discussed the value of the joint class they have been conducting remotely for the past 7 years. The class teaches transactional interviewing, drafting and negotiation skills to Chinese law students.

Professor Brian Krumm was also interviewed by the Knoxville News Sentinel on August 4, 2020, "Trump's political insertion worries former TVA board member" concerning President Trump's firing of two of the Tennessee Valley Authority's Board Members.



Professor George Kuney participated in the in the fourth annual "Connecting the Threads" symposium hosted by the Clayton Center for Entrepreneurial Law and Transactions: The Tennessee Journal of Business Law. His books "Legal Drafting in a Nutshell (5th edition)" and "Legal Drafting: Techniques, Processes, and Exercises (4d edition)" have been published by West Academic Publishing and he has been selected

by West to produce a series of short audio and video lessons dealing with areas and concepts that students find difficult in the Contracts I and Contracts II curricular space. Topics will include the objective theory of

contracts, consideration in all its many forms, the statute of frauds, damage computations, the parol evidence rule and canons of construction, and how the form of the legal standard at play in a contracts problem can guide the student in their analysis of an issue. He also produced an asynchronous class for the College's Masters in Legal Studies program that cover both Contracts I and II with a Legal Analysis and Drafting overlay. He is currently working to develop a similar course dealing with Business Organizations, which should be available in the Summer of 2022. He is the co-author of *Bankruptcy in Practice*, 6th Ed. (ABI 2022, with Michael Bernstein), and was awarded *The Tina L. Stark Award for Excellence in the Teaching of Transactional Law and Skills* at Emory University College of Law's Seventh Biennial Conference on the Teaching of Transactional Law and Skills (2021). Finally, he coauthored *Evading Effective Review in Bankruptcy: The Unique Intersection of the Divestiture Doctrine, Interlocutory Orders, and Equitable and Statutory Mootness*, 2021 Norton Annual Survey of Bankruptcy Law 87 (West 2021), with co-author Aleah Reno-Demick, UTLaw Class of 2021.



Professor Michelle Kwon was a co-presenter at the 68th Annual Taxation Conference hosted by the University of Texas. The title of the CLE was “Ethical Issues When Working Remotely (or did Alexa just waive privilege?).”



Professor Don Leatherman has had the privilege of teaching at the University of Tennessee College of Law since 1994 and teaches primarily courses in the federal income tax. He writes and speaks frequently on issues related to federal income tax, particularly those involving corporations and consolidated groups.

Before he worked at the University of Tennessee, **Professor Leatherman** was a branch chief in the corporate tax division of Chief Counsel at the Internal Revenue Service in Washington, D.C., an associate at Arnold & Porter in Washington, D.C., and an associate at Skarlatos & Zonarich in Harrisburg, Pennsylvania. He also taught as an adjunct in the

LL.M tax program at the Georgetown University Law Center for seven years.



Professor Alex Long presented his research titled *Suicide, Wrongful Death, and Lawyer Well-Being* at the BLR Medical Malpractice Virtual Conference. He also presented at “What the Americans with Disabilities Act (and Employment Law More Generally) Has to Teach Legal Employers About Lawyer Well-Being” at the Colloquium on Scholarship in Employment and Labor Law at the University of Louisville Brandeis School of Law.

Professor Long's article *The Statutification of Tort Law in the Workplace* will be published in the Berkeley Journal of Employment and Labor Law. Additionally, **Professor Long's** article, *Abolishing the Suicide Rule*, 113 NW. U. L. REV. 767 (2019), was cited by the Supreme Court of South Carolina in *Wickersham v. Ford Motor Co.*, 2020 WL 7234505. On certification from the Fourth Circuit Court of Appeals, the court held that traditional principles of proximate cause apply to claims alleging that a defendant negligently caused another's death from suicide. The court cited Professor Long's article in support of rejecting any sort of categorical rule.

Professor Long's recent article, *Using the IIED Tort to Address Discrimination and Retaliation in the Workplace* (forthcoming in the University of Illinois Law Review), was recently reviewed on JOTWELL by Professor Christopher Robinette of Widener University Law School. **Professor Long** was also recently quoted in an article in The Ledger, entitled "No Vaccine, No Job? Not Yet."

Professor Long's article, “*If the Train Should Jump the Track ...*”: *Divergent Interpretations of State and Federal Employment Discrimination Statutes*, 40 GA. L. REV. 469 (2006) was recently cited by a dissenting judge on the Iowa Supreme Court in *Godfrey v. State*, 2021 WL 2671324 (Iowa June 30, 2021). The majority opinion overturned a \$1.5 million jury verdict against the governor of Iowa involving alleged sexual orientation discrimination and retaliation.

Professor Long and Associate Dean Schaefer were speakers on the SEALS panel "Professional Responsibility in Our Turbulent Times."

Professor Long's article *All I Really Need to Know About Defamation Law in the 21st Century I Learned From Watching Hulk Hogan* has been

accepted for publication in volume 57 of the Wake Forest Law Review. Additionally, **Professor Long's** essay *What the Lawyer Well-Being Movement Could Learn from the Americans with Disabilities Act* has been accepted for publication in volume 63 of the William & Mary Law Review Online.

Professor Long has a forthcoming publication *Of Prosecutors and Prejudice (or "Do Prosecutors Have an Ethical Obligation Not to Say Racist Stuff Online?")*, 55 UC Davis Law Review ____ (forthcoming 2022).



Professor Thomas Plank published a short article, *Clearinghouse Insolvency: Caution in Disregarding Contractual Allocation of Losses Between Non-Defaulting Members or Shareholders*, 22 TENN. J. BUS. L. 355–64 (2021), commenting on an article by Professor Colleen Baker, *Clearinghouse Shareholders and "No Creditor Worse Off Than in Liquidation" Claims*, 22 TENN. J. BUS. L. 335–53 (2021), as part of the fourth annual "Connecting the Threads" symposium hosted by the Clayton Center for Entrepreneurial Law and Transactions: The Tennessee Journal of Business Law October 16, 2020.

Professor Plank also received the 2021 Carden Award for Outstanding Achievement in Scholarship from the University of Tennessee College of Law (for distinguished record of scholarship over a period of years). He was also nominated for and was elected to the American College of Commercial Finance Lawyers in April 2021.

Professor Plank has completed final edits to a law review article, *Custodian or Not: Scrivener's Error in A Bankruptcy Code Safe Harbor*, to be published in Volume 38 of the Emory Bankruptcy Developments Journal, describing a drafting error in the Bankruptcy Code that limits the effectiveness of certain safe harbors that Congress enacted to protect the operation of the securities and mortgage loan markets if a party to a contract for the purchase and sale of mortgage loans became a debtor in bankruptcy.

Professor Plank has announced his retirement at the end of the Fall 2021 semester from the full time teaching after 27 and ½ years.



Dean Paula Schaefer agreed to serve another term as a Subject Matter Expert for the National Conference of Bar Examiners. Schaefer presented a CLE on attorney ethics in appellate advocacy as part of the annual Tennessee Supreme Court Boot Camp CLE sponsored by the Tennessee Bar Association's Appellate Practice Section. **Dean Schaefer** was part of the Nashville Bar Association's Government Practice & Professionalism Institute, presenting *Government*

Attorney Ethics.

Dean Schaefer was invited to present an attorney ethics update to the Tennessee Office of the Attorney General. In a collaboration between the University of Memphis and University of Tennessee, **Dean Schaefer**, along with Brad Morgan and Jodi Wilson, presented a CLE titled *Ethical and Legal Obligations of Supervising Lawyers Under Tennessee's "Supervised Practice" Rule*.

Dean Schaefer moderated a roundtable with John Dean and professional responsibility professors. This roundtable is one of several events sponsored by the Professional Responsibility section of AALS to mark the 50-year anniversary of Watergate. **Dean Schaefer** is the current chair of the Professional Responsibility section of AALS.

Dean Schaefer and Professor Joy Radice spoke on the panel "Incorporating Racial Justice Issues in the Classroom" at the SEALS Annual Conference. Additionally, **Dean Schaefer** and Professor Alex Long were speakers on the SEALS panel "Professional Responsibility in Our Turbulent Times."

Dean Schaefer was a commentator on a paper at the Evidence Summer Workshop, hosted by Vanderbilt Law School. The paper was "Presuit Lawyer Duties on Creating, Preserving, Producing and Protecting Information Relevant to Civil Litigation" by Jeffrey Parness.

Dean Schaefer was interviewed by Law360 who cited her scholarship in an article regarding sanctions for discovery misconduct against Endo Pharmaceuticals and its attorneys in opioid litigation in New York and Tennessee.

Professor Gregory Stein's latest article, *The Impact of Autonomous Vehicles on Urban Land Use Patterns*, has been published at 48 FLA. ST. U. L. REV. 193 (2021). The article examines the many ways in which the



increasing prevalence of self-driving cars will have an impact on zoning rules, roadway design, vehicle miles traveled, and environmental laws.

Professor Stein's article, *Swallowing its Own Tail: The Circular Grammar of Background Principles under Lucas*, was published at 71 FLA. L. REV. FORUM 246 (2021). The article, which responds to two other scholarly articles, argues that the exception

to the rule the Supreme Court established in *Lucas v. South Carolina Coastal Council* is inconsistent with the rule itself and grammatically nonsensical. Thus, the Court's holding is self-contradictory. His review article, *Did You Know that You're Paying Part of the Cost of my Car?*, has been published in JOTWELL. He also published an article in NEWS AND NOTES, a publication of the American College of Real Estate Lawyers, reviewing the College's first all-online conference.

Professor Stein received the 2021 Marilyn V. Yarbrough Award for Writing Excellence for his article, *Inequality in the Sharing Economy*, which was previously published at 85 BROOKLYN L. REV. 787 (2020). That article examines the ways in which the use of dynamic pricing may exacerbate existing economic inequalities.

Professor Stein presented *The Impact of Autonomous Vehicles on Urban Land Use Patterns* to the Austin, Texas, Bar Association's Real Estate section, and also to the Land Use and Environmental Committee at the annual meeting of the American College of Real Estate Lawyers.

Professor Stein recently gave a presentation on "*The Uniform Partition of Heirs Property Act and Its Importance for Tennessee.*" The presentation was part of a Forum sponsored by the Federal Deposit Insurance Corporation and the Federal Reserve Bank of Atlanta and was designed to brief the Tennessee Affordable Housing Coalition about the Act. Professor Stein, along with two representatives of the Atlanta Fed, described the Act, which is aimed at preventing land loss by African-American farmers and other under-represented groups. Tennessee is one of only three remaining southern states not to have adopted the Act.



Professor Maurice Stucke and his co-author Ariel Ezrachi won an Antitrust Writing Award by George Washington University and Concurrences Review for their article, *Sustainable and Unchallenged Algorithmic Tacit Collusion*, 17 NW. J. OF TECH. & INTELL. PROP. 217 (2020).

The American Bar Association Antitrust Law Section's Report Of The Task Force On The Future Of Competition Law Standards interviewed a group of thought leaders in the global antitrust community. The ABA task force interviewed **Professor Stucke** and extensively cited his work on ways to reform competition law. Additionally, the Japan Fair Trade Commission hosted **Professor Stucke** and his co-author Ariel Ezrachi as the keynote speakers at its 48th Open Seminar, which had a couple of hundred participants, to present on their latest book *Competition Overdose*. **Professors Stucke** and Ezrachi also presented *Competition Overdose* at the Third International Conference on Competition and Innovation, organized by the Brazilian Institute for Competition and Innovation. The two also presented *Competition Overdose* in February for the Institute of New Economic Thinking, Young Scholars Initiative: Monopoly Capital in the Contemporary Global Economy as well for the University of Chicago Stigler Center.

Professor Stucke published an essay titled *Antitrust Spring*, in the Institute of New Economic Thinking. **Professor Stucke's** essay for the University of Chicago Stigler Center, entitled, *Why Isn't the FTC Tackling Facebook's Data-opoly?*, has been posted online.

In an article entitled *Is More Competition the Answer for Audit*, the Institute of Chartered Accountants in England and Wales featured **Professor Stucke's** book, *Competition Overdrive*. Additionally, a recent antitrust report by the House antitrust subcommittee extensively cites a number of **Professor Stucke's** writings, including two reports, articles, and his book, *Big Data and Competition Policy*.

Professor Stucke was also quoted in an article by Quartz concerning the House report. He was recently interviewed by Charleston Hub in a piece entitled "Amazon, Publishers and Antitrust—Part 2: Where Do We Go From Here." He was also interviewed by the Columbia Journalism Review. Professor Stucke was quoted by the AFP wire service, which was picked up by media outlets, including Yahoo. **Professor Stucke** was cited

by Bloomberg in the article “How ‘Big Is Bad’ Has Become a Big, Big Deal.” Fox News also interviewed **Professor Stucke** on the FTC’s and states’ complaints against Facebook. Additionally, **Professor Stucke** was quoted in the New York Times in “10 States Accuse Google of Abusing Monopoly in Online Ads;” and in Protocol’s “Which of the Big Tech antitrust lawsuits has the best chance of winning?”

Competition Overdrive was included and reviewed in Lexxion’s list of “The Antitrust Books You Should’ve Read in 2020.” Niamh Dunne, associate professor of competition and EU law at the London School of Economics, favorably reviewed **Professor Stucke’s** book, *Competition Overdose*, in her article, *The Antitrust Anti-Consensus*. In its 2021 report, the UK competition authority referenced *Competition Overdose*, as well as earlier articles and book, *Virtual Competition*. Additionally, Oxford University Press will publish **Professor Stucke’s** forthcoming book, *Breaking Away: How to Regain Our Data, Privacy, and Autonomy*.

Professor Stucke participated in May in a seminar by the World Bank on “Competition Policy Challenges Posed by Data-Driven Businesses.” The other panelists were Sara Nyman, Senior Economist of the World Bank, James Hodge, Chief Economist of the Competition Commission of South Africa, and Georgiana Pop, Global Lead for the World Bank’s Competition Policy, Markets and Technology Unit. Moderating the panel were Vivien Foster, Chief Economist and Infrastructure Vice-Presidency of the World Bank, and Caroline Freund, Global Director of the World Bank’s Trade, Investment and Competitiveness.

Professor Stucke’s book, *Competition Overdrive*, which he co-authored with Professor Ariel Ezrachi was positively reviewed by Inside Higher Ed.

In an article in Bloomberg News, Bloomberg Chief Economist Tom Orlik explores the details and likely effects of President Joe Biden’s sweeping order aimed at promoting competition, with input from reporter Anna Edgerton and **Professor Stucke**.

The Kathmandu Post quoted **Professor Stucke’s** Harvard Business Review article on data-opolies. The story was also picked up by the Asia News Network, an alliance of 24 news media organizations.