



## Research Roundtable on Industry Self-Regulation

### Henry G. Manne Program in Law & Economics Studies

Law & Economics Center

Antonin Scalia Law School

George Mason University

Sunday, June 5 through Tuesday, June 7, 2022

**Hotel and Dinner:** *Le Meridien Arlington Hotel, 1121 19<sup>th</sup> Street North, Arlington, VA 22209*

**Sessions:** *George Mason University Antonin Scalia Law School, 3301 Fairfax Drive, Arlington, VA 22201*

## Agenda

(Last Updated May 31, 2022)

### Sunday, June 5

6:00 – 8:30 pm

**Welcome Reception and Dinner,** *Le Meridien Arlington Hotel, 4<sup>th</sup> Floor Terrace (Reception) and Adagio (Dinner)*

#### **History of the Law & Economics Center**

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

#### **Opening Remarks on the Future of Industry Self-Regulation in Practice**

**Eric D. Reicin**, President & CEO, BBB National Programs

**Maureen Ohlhausen**, Partner, Baker Botts

### Monday, June 6

7:00 – 7:50 am

**Breakfast,** *Room 215*

8:00 – 9:00 am

**Paper 1:** [\*\*Self-Regulation as Internal Morality: Regulation and Firm Conduct through the Lens of the Hart-Fuller Debate\*\*](#)

**Justin (Gus) Hurwitz**, Professor of Law, The Menard Director of the Nebraska Governance and Technology Center, and Co-Director of Space, Cyber, and Telecom Law Program, University of Nebraska College of Law

Commentators:

- Daniel Walters
- David Hyman

9:15 – 10:15 am

**Paper 2:** [\*\*Forget Not All Their Benefits: Third Party Standards and Sustainability Reporting by Benefit Corporations\*\*](#)

**David S. Lucas**, Assistant Professor, Department of Entrepreneurship & Emerging Enterprises, Syracuse University Martin J. Whitman School of Management

Commentators:

- Mark Packard
- Sheila Millar
- Siona Listokin

10:30 – 11:30 am

**Paper 3:** [Self-Regulation in the Cradle: The Case of the Emerging Hydrogen Economy](#)  
**Daniel E. Walters**, Assistant Professor of Law, Penn State Law

Commentators:

- Gus Hurwitz
- David Hyman

11:45 am – 12:45 pm

**Paper 4:** [Self-Regulation in Standards Setting Organizations: Does Repeat Dealing Enforce FRAND Commitments?](#)

**Alexander Raskovich**, Director of Research, Global Antitrust Institute, George Mason University Antonin Scalia Law School

Commentators:

- David Lucas
- Sheila Millar
- William MacLeod

12:45 pm

**Adjourn for the Day**

## Tuesday, June 7

7:00 – 7:50 am

**Breakfast, Room 215**

8:00 – 9:00 am

**Paper 5:** [Digital Currency Industry Self-Regulation: Not All Consensus is Automatic](#)  
**Eric Alston**, Scholar in Residence, Finance Division, University of Colorado, Boulder

Commentators:

- Jeremy Kidd
- William MacLeod
- John Yun

9:15 – 10:15 am

**Paper 6:** [Corporate Governance and the Problem of Privileged Personal Knowledge: Toward a Theory of Decentralized Governance](#)

**Mark D. Packard**, Assistant Professor of Management, University of Nevada, Reno College of Business

Commentators:

- Alexander Raskovich
- Siona Listokin

10:30 – 11:30 am

**Paper 7:** [Consumers, Industry, or Government: Three Imperfect Options for Solving Market Problems](#)  
**Jeremy L. Kidd**, Associate Professor of Law, Drake University Law School

Commentators:

- Eric Alston
- John Yun
- Jeffrey Rosen

11:30 – 11:45 am

**Closing Remarks**

11:45 am

**Program Adjourns**

## Participants

1. **Eric Alston**, Scholar in Residence, Finance Division, University of Colorado, Boulder
2. **Justin (Gus) Hurwitz**, Professor of Law, The Menard Director of the Nebraska Governance and Technology Center, and Co-Director of Space, Cyber, and Telecom Law Program, University of Nebraska College of Law
3. **David A. Hyman**, The Scott K. Ginsburg Professor of Health Law & Policy, Georgetown University Law Center
4. **Jeremy L. Kidd**, Associate Professor of Law, Drake University Law School
5. **Donald J. Kochan**, Professor of Law and Deputy Executive Director, Law & Economics Center, George Mason University Antonin Scalia Law School
6. **Siona Listokin**, Associate Professor, George Mason University Schar School of Policy and Government
7. **David S. Lucas**, Assistant Professor, Department of Entrepreneurship & Emerging Enterprises, Syracuse University Martin J. Whitman School of Management
8. **William C. MacLeod**, Partner, Kelley Drye & Warren LLP
9. **Sheila Millar**, Partner, Keller & Heckman
10. **Mark D. Packard**, Assistant Professor of Management, University of Nevada, Reno College of Business
11. **Alexander Raskovich**, Director of Research, Global Antitrust Institute, George Mason University Antonin Scalia Law School
12. **Jeffrey Rosen**, Non-Resident Fellow, American Enterprise Institute
13. **Daniel E. Walters**, Assistant Professor of Law, Penn State Law
14. **John M. Yun**, Associate Professor of Law and Deputy Executive Director, Global Antitrust Institute, George Mason University Antonin Scalia Law School