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Appendix: Notable Faculty Publications 2016

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NOTABLE FACULTY SCHOLARSHIP IN 2016**JUDGE-RELATED ACTIVITIES**

Hon. William A. Fletcher, *The Tobriner Lecture*, UC Hastings (2016).

Eumi Lee, Presentation, Northern District of California Judicial Conference (2016).

Rory K. Little, Joseph Grodin, et al., *California Supreme Court Review*, UC Hastings (2016).

Rory K. Little, Radhika Rao, Carlos Bea, et al., *Supreme Court Review*, UC Hastings (2016).

Richard L. Marcus, Associate Reporter, Civil Rules Advisory Committee (2016).

Karen Musalo, Panelist, *Advanced Asylum Issues*, Immigration Judges Annual Training Conference (2016).

Frank Wu, Lecture, *Invisible Bias*, Illinois Judges Association Mid-Year Conference (2016).

TREATISES, CASEBOOKS, AND HORNBOOKS

RICHARD A. BOSWELL, *ESSENTIALS OF IMMIGRATION LAW* (4th ed. 2016).

JO CARRILLO, *CASES AND MATERIALS ON THE CALIFORNIA COMMUNITY PROPERTY LAW: MARRIAGE, PROPERTY, CODE* (11th ed. 2016).

JOHN L. DIAMOND, *CASES AND MATERIALS ON TORTS* (3d ed. 2016).

DAVID FAIGMAN ET AL., *MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY* Vols. 1-5 (2016 ed.).

JOSEPH R. GRODIN & MICHAEL B. SALERNO., *THE CALIFORNIA STATE CONSTITUTION: A REFERENCE GUIDE* (2d ed. 2016) (with Darien Shanske).

MARY KAY KANE ET AL., *WRIGHT & MILLER'S FEDERAL PRACTICE & PROCEDURE* (4th ed. 2016) (selected volumes).

MARY KAY KANE, *WRIGHT & KANE'S THE LAW OF FEDERAL COURTS* (8th ed. 2016).

CHIMÈNE KEITNER, *INTERNATIONAL LAW FRAMEWORKS* (4th ed. 2016) (with David Bederman).

CHARLES KNAPP & HARRY G. PRINCE, *PROBLEMS IN CONTRACT LAW* (4th ed. 2016) (with Nathan M. Crystal).

DAVID LEVINE & DAVID J. JUNG, *REMEDIES: PUBLIC AND PRIVATE* (6th ed. 2016) (with Tracy Thomas).

DAVID LEVINE, *CIVIL PROCEDURE IN CALIFORNIA* (2016).

DAVID LEVINE, *QUICK REVIEW: CALIFORNIA CIVIL PROCEDURE* (3d ed. 2016) (with Rochelle J. Shapell).

DAVID LEVINE ET AL., *O'CONNOR'S CALIFORNIA PRACTICE: CIVIL PRETRIAL* (2016).

RICHARD L. MARCUS ET AL., *WRIGHT & MILLER'S FEDERAL PRACTICE & PROCEDURE* (4th ed. 2016) (selected volumes).

LEO MARTINEZ ET AL., *NEW APPLEMAN INSURANCE LAW AND PRACTICE GUIDE* (2016).

STEPHEN SCHWARZ, *FUNDAMENTALS OF CORPORATE TAXATION* (9th ed. 2016) (with Daniel J. Lathrope).

STEPHEN SCHWARZ ET AL., *FUNDAMENTALS OF PARTNERSHIP TAXATION* (10th ed. 2016).

ROBERT L. SCHWARTZ ET AL., *BIOETHICS AND LAW IN A NUTSHELL* (2d ed. 2016).

D. KELLY WEISBERG, *MODERN FAMILY LAW: CASES AND MATERIALS* (6th ed. 2016) (with Susan F. Appleton).

BRIEFS, REPORTS, AND TESTIMONY

John Crawford, *Memorandum on the Asset Management Industry*, The Volcker Alliance (2016).

Robin C. Feldman, *Testimony to the U.S. Department of Justice on Proposed IP Licensing Guidelines* (2016).

Robin C. Feldman, *Testimony Before the U.S. Patent and Trademark Office on the Topic of Patent Subject Matter Eligibility* (2016).

Robin C. Feldman, *Testimony Before the U.S. House of Representatives Judiciary Committee on the Empirical Evidence of Patent Assertion in the Context of the Innovation Act (H.R. 9)* (2016).

Robin C. Feldman, *Testimony Before the U.S. Senate Judiciary Committee on the Antitrust Competition Policy and Consumer Rights in the Context of the CREATES Act* (2016).

Robin C. Feldman & Alice Armitage, *The Role of Catalysts in Entrepreneurial Ecosystems* (Kauffman Foundation 2016).

Robin C. Feldman & Alice Armitage, *Amicus Brief, SCA Hygiene Prods. Aktiebolag v. First Quality Baby Prods., LLC* (S. Ct. 2016) (with Drew Amerson).

Jaime S. King, *Letter to California Department of Insurance Regarding Proposed Acquisition of Health Net Life Insurance Company by Centene Corporation* (2016).

Jaime S. King & Anne Marie Helm, *How (and Why) to Address Health Care Prices & Competition Through Private Antitrust Enforcement* (Grove Foundation 2016).

Jeffrey A. Lefstin, *Amicus Brief*, *Sequinom v. Ariosa Diagnostics, Inc.* (S. Ct. 2016) (with Peter Menell).

Karen Musalo et al., *Report of the DHS Advisory Committee on Family Residential Centers* (2016).

David Owen et al., *Designing Effective Groundwater Sustainability Agencies: Criteria for Evaluation of Local Governance Options* (2016).

David Owen, *Amicus Brief*, *Mineral Cnty. v. Walker R. Irrigation Dist.* (9th Cir. 2016) (with Richard M. Frank).

Joan C. Williams et al., *Climate Control: Gender and Racial Bias in Engineering?* (2016).

SCHOLARLY BOOKS, CHAPTERS, AND ARTICLES

Hadar Aviram, *The Correctional Hunger Games: Understanding Realignment in the Context of the Great Recession*, 664 ANN. AM. ACAD. POL. & SOC. SCI. 260 (2016).

Alina S. Ball, *Social Enterprise Governance*, 18 U. PA. J. BUS. L. 919 (2016).

Kate E. Bloch, *Legal Indeterminacy in Insanity Cases: Clarifying Wrongfulness and Applying a Triadic Approach to Forensic Evaluations*, 67 HASTINGS L.J. 913 (2016) (with Jeffrey Gould).

Kate E. Bloch, *Bridging Rule of Law Theory and Implementation: The Role of Professional Ethical Integrity*, 39 HASTINGS INT'L & COMP. L. REV. 81 (2016).

Blaine Bookey, *Gender-based Asylum Post-Matter of A-R-C-G: Evolving Standards of the Law*, 1 SW. J. INT'L L. 22 (2016).

Richard A. Boswell, *Key Definitions and Concepts*, in *NAVIGATING THE FUNDAMENTALS OF IMMIGRATION LAW* (2016).

Abraham Cable, *Opportunity-Cost Conflicts in Corporate Law*, 66 CASE W. RES. L. REV. 51 (2016).

Jo Carrillo, *Financial Intimate Partner Violence: When Assets and Transactions Become Weapons*, 22:2 DOMESTIC VIOLENCE REP. 17 (2016).

John Crawford, *Shining a Light on Shadow Money*, 69 VAND. L. REV. EN BANC 185 (2016).

Ben Depoorter (editor), *THE ECONOMICS OF INTELLECTUAL PROPERTY* (Edward Elgar 2016) (with Peter Menell).

Ben Depoorter et al., *The Moral Hazard Effect of Liquidated Damages: An Experiment on Contract Remedies*, 173 J. INST. & THEORETICAL ECON. 84 (2016).

Ben Depoorter et al., *The Multiplication Effect of Legal Insurance*, 13 N.Y.U. J.L. & BUS. 1 (2016).

John Diamond, *Crisis in American Criminal Law – Reflections from a Comparative Perspective*, 65 ARSAEQUI 254 (2016).

Scott Dodson, *The Gravitational Force of Federal Law*, 164 U. PA. L. REV. 703 (2016).

Scott Dodson, *Joint and Several Jurisdiction*, 65 DUKE L.J. 1323 (2016) (with Phil Pucillo).

Scott Dodson, *An Opt-In Option for Class Actions*, 115 MICH. L. REV. 171 (2016).

Jared Ellias, *Do Activist Investors Constrain Managerial Moral Hazard in Chapter 11? Evidence from Junior Activist Investing*, 8 J. LEGAL ANAL. 493 (2016).

David L. Faigman et al., *Scientific Gatekeeping: Using the Structure of Scientific Research to Distinguish Between Admissibility and Weight in Expert Testimony*, 110 NW. U. L. REV. 859 (2016).

David L. Faigman, *Science and Law 101: Bringing Clarity to Pardo and Patterson's Confused Conception of the Conceptual Confusion in Law and Neuroscience*, 7 JURISPRUDENCE 171 (2016).

David L. Faigman, *It Ain't Brain Surgery, But It's Close*, 56 JURIMETRICS J. 197 (2016).

Robin C. Feldman, *Patent Licensing, Technology Transfer and Innovation*, 106 AM. ECON. REV. 188 (2016) (with Mark Lemley).

Robin C. Feldman & Evan Frondorf, *Drug Wars: A New Generation of Generic Pharmaceutical Delay*, 53 HARV. J. LEGIS. 499 (2016).

Robin C. Feldman, *Regulatory Property: The New IP*, 40 COLUM. J. L. & ARTS 1 (2016).

Robin C. Feldman, *Learning from Past Mistakes—The US Patent System and International Trade Agreements*, in MEGA-REGIONALISM: INNOVATION AND TRADE WITHIN GLOBAL NETWORKS (Dieter Ernst ed. 2016).

Robin C. Feldman, *The CRISPR Revolution: What Editing Human DNA Reveals About the Patent System's DNA*, 64 UCLA L. REV. DISCOURSE 392 (2016).

Robin C. Feldman, Alice Armitage, et al., *Startups and Unmet Legal Needs*, 2016 UTAH L. REV. 575.

Robin C. Feldman et al., *Open Letter on Ethical Norms in Intellectual Property Scholarship*, 29 HARV. J.L. & TECH. 1 (2016).

Clark Freshman, *Making Credibility Determinations: The Latest Science of Reading Motions and Thoughts Across Cultures*, PROCEEDINGS OF THE NAT'L ACAD. ARBITRATORS (2016).

Thomas L. Greaney, *Navigating Through the Fog of Vertical Merger Law: A Guide to Counselling Hospital-Physician Consolidation Under the Clayton Act*, 91 U. WASH. L. REV. 199 (2016) (with Douglas Ross).

Keith J. Hand, *Translator's Introduction to Liu Songshan, 1981: Embryonic but Inchoate Constitutional Committee Designs*, 33 UCLA PAC. BASIN L.J. 73 (2016).

Keith J. Hand, *An Assessment of Socialist Constitutional Supervision Models and Prospects for a Constitutional Supervision Committee in China: the Constitution as Commander?*, in CHINA'S SOCIALIST RULE OF LAW REFORMS UNDER XI JINPING 30 (John Garrick & Yan Chang Bennett eds. 2016).

Geoffrey C. Hazard, Jr., *Developing Civil Procedure Rules for European Courts*, 100:2 JUDICATURE 58 (2016).

Geoffrey C. Hazard, Jr., *Bar, Bench, and Civic Culture*, 39 HASTINGS INT'L & COMP. L. REV. 267 (2016).

Chimène Keitner, *Categorizing Acts by State Officials: Attribution and Responsibility in the Law of Foreign Official Immunity*, 26 DUKE J. COMP. & INT'L L. 451 (2016).

Jaime S. King, *The Double-Edged Sword of Health Care Integration: Consolidation and Cost Control*, 92 IND. L.J. 55 (2016) (with Erin C. Fuse Brown).

Jaime S. King, *Whole-Genome Screening of Newborns? The Constitutional Boundaries of State Newborn Screening Programs*, 137 PEDIATRICS Supp. 1, S8-S16 (2016) (with Monica Smith).

Evan Tsen Lee, *Mathis v. U.S. and the Future of the Categorical Approach*, 101 MINN. L. REV. HEADNOTES 263 (2016).

Rory K. Little, *Cross-Cultural Challenges, Consensus, and Opportunities for Advancing the Professional Ethical Integrity of Legal System Actors*, 39 HASTINGS INT'L & COMP. L. REV. 95 (2016).

Rory K. Little, *Annual Review of the Supreme Court's Term, Criminal Cases*, in THE STATE OF CRIMINAL JUSTICE 2015 (ABA 2016).

Richard L. Marcus, *Modest Procedural Reform Advances in the US*, 20 ZEITSCHRIFT FÜR ZIVILPROZESS INTERNATIONAL 291 (2016).

Richard L. Marcus, *Bending in the Breeze: American Class Actions in the Twenty-First Century*, 65 DEPAUL L. REV. 497 (2016).

Richard L. Marcus, *A Genuine Civil Justice Crisis?*, in XVTH INTERNATIONAL ASSOCIATION OF PROCEDURAL LAW WORLD CONGRESS (2016).

Ugo Mattei (editor), RESEARCH HANDBOOK ON POLITICAL ECONOMY AND LAW (Edward Elgar 2016) (with John Haskell).

Setsuo Miyazawa, *Glass Ceiling for Female Professionals, Executives, and Managerial Employees in Japan: Introduction to the Symposium Issue*, 39 HASTINGS INT'L & COMP. L. REV. 389 (2016).

Karen Musalo et al., *Health Impact of Human Rights Testimony: Harming the Most Vulnerable?*, 1:1 BMJ GLOB. HEALTH 1 (2016).

Dave Owen, *Regional Federal Administration*, 63 UCLA L. REV. 58 (2016).

Dave Owen, *After the TMDLs*, 17 VERMONT J. ENVTL. L. 845 (2016) (symposium).

Dave Owen, *The Law of Environmental Planning*, in DECISION MAKING AND ENVIRONMENTAL LAW (Lee Paddock & Robert Glicksman eds. 2016).

Ascanio Piomelli, *Rebellious Heroes*, 23 CLINICAL L. REV. 283 (2016) (symposium).

Zachary S. Price, *Law Enforcement as Political Question*, 91 NOTRE DAME L. REV. 1571 (2016).

Zachary S. Price, *Seeking Baselines for Negative Authority: Constitutional and Rule-of-Law Arguments Over Nonenforcement and Waiver*, 8 J. LEGAL ANAL. 235 (2016).

Radhika Rao, *Informed Consent, Body Property, and Self-Sovereignty*, 44 J.L. MED. & ETHICS 437 (2016).

Morris A. Ratner, *Judicial Ethical Integrity: Challenges and Solutions*, 39 HASTINGS INT'L & COMP. L. REV. 149 (2016).

Dorit Rubinstein Reiss, *First Do No Harm: Protecting Patients Through Immunizing Health Care Workers*, 26 HEALTH MATRIX 363 (2016) (with Rene F. Najera).

Naomi Roht-Arriaza, *Foreign Aid and Development Outcomes: Is the U.S. Lagging on Environmental, Social and Human Rights Concerns?*, in DECEMBER E-INTERNATIONAL RELATIONS (2016) (with Alexandra Avram).

Naomi Roht-Arriaza, *La dimensión económica, aspect tardio de la justicia transicional*, in EL NEGOCIO DEL TERRORISMO DE ESTADO LOS CÓMPLICES ECONÓMICOS DE LA DICTADURA URUGUAYA (Joan Pablo ed. 2016).

Michael B. Salerno, *Book Review*, THEORY & PRAC. LEGIS. (2016).

Reuel Schiller, *Book Review*, 81 J. SO. HIST. 242 (2016).

Reuel Schiller, *The Historical Origins of American Regulatory Exceptionalism*, in COMPARATIVE LAW & REGULATION: UNDERSTANDING THE GLOBAL REGULATORY PROCESS (Francesca Bignami & David Zaring eds. 2016).

Jodi L. Short et al., *Monitoring Global Supply Chains*, 37 STRATEGIC MGMT. J. 1878 (2016).

Jodi L. Short, *The Integrity of Third-Party Compliance Monitoring*, 42 ADMIN. & REG. L. NEWS 22 (2016) (with Michael W. Toffel).

Jodi L. Short, *Going Private: Transplanting Law in a Globalized World*, in COMPARATIVE LAW & REGULATION: UNDERSTANDING THE GLOBAL REGULATORY PROCESS (Francesca Bignami & David Zaring eds. 2016).

David Takacs, *South Africa and the Human Right to Water: Equity, Ecology and the Public Trust Doctrine*, 34 BERKELEY J. INT'L L. 56 (2016).

David Takacs, *Flexible Land Conservation in Uncertain Times*, in CONTEMPORARY ISSUES IN CLIMATE CHANGE LAW & POLICY: ESSAYS INSPIRED BY THE IPCC (Robin Kundis Craig & Stephen R. Miller eds. 2016) (with Jessica Owley).

Manoj Viswanathan, *The Hidden Costs of Cliff Effects in the Internal Revenue Code*, 164 U. PA. L. REV. 931 (2016).

D. Kelly Weisberg, *In Harm's Way: The Evolving Role of Domestic Violence in the Best Interests Analysis*, in IMPLEMENTING ARTICLE 3 OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD BEST INTERESTS, WELFARE AND WELL-BEING (Elaine E. Sutherland & Lesley-Anne Barnes Macfarlane eds. 2016).

D. Kelly Weisberg, *New Federal Recommendations Target Gender Bias in Police Response to DV*, 21:3 DOMESTIC VIOLENCE REP. 33 (2016).

D. Kelly Weisberg, *Risk Assessment in Context*, 21:5 DOMESTIC VIOLENCE REP. 69 (2016), *reprinted in* 9 FAM. & INTIMATE PARTNER VIOLENCE Q. 13 (2016).

D. Kelly Weisberg, *Property Damage in the Domestic Violence Context*, 22:2 DOMESTIC VIOLENCE REP. 17 (2016).

Joan C. Williams et al., *Beyond Work-Life "Integration,"* 67 ANN. REV. PSYCHOL. 515 (2016).

Joan C. Williams et al., *Tools for Change: Boosting the Retention of Women in the STEM Pipeline*, 6 J. RES. GENDER STUD. 11 (2016).

Frank H. Wu, *The End(s) of Legal Education*, 66 J. LEGAL EDUC. 18 (2016).

Frank H. Wu, *Are Asian Americans Now White?*, 23 ASIAN AM. 201 (2016).