



GEORGE MASON UNIVERSITY SCHOOL OF LAW



MASON JUDICIAL EDUCATION PROGRAM  
ECONOMICS INSTITUTE FOR JUDGES

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MAY 1 – 6, 2016

# LAW & ECONOMICS CENTER

## 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.

**THE PROGRAM ON ECONOMICS & PRIVACY** is dedicated to studying the economic tradeoffs inherent to privacy, data security, and other digital information debates, and to producing relevant and original research and education programs for policymakers.

## HELPFUL RESOURCES

### WIFI NETWORK: MASON

User Name: leceventsguest  
Password: m~dVH8947

### TAXI INFORMATION

Red Top Cab of Arlington  
703.522.3333

MASON JUDICIAL EDUCATION PROGRAM

# ECONOMICS INSTITUTE FOR JUDGES

MAY 1 – 6, 2016, ARLINGTON, VA

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### IMPORTANT EVENT CONTACT

Roger Gibboni, JEP Program Assistant

Phone: 703.993.8008 Cell: 610.389.4108 Email: [rgibboni@gmu.edu](mailto:rgibboni@gmu.edu)

### WEB INFORMATION

[www.MasonJEP.org](http://www.MasonJEP.org)

Sunday, May 1

Residence Inn Ballston, Arlington  
Liberty Room, All Sessions

4:00 PM – 5:00 PM

**REGISTRATION**

*Lobby*

5:00 PM – 6:30 PM

**WELCOME**

**ICEBREAKER ACTIVITY**

**D. BRUCE JOHNSEN**

Professor of Law, George Mason University School of Law and Director, Judicial Education Program, Law & Economics Center

**REBECCA A. THACKER**

Associate Professor of Human Resource Management,  
Ohio University College of Business

6:30 PM – 8:30 PM

**RECEPTION AND DINNER**

**HISTORY OF THE LEC**

**TODD J. ZYWICKI**

Executive Director, Law & Economics Center, and George Mason University  
Foundation Professor of Law, George Mason University School of Law

**CLASSES:** George Mason University School of Law, Hazel Hall, 3301 Fairfax Drive, Arlington, VA 22201

**HOTEL:** Residence Inn, 650 North Quincy Street, Arlington, VA 22203

Monday, May 2

Hazel Hall, Room 215, All Sessions

**7:00 AM – 7:30 AM**

**BREAKFAST**

*Residence Inn Ballston, Arlington*

**7:30 AM**

**WALK**

*Residence Inn Ballston, Arlington to George Mason University School of Law*

**8:00 AM – 9:15 AM**

**ECONOMIC THINKING**

**HENRY N. BUTLER**

Dean and Professor of Law, George Mason University School of Law

**Reading Assignment:** Butler, Drahozal, & Shepherd, *Economic Analysis for Lawyers*, 3rd ed., Carolina Academic Press (2014), Chapter I and Chapter II.

**9:30 AM – 10:45 AM**

**PROPERTY RIGHTS AND EXCHANGE**

**D. BRUCE JOHNSEN**

**Reading Assignments:** Butler, Drahozal, & Shepherd, Chapter I, §B

D. Bruce Johnsen, "Salmon, Science, and Reciprocity on the Northwest Coast," *Ecology and Society* 14(2):43 (2009) II.

**11:00 AM – 12:15 PM**

**SCIENTIFIC METHODOLOGY**

**JAMES S. TREFIL**

Clarence J. Robinson Professor of Physics, George Mason University

**12:15 PM – 1:00 PM**

**LUNCH**

*Rear Atrium*

Monday, May 2

*Hazel Hall, Room 215, All Sessions*

<p><b>1:00 PM – 2:15 PM</b> <b>EXPERT TESTIMONY</b></p>	<p><b>JAMES S. TREFIL</b></p>
<p><b>2:30 PM – 4:00 PM</b> <b>MARKET MAGIC AND PRICE FORMATION</b></p>	<p><b>RAGAN PETRIE</b> Associate Professor, Experimental Economics, George Mason University</p>

**CLASSES:** George Mason University School of Law, Hazel Hall, 3301 Fairfax Drive, Arlington, VA 22201

**HOTEL:** Residence Inn, 650 North Quincy Street, Arlington, VA 22203

Tuesday, May 3

Hazel Hall, Room 215, All Sessions

**7:00 AM – 7:30 AM**

**BREAKFAST**

*Residence Inn Ballston, Arlington*

**7:30 AM**

**WALK**

*Residence Inn Ballston, Arlington to George Mason University School of Law*

**8:00 AM – 9:15 AM**

**SUPPLY, DEMAND, AND  
MUTUALLY BENEFICIAL  
EXCHANGE**

**D. BRUCE JOHNSEN**

**Reading Assignments:** Butler, Drahozal, & Shepherd, Chapter I and Chapter II.

**9:30 AM – 10:45 AM**

**MARKETS IN ACTION**

**BRUCE H. KOBAYASHI**

Associate Dean for Research & Faculty Development and Professor of Law, George Mason University School of Law

**Reading Assignment:** Sanjai Bhagut and Roberta Romano, Event Studies and the Law: Part I: Technique and Corporate Litigation, *American Law and Economics Review* 4 no.1 (2002): 141-167

**11:00 AM – 12:15 PM**

**AGENCY COSTS IN  
ACTION**

**JOSHUA D. WRIGHT**

Director, Global Antitrust Institute and Professor of Law, George Mason University School of Law

**Reading Assignment:** Sanjai Bhagut and Roberta Romano, Event Studies and the Law: Part I: Technique and Corporate Litigation, *American Law and Economics Review* 4 no.1 (2002): 141-167

Tuesday, May 3

Hazel Hall, Room 215, All Sessions

<p><b>12:15 PM – 1:30 PM</b> <b>LUNCH &amp; LUNCHEON</b> <b>ADDRESS: A VIEW FROM</b> <b>THE BENCH</b></p> <p><i>Rear Atrium</i></p>	<p><b>THE HONORABLE DOUGLAS H. GINSBURG</b> Senior Circuit Judge, US Court of Appeals for the District of Columbia Circuit and Professor of Law, George Mason University School of Law</p>
<p><b>1:30 PM – 2:45 PM</b> <b>COMPETITION AND</b> <b>MONOPOLY</b></p>	<p><b>JOSHUA D. WRIGHT</b></p> <p><b>Reading Assignment:</b> Butler, Drahozal, &amp; Shepherd, Chapter VII (skim entire chapter)</p>
<p><b>3:00 PM – 4:15 PM</b> <b>CARTELS AND MERGERS</b></p>	<p><b>JOSHUA D. WRIGHT</b></p> <p><b>Reading Assignment:</b> Butler, Drahozal, &amp; Shepherd, Chapter VII §C</p>



**CLASSES:** George Mason University School of Law, Hazel Hall, 3301 Fairfax Drive, Arlington, VA 22201

**HOTEL:** Residence Inn, 650 North Quincy Street, Arlington, VA 22203

Wednesday, May 4

Hazel Hall, Room 215, All Sessions

**7:00 AM – 7:30 AM**

**BREAKFAST**

*Residence Inn Ballston, Arlington*

**7:30 AM**

**WALK**

*Residence Inn Ballston, Arlington to George Mason University School of Law*

**8:00 AM – 9:15 AM**

**EXTERNALITIES,  
PROPERTY RIGHTS, AND  
THE COASE THEOREM**

**D. BRUCE JOHNSEN**

**9:30 AM – 10:45 AM**

**RISK, INJURY, AND  
LIABILITY**

**D. BRUCE JOHNSEN**

**Reading Assignment:** Butler, Drahozal, & Shepherd, Chapter VI §§A and C

**11:00 AM – 12:15 PM**

**ECONOMICS OF  
INFORMATION AND  
PRIVACY**

**JAMES C. COOPER**

Director, Research and Policy, Law & Economics Center and  
Lecturer in Law, George Mason University School of Law

Wednesday, May 4

Hazel Hall, Room 215, All Sessions

12:15 PM – 1:00 PM

**LUNCH**

*Rear Atrium*

1:00 PM – 2:15 PM

**INTRODUCTION TO  
BEHAVIORAL ECONOMICS**

**JAMES C. COOPER**

**Reading Assignment:** Christine Jolls, “Behavioral Law and Economics,” *Behavioral Economics and Its Applications*, Peter Diamond and Hannu Vartiainen eds., Princeton University Press (2007).

**CLASSES:** George Mason University School of Law, Hazel Hall, 3301 Fairfax Drive, Arlington, VA 22201

**HOTEL:** Residence Inn, 650 North Quincy Street, Arlington, VA 22203

Thursday, May 5

Hazel Hall, Room 215, All Sessions

**7:00 AM – 7:30 AM**

**BREAKFAST**

*Residence Inn Ballston, Arlington*

**7:30 AM**

**WALK**

*Residence Inn Ballston, Arlington to George Mason University School of Law*

**8:00 AM – 9:15 AM**

**STATISTICS IN AN HOUR**

**JONATHAN KLINK**

Director, Searle Civil Justice Institute and Professor of Law, University of Pennsylvania Law School

**Reading Assignment:** David H. Kaye and David A. Freedman, “Reference Guide on Statistics;” and Daniel L. Rubinfeld, “Reference Guide on Multiple Regression,” *Reference Manual on Scientific Evidence*: Third Edition (2011)

**9:30 AM – 10:45 AM**

**WHEN IS CORRELATION CAUSATION?**

**JONATHAN KLINK**

**Reading Assignment:** Joshua D. Angrist and Jörn-Steffen Pischke, “The Credibility Revolution in Empirical Economics: How Better Research Design Is Taking the Con out of Econometrics,” *Journal of Economic Perspectives*, 24(2): 3-30 (2010)

**11:00 AM – 12:15 PM**

**USING EMPIRICAL RESEARCH TO GUIDE POLICY MAKING**

**JONATHAN KLINK**

**12:15 PM – 12:30 PM**

**GROUP PHOTO**

*Front Atrium*

Thursday, May 5

Hazel Hall, Room 215, All Sessions

12:30 PM – 1:15 PM

**LUNCH**

*Rear Atrium*

1:30 PM – 2:45 PM

**ECONOMICS OF CIVIL  
PROCEDURE I**

**BRUCE H. KOBAYASHI**

Reading Assignment: Butler, Drahozal, & Shepherd, Chapter III, §C

3:00 PM – 4:15 PM

**ECONOMICS OF CIVIL  
PROCEDURE II**

**BRUCE H. KOBAYASHI**

Reading Assignment: Butler, Drahozal, & Shepherd, Chapter III, §C

6:10 PM

**BUS DEPARTS**

*Residence Inn Ballston for Sequoia*

6:30 PM – 9:00 PM

**RECEPTION AND DINNER**

**SEQUOIA**

3000 K St NW, Washington, DC 20007

9:00 PM

**BUS DEPARTS**

*Sequoia for Residence Inn Ballston*

**CLASSES:** George Mason University School of Law, Hazel Hall, 3301 Fairfax Drive, Arlington, VA 22201

**HOTEL:** Residence Inn, 650 North Quincy Street, Arlington, VA 22203

Friday, May 6

*Residence Inn Ballston, Arlington  
Founders and Old Dominion  
Rooms, All Sessions*

<p><b>7:00 AM – 7:50 AM</b> <b>BREAKFAST</b> <i>Residence Inn Ballston, Arlington</i></p>	
<p><b>8:00 AM – 9:15 AM</b> <b>PUBLIC CHOICE: CONCEPTS</b></p>	<p><b>TODD J. ZYWICKI</b>  Reading Assignment: Butler, Drahozal, &amp; Shepherd, Chapter III, §§A and B</p>
<p><b>9:15 AM – 9:45 AM</b> <b>BREAK, CHECK OUT OF HOTEL - CHECK BAGS</b></p>	
<p><b>9:45 AM – 11:00 AM</b> <b>PUBLIC CHOICE: APPLICATIONS</b></p>	<p><b>TODD J. ZYWICKI</b>  Reading Assignment: Butler, Drahozal, &amp; Shepherd, Chapter III, §B</p>
<p><b>11:15 AM – 12:00 PM</b> <b>REVIEW</b></p>	<p><b>D. BRUCE JOHNSEN</b></p>
<p><b>12:00 PM</b> <b>ADJOURN</b></p>	





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## MASON JUDICIAL EDUCATION PROGRAM

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**GAIL A. ANDLER**, Superior Court of California, Orange County

**RICHARD T. ANDRIAS**, Supreme Court, State of New York, Appellate Division, First Department

**ROBERT L. CARTER**, 3rd District Appellate Court of Illinois

**KENNETH F. CROW**, North Carolina Superior Court

**ALBERT DIAZ**, US Court of Appeals for the Fourth Circuit

**DOUGLAS H. GINSBURG**, US Court of Appeals for the District of Columbia Circuit

**GEORGE C. HANKS, JR.**, US Magistrate Judge for the Southern District of Texas

**C. DARNELL JONES, II**, US District Court for the Eastern District of Pennsylvania

**RENEE COHN JUBELIRER**, Commonwealth Court of Pennsylvania

**WILLIAM C. MIMS**, Supreme Court of Virginia

**PAULINE NEWMAN**, US Court of Appeals for the Federal Circuit

**A. RAYMOND RANDOLPH**, US Court of Appeals for the District of Columbia Circuit

**LORI S. ROWE**, Florida First District Court of Appeals

**P. THOMAS THORNBRUGH**, Oklahoma Court of Civil Appeals

**SEAN D. WALLACE**, Prince George's County Circuit Court of Maryland

**JAMES T. WORTHEN**, 12th Court of Appeals of Texas



# LEC CONTACT INFO

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## MASON JUDICIAL EDUCATION PROGRAM

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**10TH ANNUAL JUDICIAL SYPOSIUM ON CIVIL JUSTICE ISSUES**

Sunday, May 22 – Tuesday, May 24, 2016

George Mason University School of Law

**ECONOMICS INSTITUTE FOR JUDGES**

Sunday, September 18 – Friday, September 23, 2016

George Mason University School of Law

**ECONOMICS INSTITUTE FOR JUDGES**

Sunday, October 16 – Friday, October 21, 2016

George Mason University School of Law

**ANTITRUST LAW & ECONOMICS INSTITUTE FOR JUDGES**

Sunday, October 23 – Wednesday, October 26, 2016

George Mason University School of Law

GEORGE MASON UNIVERSITY SCHOOL OF LAW

