



GEORGE MASON UNIVERSITY SCHOOL OF LAW

**LAW &
ECONOMICS
CENTER**



HENRY G. MANNE PROGRAM IN LAW & ECONOMICS STUDIES

**LEC PUBLIC POLICY BRIEFING ON NOMI,
SPOKEO, AND PRIVACY HARMS**

NOVEMBER 12, 2015

HENRY G. MANNE PROGRAM IN LAW & ECONOMICS STUDIES

LEC PUBLIC POLICY BRIEFING ON NOMI, SPOKEO, AND PRIVACY HARMS

NOVEMBER 12, 2015, ARLINGTON, VA

ABOUT US

Since its inception in 1974, the Law & Economics Center has played a critical role as a leader in law and economics research and education. The LEC recognizes both the importance of timely, relevant, and unassailable research on public policy issues as well as the necessity of communicating research findings to those who are directly shaping our country's public policy discussions. With research divisions devoted to large-scale empirical projects and top-quality legal policy analysis, and educational arms reaching out to judges, attorneys general, and other policymakers, the LEC is uniquely equipped to positively affect national policy outcomes.

The generous support of individuals, foundations, and corporations make all LEC activities possible. A current list of LEC donors may be found on our website.

OUR PROGRAMS

THE MASON JUDICIAL EDUCATION PROGRAM is the nation's preeminent provider of high-quality, balanced judicial educational seminars and conferences that focus on economics, finance, accounting, statistics, and scientific method. The LEC has been offering programs for judges since 1976.

THE HENRY G. MANNE PROGRAM IN LAW & ECONOMICS STUDIES promotes law and economics scholarship by funding faculty research and hosting policy-relevant research roundtables and academic conferences.

THE SEARLE CIVIL JUSTICE INSTITUTE is a public policy institute devoted to producing timely, analytically rigorous, and balanced research on important civil justice issues confronting our free enterprise system.

THE MASON ATTORNEYS GENERAL EDUCATION PROGRAM offers courses that provide a broad-based understanding of economic and public policy issues to state attorneys general and their staff attorneys.

THE CONGRESSIONAL CIVIL JUSTICE CAUCUS ACADEMY organizes rigorous, balanced educational programs on a range of civil justice issues for the benefit of the general public and members of the US Congress and their staff.

THE GLOBAL ANTITRUST INSTITUTE is a leading international platform for research and education that focuses on the legal and economic analysis of key antitrust issues confronting competition agencies and courts around the world.

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HELPFUL RESOURCES

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TAXI INFORMATION

Red Top Cab of Arlington
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IMPORTANT EVENT CONTACTS

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WEB INFORMATION

www.MasonManne.org

HENRY G. MANNE PROGRAM IN LAW & ECONOMICS STUDIES
LEC PUBLIC POLICY BRIEFING ON NOMI, SPOKEO, AND PRIVACY HARMS

Thursday, November 12

Founders Hall Auditorium,
All Sessions

<p>8:15 AM – 9:00 AM REGISTRATION AND BREAKFAST <i>Founders Hall Auditorium Gallery</i></p>	
<p>9:00 AM – 9:10 AM WELCOME</p>	<p>HENRY N. BUTLER Dean and Professor of Law, George Mason University School of Law</p> <p>JAMES C. COOPER Director, Research and Policy, Law & Economics Center and Lecturer in Law, George Mason University School of Law</p>
<p>9:10 AM – 10:00 AM KEYNOTE ADDRESS: THE MISSING ROLE OF ECONOMICS IN PRIVACY REGULATION AT THE FTC</p>	<p>JOSHUA D. WRIGHT Professor of Law and Director, Global Antitrust Institute, George Mason University School of Law and Former Commissioner, Federal Trade Commission</p>
<p>10:00 AM – 11:15 AM PANEL DISCUSSION: NOMI, SPOKEO, AND PRIVACY HARMS</p>	<p>J. HOWARD BEALES III Professor of Strategic Management and Public Policy, The George Washington University School of Business</p> <p>D. REED FREEMAN, JR. Partner and Co-Chair, Cybersecurity, Privacy, and Communications Practice, WilmerHale LLP</p> <p>DAVID C. VLADECK Professor of Law, Georgetown University Law Center</p> <p>MODERATOR: JAMES C. COOPER</p>
<p>11:15 AM ADJOURN</p>	



J. HOWARD BEALES III

Professor of Strategic Management and Public Policy
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Howard Beales teaches in the school of business at The George Washington University, where he has been since 1988. His research interests include a wide variety of consumer protection regulatory issues, including privacy, law and economics, and the regulation of advertising. He has published numerous articles addressing these issues in academic journals. From 2001 through 2004, Dr. Beales served as the director of the bureau of consumer protection at the Federal Trade Commission. In that capacity, he was instrumental in redirecting the FTC's privacy agenda to focus on the consequences of the use and misuse of consumer information. During his tenure, the Commission proposed, promulgated, and implemented the national Do Not Call Registry. He also worked with Congress and the Administration to develop and implement the Fair and Accurate Credit Transactions Act of 2003, and testified before Congress on numerous occasions. His aggressive law enforcement program produced the largest redress orders in FTC history and attacked high volume frauds promoted through heavy television advertising. Dr. Beales also worked at the FTC from 1977 to 1987, as a staff economist, assistant to the director of the bureau of consumer protection, associate director for policy and evaluation, and acting deputy director. He received his PhD in economics from The University of Chicago in 1978.



HENRY N. BUTLER

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Henry N. Butler is dean and professor of law at George Mason University School of Law. Prior to his appointment as dean, Dr. Butler was a George Mason University Foundation Professor of Law and executive director of the George Mason University Law & Economics Center. For over 20 years, he has led judicial education programs that teach judges the basics of economics, finance, accounting, statistics, and scientific methods to over 3,000 sitting federal and state judges.

From 2007 to 2010, Dr. Butler served as the first executive director of the Searle Center on Law, Regulation, and Economic Growth at Northwestern University School of Law. He has held prior appointments at The Brookings Institution, Chapman University, the University of Kansas, The University of Chicago, and Texas A&M University. From 1986 to 1993, he was a law professor at George Mason and during that period also served as an associate dean and director of the Law & Economics Center.

He received a MA and PhD in economics from Virginia Polytechnic Institute and State University and a JD from the University of Miami School of Law. He received a bachelor's degree in economics from the University of Richmond.

SPEAKER BIOS



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James C. Cooper is the director of research and policy at the Law & Economics Center at George Mason University School of Law. Prior to joining the Law & Economics Center, he spent several years at the Federal Trade Commission, most recently as an advisor to Commissioner William Kovacic. Dr. Cooper also worked in the FTC's Office of Policy Planning, where he last served as acting director. Prior to joining the FTC, he was an associate in the antitrust group at Crowell & Moring LLP in Washington, DC.

Dr. Cooper has taught law and economics at Johns Hopkins University, and his research has appeared in publications including the *Antitrust Law Journal*, *International Journal of Industrial Organization*, and the *Boston University Law Review*.

Dr. Cooper has a PhD in economics from Emory University and a JD from George Mason University School of Law, where he was a Levy Fellow.



D. REED FREEMAN, JR.

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D. Reed Freeman, Jr. is a leading authority on privacy, cybersecurity, and online, mobile, and social media advertising and privacy law. Mr. Freeman serves as co-chair of WilmerHale's Cybersecurity, Privacy and Communications Practice.

Mr. Freeman has extensive experience defending clients in FTC and state consumer protection investigations and data breach responses. He also counsels clients on compliance with FTC and state trade regulation issues and advertising and privacy laws and self-regulatory codes.

Mr. Freeman joined the firm following 16 years in private practice, where he handled a wide range of privacy, data security and advertising matters, counseled companies on FTC compliance, and served as lead counsel in numerous FTC and state consumer protection investigations and negotiations. Before joining private practice, Mr. Freeman worked in the FTC's Bureau of Consumer Protection as a staff attorney, and as chief privacy officer and vice president for legislative and regulatory affairs for Claria Corporation, an online advertising software company. He earned his JD at the University of Virginia School of Law and his BA at the University of Richmond.



DAVID C. VLADECK

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Professor Vladeck teaches federal courts, civil procedure, administrative law, and seminars in First Amendment litigation, and co-directs the Institute for Public Representation, a clinical law program. Professor Vladeck recently returned to Georgetown Law Center after serving for nearly four years as the director of the Federal Trade Commission's Bureau of Consumer Protection. At the FTC, he supervised the Bureau's more than 430 lawyers, investigators, paralegals and support staff in carrying out the Bureau's work to protect consumers from unfair, deceptive or fraudulent practices.

Before joining the Law Center faculty full-time in 2002, Professor Vladeck spent over 25 years with Public Citizen Litigation Group, a nationally-prominent public interest law firm, handling and supervising complex litigation. He has briefed and argued a number of cases before the US Supreme Court and more than sixty cases before federal courts of appeal and state courts of law resort. He is a senior fellow of the Administrative Conference of the United States, an elected member of the American Law Institute, and a scholar with the Center for Progressive Reform. Professor Vladeck frequently testifies before Congress and writes on administrative law, preemption, First Amendment, and access to justice issues.



JOSHUA D. WRIGHT

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Joshua D. Wright is a professor of law and director of the Global Antitrust Institute at George Mason University School of Law and holds a courtesy appointment in the department of economics. Professor Wright previously served as commissioner of the Federal Trade Commission from January 2013 to August 2015. Professor Wright is a leading scholar in antitrust law, economics, intellectual property, and consumer protection. He has published more than 70 articles and book chapters, co-authored a leading casebook, and edited several book volumes focusing on these issues. Professor Wright also served as co-editor of the *Supreme Court Economic Review* and a senior editor of the *Antitrust Law Journal*.

Professor Wright previously served the Commission in the Bureau of Competition as its inaugural Scholar-in-Residence from 2007 to 2008, where he focused on enforcement matters and competition policy.

Professor Wright received his JD from the University of California, Los Angeles in 2002, his PhD in economics from UCLA in 2003, and graduated with honors from the University of California, San Diego in 1998. He is a member of the California Bar.

NOTES

LEC PRIVACY FELLOWS RESEARCH ROUNDTABLE

Thursday, December 10 – Friday, December 11, 2015

George Mason University School of Law

LEC WORKSHOP FOR LAW PROFESSORS ON THE RULE OF LAW

Friday, December 11 – Monday, December 14, 2015

Turnberry Isle Miami Resort, Aventura, FL

LEC WORKSHOP FOR LAW PROFESSORS ON THE CONTRACTUAL THEORY OF THE CORPORATION

Wednesday, January 20 – Friday, January 22, 2016

George Mason University School of Law

FIFTH ANNUAL HENRY G. MANNE LAW & ECONOMICS CONFERENCE

Friday, January 22, 2016

George Mason University School of Law

LEC WORKSHOP FOR LAW PROFESSORS ON THE ECONOMICS OF PUBLIC PENSION REFORM

Thursday, February 11 – Sunday, February 14, 2016

The Sheraton, Palo Alto, CA

NINETEENTH ANNUAL GEORGE MASON LAW REVIEW SYMPOSIUM ON ANTITRUST LAW

Thursday, February 18, 2016

George Mason University School of Law

GLOBAL ANTITRUST INSTITUTE SECOND ANNUAL INVITATIONAL MOOT COURT COMPETITION

Saturday, February 20, 2016

George Mason University School of Law

LEC PUBLIC POLICY CONFERENCE ON THE SOCIAL COST OF CARBON

Thursday, March 3, 2016

George Mason University School of Law

LEC WORKSHOP FOR LAW PROFESSORS ON EMPIRICAL METHODS

Monday, May 16 – Friday, May 20, 2016

George Mason University School of Law

THIRTY-SECOND ECONOMICS INSTITUTE FOR LAW PROFESSORS

Sunday, July 10 – Friday, July 22, 2016

The Omni Homestead Resort, Hot Springs, VA

GEORGE MASON UNIVERSITY SCHOOL OF LAW

