



50th
1974-2024

Agenda
**Economics Institute for State Attorneys
General and Solicitors General**
Sunday, September 8 – Wednesday, September 11, 2024

Sunday, September 8

3:30 – 4:00 pm

Registration

4:00 – 5:00 pm

Class 1: The Economic Way of Thinking

Donald J. Kochan, Professor of Law and Executive Director, Law & Economics Center, 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 | Kochan

Monday, September 9

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	<p>Class 4: Market Dynamics Dillbary</p> <p><u>Reading Assignment:</u> <i>Chapter II: Markets and the Price System</i>, in Henry N. Butler, et al., <u>Economic Analysis for Lawyers</u> 62-72, 89-108 (3rd ed. 2014).</p> <p><u>Case Discussion:</u> <i>Competitive Enterprise Institute v. NHTSA</i>, 956 F.2d 321 (1992): 89-98.</p>
10:45 – 11:00 am	Break
11:00 am – 12:15 pm	<p>Class 5: Scientific Methodology and the Admissibility of Expert Testimony</p> <p>Jacob Traverse, President and CEO, Center for Truth in Science</p> <p>Richard A. Williams, Senior Affiliated Scholar, Mercatus Center at George Mason University</p> <p><u>Reading Assignment:</u> David E. Bernstein, Expert Witnesses, Adversarial Bias, and the (Partial) Failure of the Daubert Revolution, 93 IOWA L. REV. 451, 451-490 (2008).</p> <p>David L. Faigman, Is Science Different for Lawyers? 297 SCI. 339, 339-340. (July 19, 2002).</p> <p>David L. Faigman, Bringing Scientific Peer Review to Scientific Evidence, 30 TOXICS L. REP. 1, 1-7 (2015).</p> <p>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).</p>
12:15 – 12:25 pm	<p>Remarks</p> <p>Lynne Ross, Adjunct, George Mason University Antonin Scalia Law School</p> <p>Divonne Smoyer, Principal, Albermarle Law & Policy</p>
12:25 – 1:00 pm	Lunch
1:00 - 2:15 pm	<p>Class 6: Competition and Monopoly</p> <p>John M. Yun, Associate Professor of Law, George Mason University Antonin Scalia Law School</p> <p><u>Reading Assignment:</u> <i>Chapter IX: Market Structure and Antitrust</i>, in HENRY N. BUTLER, ET AL., <u>ECONOMIC ANALYSIS FOR LAWYERS</u> 481-562 (3rd ed. 2014) (skim entire chapter).</p>
2:15 – 2:30 pm	Break
2:30 – 3:45 pm	<p>Class 7: Cartels and Predatory Pricing Yun</p> <p><u>Reading Assignment:</u> <i>Chapter I: The Economics Perspective: Incentives Matter</i>, in HENRY N. BUTLER, ET AL., <u>ECONOMIC ANALYSIS FOR LAWYERS</u> 45-51 (3rd ed. 2014).</p> <p><u>Case Discussion:</u> <i>Matsushita Elec. Indus. Co. v. Zenith Radio Corp.</i>, 475 U.S. 574 (1986): 12–17, 515-517.</p>

Tuesday, September 10

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**

Todd J. Zywicki, George Mason University Foundation Professor of Law, 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 – 12:30 pm **Break**

12:30 – 2:00 pm **Working Lunch and 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).

2:00 – 2:15 pm **Break**

2:15 – 3:30 pm **Class 12: 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).

3:30 – 3:45 pm **Break**

3:45 – 5:00 pm **Class 13: Labor Markets – Risk, Injury, and Compensating Wage Differentials | Yun**

Reading Assignment:
Chapter VIII: Labor Markets, in HENRY N. BUTLER, ET AL., ECONOMIC ANALYSIS FOR LAWYERS 421-477 (3rd ed. 2014) (skim).

Wednesday, September 11

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: Corporate Governance | Kochan**

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.

9:15 – 9:30 am **Break**

9:30 – 10:45 am **Class 15: Agency Costs and Contracting**

Bruce H. Kobayashi, Paige V. & Henry N. Butler Chair in Law and Economics, 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 241-263 (3rd ed. 2014).

Case Discussion
Corenswet, Inc. v. Amana Refrigeration Inc., 594 F.2d 129 (1979): 254-266.

10:45 – 11:00 am **Break**

11:00 am – 12:15 pm **Class 16: Risk, Injury, and Liability | Meyers**

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.

12:15 pm **Program Adjourns, Participants depart at their leisure**