

Tuesday, August 6

6:30 pm **Arrival and Welcome Reception, Spanish Court**

7:15 pm **Welcome Dinner, Toledo Room**

Remarks

Noel J. Francisco, Partner-in-Charge Washington, Jones Day;
Former Solicitor General of the United States

Wednesday, August 7

7:00 – 7:50 am **Breakfast**

8:00 – 9:15 am **Paper 1: Market Share Liability and Climate Litigation in the United States**

Author:

David A. Dana, Kirkland & Ellis Professor of Law, Northwestern University Pritzker School of Law

Commentators:

Claire A. Hill, James L. Krusemark Chair in Law, University of Minnesota Law School

Lars Noah, Chesterfield Smith Eminent Scholar, University of Florida Fredric G. Levin College of Law

9:30 – 10:45 am **Paper 2: Causation's Due Process Dimensions**

Authors:

Charles W. "Rocky" Rhodes, Professor of Law and Charles Weigel II Research Professor of State and Federal Constitutional Law, South Texas College of Law Houston

Cassandra Burke Robertson, John Deaver Drinko-BakerHostetler Professor of Law & Director of the Center for Professional Ethics, Case Western Reserve University School of Law

Commentators:

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

Murat C. Mungan, Professor of Law and Director, Law & Economics Program, Texas A&M University School of Law

11:00 am – 12:15 pm **Paper 3:** *Whither Market Share Liability: Pareto Improvement or Covert Redistribution?*

Author:

Richard A. Epstein, Laurence A. Tisch Professor of Law and Director, Classical Liberal Institute, New York University School of Law; James Parker Hall Distinguished Service Professor of Law Emeritus and Senior Lecturer, University of Chicago Law School

Commentators:

Eric Posner, Kirkland & Ellis Distinguished Service Professor of Law; Arthur and Esther Kane Research Chair, University of Chicago Law School

Adriana Z. Robertson, Donald N. Pritzker Professor of Business Law, University of Chicago Law School

12:15 – 12:45 pm **Lunch**

12:45 – 2:00 pm **Paper 4:** *Market Share Liability and Anticompetitive Behavior: A Perspective from Antitrust Law*

Author:

Eric Posner, Kirkland & Ellis Distinguished Service Professor of Law; Arthur and Esther Kane Research Chair, University of Chicago Law School

Commentators:

David A. Dana, Kirkland & Ellis Professor of Law, Northwestern University Pritzker School of Law

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

Thursday, August 8

7:00 – 7:50 am **Breakfast**

8:00 – 9:15 am

Paper 5: *The Deep Contradiction between Product Liability and Market Share Liability
And the Ultimate Failing of the Market Share Liability Theory*

Author:

George L. Priest, Edward J. Phelps Professor of Law and Economics, Yale Law School

Commentators:

Richard A. Epstein, Laurence A. Tisch Professor of Law and Director, Classical Liberal Institute, NYU School of Law, James Parker Hall Distinguished Service Professor of Law Emeritus and Senior Lecturer, University of Chicago Law School

Charles W. “Rocky” Rhodes, Professor of Law and Charles Weigel II Research Professor of State and Federal Constitutional Law, South Texas College of Law Houston

9:30 – 10:45 am

Paper 6: *Market Share Liability versus (Random) Strict Liability*

Author:

Murat C. Mungan, Professor of Law and Director, Law & Economics Program, Texas A&M University School of Law

Commentators:

Jeremy Kidd, Professor of Law, Drake University Law School

George L. Priest, Edward J. Phelps Professor of Law and Economics, Yale Law School

11:00 am – 12:15 pm

Paper 7: *“Market Shift Liability”: Market Share Theory’s Still More Radical New Cousin*

Author:

Lars Noah, Chesterfield Smith Eminent Scholar, University of Florida Fredric G. Levin College of Law

Commentators:

Cassandra Burke Robertson, John Deaver Drinko-BakerHostetler Professor of Law & Director of the Center for Professional Ethics, Case Western Reserve University School of Law

James Y. Stern, Professor of Law and Director, William & Mary Property Rights Project, William & Mary Law School

12:15 pm

Program Adjourns

Participants

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