



50th
1974–2024

Agenda
**Economics Institute for State Attorneys General
and Solicitors General**
Sunday, April 14 – Wednesday, April 17, 2024

Sunday, April 14

3:30 – 4:00 pm

Registration

4:00 – 5:00 pm

Class 1: The Economic Way of Thinking

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

Reading Assignment:

Chapter I: The Economics Perspective: Incentives Matter, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 3-53 (3rd ed. 2014).

Case Discussion:

Peevyhouse v. Garland Coal & Mining Co., 382 P.2d 109 (Okla. 1962): 69-73.

5:00 – 5:15 pm

Break

5:15 – 6:30 pm

Class 2: Supply, Demand, and Mutually-Beneficial Exchange

J. Shahar Dillbary, Professor of Law; Associate Dean for Faculty Research, George Mason University
Antonin Scalia Law School

Reading Assignment:

Chapter II: Markets and the Price System, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 55-79, (3rd ed. 2014).

6:30 pm

Welcome Reception and Dinner

The History of the Law & Economics Center | Zywicki

Monday, April 15

6:30 – 7:30 am

Breakfast, on own at hotel

7:30 – 8:00 am

Walk from hotel to Antonin Scalia Law School

8:00 – 9:15 am

Class 3: Markets in Action | Dillbary

Reading Assignment:

Chapter II: Markets and the Price System, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 62-72, 89-108 (3rd ed. 2014).

Case Discussion:

Complaint, *State v. Medina* (Fla. Cir. Ct. 2005).

M. Kraus & Bros., Inc. v. United States, 327 U.S. 614 (1945): 99-104.

9:15 – 9:30 am

Break

9:30 – 10:45 am

Class 4: Market Dynamics | Dillbary

Reading Assignment:

Chapter II: Markets and the Price System, in Henry N. Butler, et al., Economic Analysis for Lawyers 62-72, 89-108 (3rd ed. 2014).

Case Discussion:

Competitive Enterprise Institute v. NHTSA, 956 F.2d 321 (1992): 89-98.

10:45 – 11:00 am

Break

11:00 am – 12:15 pm

Class 5: Scientific Methodology and the Admissibility of Expert Testimony

David E. Bernstein, University Professor of Law; Executive Director, Liberty & Law Center, George Mason University Antonin Scalia Law School

Reading Assignment:

David E. Bernstein, Expert Witnesses, Adversarial Bias, and the (Partial) Failure of the Daubert Revolution, 93 IOWA L. REV. 451, 451-490 (2008).

David L. Faigman, Is Science Different for Lawyers? 297 SCI. 339, 339-340. (July 19, 2002).

David L. Faigman, Bringing Scientific Peer Review to Scientific Evidence, 30 TOXICS L. REP. 1, 1-7 (2015).

David E. Bernstein & Eric G. Lasker, Defending Daubert: It's Time to Amend Federal Rule of Evidence 702, 57 WM. & MARY L. REV. 1 (2015).

12:15 – 1:00 pm

Lunch

1:00 - 2:15 pm

Class 6: Competition and Monopoly

John M. Yun, Associate Professor of Law, George Mason University Antonin Scalia Law School

Reading Assignment:

Chapter IX: Market Structure and Antitrust, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 481-562 (3rd ed. 2014) (skim entire chapter).

2:15 – 2:30 pm

Break

2:30 – 3:45 pm

Class 7: Cartels and Predatory Pricing | Yun

Reading Assignment:

Chapter I: The Economics Perspective: Incentives Matter, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 45-51 (3rd ed. 2014).

Case Discussion:

Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574 (1986): 12–17, 515-517.

Tuesday, April 16

6:30 – 7:30 am **Breakfast, on own at hotel**

7:30 – 8:00 am **Walk from hotel to Antonin Scalia Law School**

8:00 – 9:15 am **Class 8: Property Rights, Externalities, and the Coase Theorem**

Erin E. Meyers, Assistant Professor of Law, George Mason University Antonin Scalia Law School

Reading Assignment:

Chapter I: The Economics Perspective: Incentives Matter and Chapter IV: Externalities, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 17-32, 185-229 (3rd ed. 2014).

Case Discussion:

Wronski v. Sun Oil, 279 N.W.2d 564 (1979): 22-24.

9:15 – 9:30 am **Break**

9:30 – 10:45 am **Class 9: Property Rights and Exchange | Meyers**

Reading Assignment:

Chapter I: The Economics Perspective: Incentives Matter and Chapter IV: Externalities, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 17-32, 185-229 (3rd ed. 2014).

Case Discussion:

Fountainebleau Hotel Corp. v. Forty-Five Twenty-Five, Inc., 114 So. 2d 357 (1959): 30-33.

Spur Industries, Inc. v. Del E. Webb Development Co., 494 P.2d 700 (1972): 213-217.

10:45 – 11:00 am **Break**

11:00 am – 12:15 pm **Class 10: Public Choice Economics**

Nuno Garoupa, Professor of Law and Faculty Director of Graduate Studies, George Mason University Antonin Scalia Law School

Reading Assignment:

Chapter III: The Legislative Process and the Courts and Chapter IX: Market Structure and Antitrust, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 130-147, 517-523 (3rd ed. 2014).

Case Discussion:

City of Columbia v. Omni Outdoor Advertising, Inc., 499 U.S. 365 (1991): 137-142.

West Lynn Creamery, Inc. v. Healy, 512 U.S. 186 (1994): 142-147.

12:15 – 1:15 pm **Lunch**

1:15 – 1:20 pm **Welcome**

Ken Randall, Allison and Dorothy Rouse Dean and George Mason University Foundation Professor of Law, George Mason University Antonin Scalia Law School

- 1:20 – 2:30 pm** **Class 11: The Economics of Information**
- James C. Cooper**, Professor of Law; Director, Program on Economics & Privacy, George Mason University Antonin Scalia Law School
- Reading Assignment:
- Chapter V: Information Costs and Transaction Costs*, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 233-263 (3rd ed. 2014).
- 2:30 – 2:45 pm** **Break**
- 2:45 – 4:00 pm** **Class 12: Labor Markets – Risk, Injury, and Compensating Wage Differentials | Garoupa**
- Reading Assignment:
- Chapter VIII: Labor Markets*, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 421-477 (3rd ed. 2014) (skim).
- 4:00 – 4:15 pm** **Break**
- 4:15 – 5:30 pm** **Class 13: Application of the Economics of Information: Advertising and Privacy | Cooper**
- Reading Assignment:
- Chapter V: Information Costs and Transaction Costs*, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 233-244 (3rd ed. 2014).

Wednesday, April 17

- 6:30 – 7:30 am** **Breakfast, on own at hotel**
- 7:30 – 8:00 am** **Walk from hotel to Antonin Scalia Law School**
- 8:00 – 9:15 am** **Class 14: Agency Costs and Contracting | Garoupa**
- Reading Assignment:
- Chapter V: Information Costs and Transaction Costs*, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 241-263 (3rd ed. 2014).
- Case Discussion
- Corenswet, Inc. v. Amana Refrigeration Inc.*, 594 F.2d 129 (1979): 254-266.
- 9:15 – 9:30 am** **Break**
- 9:30 – 10:45 am** **Class 15: Risk, Injury, and Liability**
- Caroline Cecot**, Associate Professor of Law, George Mason University Antonin Scalia Law School
- Reading Assignment:
- Chapter VI: Risk*, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 291-361 (3rd ed. 2014).
- Case Discussion:
- United States v. Carroll Towing Co.*, 159 F.2d 169 (1947): 328–335.

10:45 – 11:00 am

Break

11:00 am – 12:15 pm

Class 16: Corporate Governance | Zywicki

Reading Assignment:

Chapter V: Information Costs and Transaction Costs, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 233-263 (3rd ed. 2014).

Case Discussion:

Kamin v. American Express Co., 383 N.Y.S.2d 807 (1976): 274-277.

12:15 pm

Program Adjourns, Participants depart at their leisure