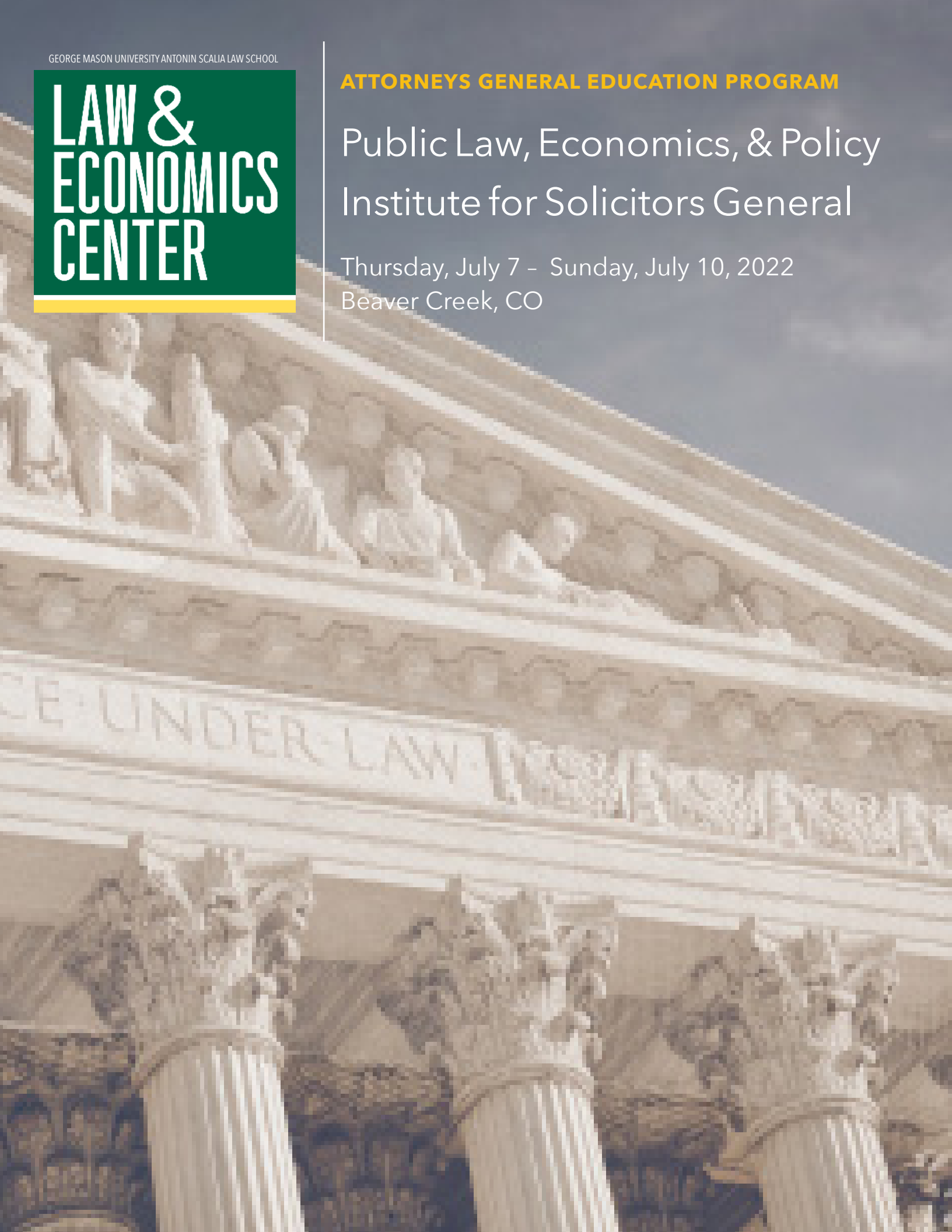


**LAW &
ECONOMICS
CENTER**

ATTORNEYS GENERAL EDUCATION PROGRAM

Public Law, Economics, & Policy
Institute for Solicitors General

Thursday, July 7 - Sunday, July 10, 2022
Beaver Creek, CO



AGENDA

THURSDAY, JULY 7

5:00 - 6:30 pm

Registration, *The Library*

6:30 pm

Welcome Reception & Dinner, *Crooked Hearth*
(*Guests Welcome*)

Matthew Richardson, Director, External Relations and Strategic Initiatives, Law & Economics Center, George Mason University Antonin Scalia Law School

FRIDAY, JULY 8

All sessions held in Heritage Hall, Molly Brown Room

7:00 - 7:50 am

Breakfast, *Heritage Hall, Jack Dempsey Room*
(*Guests Welcome*)

8:00 - 9:15 am

Class 1: The Economic Way of Thinking

Donald J. Kochan, Professor of Law and Deputy Executive Director, Law & Economics Center, George Mason University Antonin Scalia Law School

Reading Assignment:

Butler, Drahozal, & Shepherd, Economic Analysis for Lawyers, 3rd ed., Carolina Academic Press: Chapter I and Chapter III A&B (125-26).

9:15 - 9:30 am

Break

9:30 - 10:45 am

Class 2: The Economics of an Emerging Culture of Social Regulation and Its Effects on Capitalism and the Rule of Law

Todd J. Zywicki, George Mason University Foundation Professor of Law, George Mason University Antonin Scalia Law School

Reading Assignment:

Zywicki, Todd. "Extending the Culture Wars" Cato Institute (Fall 2021).

Bhagat, Sanjai and Todd Zywicki. "Does the market care about ethical investment? It depends." The Hill (September 2021).

Marcuse, Herbert "Repressive Tolerance" (1965)

Pluckrose, Helen and Lindsay, James "Cynical Theories" (August 2020)

"Statement on Faculty Principles" George Mason University (November 2019)

10:45 - 11:00 am

Break

11:00 am - 12:15 pm **Class 3: The Contractual Theory of the Corporation | Kochan**

Reading Assignment:

Butler, Henry N. "Nineteenth Century Jurisdictional Competition and the Market for Corporate Privileges." *The Journal of Legal Studies* 14, no. 1 129-166 (Jan. 1985).

Butler, Henry N. "The Contractual Theory of the Corporation." *George Mason University Law Review* 11, no. 4 (1989): 99-123

12:15 pm **Adjourn for the Day; Afternoon Study Session**

SATURDAY, JULY 9

All sessions held in Heritage Hall, Molly Brown Room

7:00 - 7:50 am **Breakfast, Heritage Hall, Jack Dempsey Room**
(Guests Welcome)

8:00 - 9:15 am **Class 4: Corporate Law: Environment, Social and Governance (ESG)**

Sanjai Bhagat, Provost Professor of Finance, Leeds School of Business, University of Colorado, Boulder

Reading Assignment:

Bhagat, Sanjai and R. Glenn Hubbard, "Rule of Law and Purpose of the Corporation." Corporate Governance International Review, April 2021.

Green, Jeremiah and Hand, John R. M., "Diversity Matters/Delivers/Wins Revisited in S&P 500® Firms." August 2021.

Bebchuk, Lucian A. and Tallarita, Roberto, "Will Corporations Deliver Value to All Stakeholders?" August 2021.

Flugum, Ryan and Souther, Matthew, "Stakeholder Value: A Convenient Excuse for Underperforming Managers?" August 2021.

Bhagat, Sanjai and Brian Bolton, "Corporate Governance and Firm Performance: The Sequel," Journal of Corporate Finance 58, pp 142-168, 2019.

Highlighted in Harvard Law School Forum on Corporate Governance and Financial Regulation

Bhagat, Sanjai and Roberta Romano, "Empirical Studies of Corporate Law," Handbook of Law & Economics, edited by Mitch Polinsky and Steven Shavell, North Holland, 2007.

9:15 - 9:30 am **Break**

AGENDA

9:30 - 10:45 am

Class 5: Environmental and Energy Issues in ESG | Bhagat

Reading Assignment:

Macey, Jonathan R. "ESG Investing: Why Here? Why Now?" Law & Economics Center at George Mason University Scalia Law School Research Paper Series 22-013, October 2021.

Morrison, Richard. "Environmental, Social, and Governance Theory: Defusing a Major Threat to Shareholder Rights." Competitive Enterprise Institute (pp 42-66), May 2021.

Hartzmark, Samuel M. and Sussman, Abigail B., "Do Investors Value Sustainability? A Natural Experiment Examining Ranking and Fund Flows." ECGI Working Paper Series in Finance, December 2019.

Gibson, Rajna and Glossner, Simon and Krueger, Philipp and Matos, Pedro and Steffen, Tom, "Do Responsible Investors Invest Responsibly?" ECGI Working Paper Series in Finance, February 2022.

Raghunandan, Aneesh and Rajgopal, Shivaram, "Do ESG Funds Make Stakeholder-Friendly Investments?" November 2021.

10:45 - 11:00 am

Break

11:00 am - 12:15 pm

Class 6: Regulation and the Costs of Higher Education | Zywicki

Reading Assignment:

Zywicki and Koopman, "The Changing of the Guard: The Political Economy of Administrative Bloat in American Higher Education," Draft 2017

Chakrabati, et al, "Who is More Likely to Default on Student Loans?," Federal Reserve Bank of New York Liberty Street Economics (blog), November 20, 2017

Bureau of Consumer Financial Protection, Report of Taskforce on Federal Consumer Financial Law, Volume 1, pages 676-695 (Jan. 2021).

12:15 - 4:45 pm

Afternoon Study Session

4:45 pm

Refreshments

5:00 - 6:15 pm

Class 7: The Economics of Separation of Powers and Non-Delegation | Kochan

Reading Assignment:

Kochan, Donald J. Strategic Institutional Positioning: How We've Come to Generate Environmental Law Without Congress, 6 Texas A&M Law Review 323 (2019).

Macey, Jonathan R. "Competing Economic Views of the Constitution." George Washington Law Review 56, no. 1 (November 1987).

Posner, Richard A. "The Constitution as an Economic Document." George Washington Law Review 56, no. 4 (November 1987).

6:30 pm

Closing Reception & Dinner, Crooked Hearth
(Guests Welcome)

SUNDAY, JULY 10

Travel day, participants depart at their leisure