

LAW & ECONOMICS CENTER

Case Analysis Seminar

Sunday, November 11 - Thursday, November 15, 2018
The Ritz-Carlton, New Orleans



Sunday, November 11

The Ritz-Carlton, New Orleans

3:00 – 5:00 pm

Registration (*Lobby*)

5:00 – 6:30 pm

Welcome, Introductions (*Carrollton*)

Session 1: The Economics Perspective: Incentives Matter - Butler

Reading Assignment:

Butler, Drahozal, & Shepherd, *Economic Analysis for Lawyers*, 3rd ed.,
Carolina Academic Press (2014): Chapter I, pp.3-53

6:30 pm

Welcome Reception and Dinner (*Reception - Mercier Courtyard, Dinner - Crescent View*)

The History of the Law & Economics Center - Butler

(*Spouses welcome*)

Monday, November 12

The Ritz-Carlton (all classroom sessions held in Gentilly)

7:00 - 8:00 am

Breakfast (*Broadmoor*)

(*Spouses Welcome*)

8:00 - 9:00 am

Session 2: Markets and Prices - Zywicki

Reading Assignment:

Butler, Drahozal, & Shepherd, Chapter II, pp. 55-123

Case Discussion:

Peevyhouse v. Garland Coal & Mining Co. pp. 69-73

M. Kraus & Bros., Inc. v. United States pp. 99-104

9:00 - 10:00 am

Session 3: Property Rights and Exchange - Butler

Reading Assignment:

Butler, Drahozal, & Shepherd, Chapter IV, §§A and B, pp. 185-222

Case Discussion:

Fontainebleau Hotel Corp. v. Forty-Five Twenty-Five, Inc. pp. 30-33

10:00 - 10:15 am

Break

10:15 - 11:15 am

Session 4: Dealing with Externalities - Zywicki

Case Discussion:

Spur Industries, Inc. v. Del E. Webb Development Co. pp. 213-217

11:15 am - 12:15 pm

Session 5: Principles of Valuation - Butler

Reading Assignment:

Butler, Drahozal, & Shepherd, Chapter X, §§A and B, pp. 565-591

Case Discussion:

O'Shea v. Riverway Towing pp. 587-591

12:15 pm

Adjourn for Day: Afternoon Study Session

Tuesday, November 13 *The Ritz-Carlton (all classroom sessions held in Gentilly)*

7:00 - 8:00 am	Breakfast (<i>Broadmoor</i>) (<i>Spouses Welcome</i>)
8:00 - 9:00 am	Session 6: Markets in Action - Zywicki Case Discussion: Jones v. Star Credit Corp. pp. 104-106
9:00 - 10:00 am	Session 7: Tort Law and the Costs of Accidents - Butler Reading Assignment: Butler, Drahozal, & Shepherd, Chapter VI, §D, pp. 327-362 Case Discussion: United States v. Carroll Towing Co. pp. 328-335 Greenman v. Yuba Power Products, Inc. pp. 335-337
10:00 - 10:15 am	Break
10:15 - 11:15 am	Session 8: Monopoly - Butler Reading Assignment: Butler, Drahozal, & Shepherd, Chapter IX, §B pp. 492-564 Case Discussion: Matsushita Elec. Indus. Co. v. Zenith Radio Corp. pp. 12-17
11:15 am - 12:15 pm	Session 9: Public Choice Economics and Rent-Seeking - Zywicki Reading Assignment: Butler, Drahozal, & Shepherd, Chapter III, §B pp. 130-147 Case Discussion: Goldfarb v. Virginia State Bar pp. 551-552 Bates v. State Bar of Arizona
12:15 pm	Adjourn for Day: Afternoon Study Session

Agenda

Wednesday, November 14 *The Ritz-Carlton (all classroom sessions held in Gentilly)*

- 7:00 - 8:00 am** **Breakfast** (*Broadmoor*)
(*Spouses Welcome*)
- 8:00 - 9:00 am** **Session 10: Free Speech in the Political Marketplace - Zywicki**

Case Discussion:
Citizens United v. Federal Communications Commission (Edited)
- 9:00 - 10:00 am** **Session 11: Insurance, Adverse Selection, and Moral Hazard - Butler**

Reading Assignment:
Butler, Drahozal, & Shepherd, Chapter VI, §§B and C, pp. 298-327

Case Discussion:
Atwater Creamery Co. v. Western National Mutual Insurance Co. pp. 304-308
- 10:00 - 10:15 am** **Break**
- 10:15 - 11:15 am** **Session 12: Corporate Law - Butler**

Reading Assignment:
Butler, Drahozal, & Shepherd, Chapter V, §D, pp. 266-290

Case Discussion:
Kamin v. American Express Co. pp. 274-277
- 11:15 am - 12:15 pm** **Session 13: Class Actions - Zywicki**

Reading Assignment:
Butler, Drahozal, & Shepherd, Chapter III, pp. 172-181

Case Discussion:
Wal-Mart Stores v. Dukes (Edited)
- 12:15 - 6:30 pm** **Adjourn for Day: Afternoon Study Session**
- 6:30 pm** **Reception and Dinner: Restaurant August (301 Tchoupitoulas St, New Orleans, LA 70130)**
(*Spouses Welcome*)

Thursday, November 15

- 9:00 am** **Travel day, departure at leisure**

Instructor Profiles



Henry N. Butler, JD, PhD

*Dean and George Mason Foundation University Professor of Law
George Mason University Antonin Scalia Law School*

Henry N. Butler is Dean and Professor of Law at George Mason University Antonin Scalia Law School 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. 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.



Todd J. Zywicki, JD

*George Mason Foundation University Professor of Law
George Mason University Antonin Scalia Law School*

Professor Todd J. Zywicki is a George Mason University Foundation Professor of Law at George Mason University School of Law. In 2009, Professor Zywicki was honored as the recipient of the Institute for Humane Studies 2009 Charles G. Koch Outstanding IHS Alum Award. Since 2006 he has served as co-editor of the Supreme Court Economic Review. From 2003-2004, Professor Zywicki served as the director of the Office of Policy Planning at the Federal Trade Commission. He teaches in the area of bankruptcy, contracts, commercial law, business associations, law and economics, and public choice and the law. He has also taught at Vanderbilt University Law School, Georgetown University Law Center, Boston College Law School, and Mississippi College School of Law.