

JONATHAN C. LIPSON

Harold E. Kohn Chair in Law; Professor of Law
Temple University—Beasley School of Law
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*Current
Appointment*

Harold E. Kohn Chair in Law, Temple University—Beasley School of Law (2012—present)

Courses (current and prior): Advising the Multinational Company; Bankruptcy; Commercial Transactions; Contracts; Corporations; Introduction to International Business Transactions; Negotiating and Documenting Corporate Transactions; Payment Systems; Secured Transactions; Lawyering for Entrepreneurship (capital-formation corporate simulation); “Debt and Democracy” (seminar on bankruptcy and constitutional law); Comparative Insolvency Systems (US/UK law).

Other Appointments: Faculty Advisor, Temple Center for Ethics and Compliance; Adjunct Research Fellow, Renmin University Law School.

*Law School
and University
Service*

Current: Law School Dean Search (Member); Chair, Faculty Colloquium Committee; Faculty Chairs and Awards Committee; Member (Chair 2013-2019); Career Services Committee; (Member); Founding Editor, *The Temple 10-Q* (weekly electronic business law news magazine and podcast series)(2014–present).

Prior (Temple): Dean Search Committee, Temple University-Japan (2019-20); Member, ABA Self-Study (2018-19); Law School Budget Representative to University (negotiated and advised transition to “responsibility centered” budget model) (2013-2015); Member and Co-Chair Executive Committee (2012-2014); Member, Faculty Recruitment (2012-2013); Member, Faculty Strategic Planning Committee (2012-2014); Program Chair, Temple Law Review Symposium, *The (Un)Quiet Realist: Reflecting and Building on the Contributions of Bill Whitford* (2014)(co-sponsored with University of Wisconsin Law School); Co-Chair, Upper Level Curriculum Initiative (assessed and restructured upper-level curriculum) (2009-2010);

Prior (Wisconsin): Member (2010-11) & Chair (2011-12), Tenure Committee; Director, Wisconsin Business Law Initiative; Program Chair, Wisconsin Law Review Symposium, *Who’s in the House: The Changing Role and Nature of In-house and General Counsel* (2011); Member, Externships Committee; Member, University Disciplinary Hearing Panel (2010-2012).

Prior (University of Baltimore): Provost Search Committee, Dean’s Advisory Committee, Self-Study, Curriculum, and Baltimore Scholars Committees. Co-Chair, Strategic Planning Committee. Fellow, University of Baltimore Center for International and Comparative Law.

Prior Academic Appointments

University of Wisconsin Law School: Foley & Lardner Professor of Law (with tenure) (2010-2013)(on leave 2012-13).

Temple University - James E. Beasley School of Law: Peter J. Liacouras Professor of Law (2009-2010); Professor of Law (2007-2009); Associate Professor of Law (2005-2007); Visiting Associate Professor of Law (2004-2005) (with tenure).

University of Pennsylvania Law School: Visiting Professor of Law (Spring 2007).

University of Baltimore School of Law: Assistant Professor of Law (1999-2003) & Associate (with tenure)(2003-2005) (on leave 2004-2005).

Northeastern University School of Law: Adjunct Professor of Law (Banking) (1995 – 1998).

Publications

“Special”: *Remedial Schemes in Mass Tort Bankruptcies*, 101 TEX. L. REV. 1773 (2023)(invited symposium contribution)

The Rule of the Deal: Bankruptcy Bargains and Other Misnomers, 97 AM. BANKR. L.J. 41 (2023)(peer reviewed)

Response, First in Time; First Is Right: Comments on Levitin's Poison Pill, 101 TEX. L. REV. ONLINE 33 (2022) [<https://perma.cc/5VVZ-58W5>] (invited response).

The End(s) of Corporate Social Responsibility, in CONTRACTS FOR RESPONSIBLE AND SUSTAINABLE SUPPLY CHAINS (Am. Bar. Assn. 2023)(David Snyder & Susan Maslow, eds) (invited book chapter)

Foreword: Contract in Crisis, 85 L. & CONTEMP. PROB 1 (2022)(w/ R. Rebouché)

The Truth Wherever it May be Found: The Wisconsin School of Contracts (an Introduction), 2021 WIS. L. REV. 337 (invited symposium contribution)

Contracting COVID: Private Order and Public Good, 76 BUS. LAW. 437 (2021)(with Norman Powell)

MODEL BUSINESS CORPORATION ACT ANNOTATED (5th edition, 2020) (co-editor with L. Hamermesh; authored by ABA Corporate Laws Committee)

The Business Lawyer at 75 and Secured Transactions Under Article 9 of the Uniform Commercial Code 75 BUS. L. 1575 (2019-20)

Promising Justice: Contract (as) Social Responsibility, 2019 WIS. L. REV. 1109.

Something Else: Specific Relief for Breach of Human Rights Terms in Multinational Supply Chain Agreements, 68 AM. U. L. REV. 1751 (2019) (solicited symposium contribution).

Reforming Institutions: The Judicial Function in Bankruptcy and Public Law Litigation, 94 IND. L. J. 545 (2019) (with K. Noonan and W. Simon).

Securitization and Social Distance, 37 REV. BANK. & FIN. L. 827 (2017-2018)(solicited symposium contribution).

Controlling Creditor Control: Jevic and the End(?) of LifeCare, 27 NORTON BANKR. L & PRAC. 563 (2018) (solicited symposium contribution).

The Secret Life of Priority: Corporate Reorganization after Jevic, 93 WASH. L. REV. 631 (2018).

Bargaining Bankrupt: A Relational Theory of Contract in Bankruptcy, 6.2 HARV. BUS. L. J. 239 (2016) (winner, 2018 Temple Law School Friel-Scanlan Award).

Examining Success, 90 AM. BANKR. L.J. 1 (2016) (with C. Marotta) (solicited manuscript; peer reviewed) (winner of the American Bankruptcy Law Journal “Editor’s Prize” for best paper of 2016).

Braucher’s Business, 58 ARIZ. L. REV. 173 (2016) (solicited symposium contribution).

Foreword: Forward!, 87 TEMP. L. REV. 693 (2015) (solicited symposium contribution).

The Pattern in Securitization and Executive Compensation: Evidence and Regulatory Implications, 20.2 STAN. J. L. BUS & FIN. 145 (2015) (with M. Matsumura, R. Martin & E. Unlu).

Against Regulatory Displacement: An Institutional Analysis of Financial Crises, 17.3 PENN. J. BUS L. 673 (2015).

Concentration, Complexity, & Capture: An Institutional Analysis of Financial Crises, Banking and Financial Services Policy Report (Aspen, 2015) (solicited contribution).

From a Scream to a Whisper: The Supreme Court Does Little to Fix its Supreme Court Mess (Executive Benefits Insurance Agency v. Arkison (In re Bellingham)), 2014 WIS. L. REV. ONLINE 1 (solicited contribution).

Stern, Seriously: The Article I Judicial Power, Fraudulent Transfers, and Leveraged Buyouts, 2013 WIS. L. REV. 1161 (with J. Vandermeuse) (cited in *Czyzowski v. Jevic Holding Corp.*, 137 S. Ct. 973, 197 L. Ed. 2d 398 (2017)).

Why (and How to) Define Securitization? A Sur-Reply to Professor Schwarcz, 85 S. CAL. L. REV. 1301 (2012).

Re: Defining Securitization, 85 S. CAL. L. REV. 1229 (2012) (selected for reprint in *The Corporate Practice Commentator*).

Foreword: Who's in the House: The Changing Role and Nature of In-house and General Counsel, 2012 WIS. L. REV. 237 (2012) (with Engel and Crespo).

What's Amiss? The Lawyering Interest in "Miscellaneous" Contract Provisions, 65 CONSUMER FIN. L. Q. 151 (2011)(solicited manuscript).

Governance in the Breach: Controlling Creditor Opportunism, 84 S. CAL. L. REV. 1035 (2011) (translated by Renmin University into Chinese as **濒危公司的治理 (译文修改)** (cited in *Marblegate Asset Mgmt. v. Educ. Mgmt. Corp.*, 75 F.Supp.3d. 592 (S.D.N.Y. 2014)).

Controlling the Market for Information in Reorganization, 18 AM. BANKR. INST. L. J. 647 (2010) (solicited manuscript).

Understanding Failure: Examiners and the Bankruptcy Reorganization of Large Public Companies, 84 AM. BANKR. L.J. 1 (2010) (peer reviewed).

Enron Rerun, in LESSONS FROM THE FINANCIAL CRISIS: CAUSES, CONSEQUENCES AND OUR ECONOMIC FUTURE 43 (2010, R. Kolb ed.).

The Shadow Bankruptcy System, 89 B.U. L. REV. 1609 (2009) (excerpted in LESSONS FROM THE FINANCIAL CRISIS: CAUSES, CONSEQUENCES AND OUR ECONOMIC FUTURE 609 (2010, R. Kolb ed.)).

Cost-Benefit Analysis and Closing Opinion Practice, 63 BUS. L. 1187 (2008) (peer reviewed).

Courting the Suicide King: Closing Opinions and Lawyer Liability, 17 BUS. L. TODAY 59 (Mar/Apr. 2008)(with Donald Glazer).

Debt and Democracy: Towards a Constitutional Theory of Bankruptcy, 83 NOTRE DAME L. REV. 605 (2008) (cited in *In re Apex Long Term Acute Care—Katy, L.P.*, 465 B.R. 452 (2011)).

Where's the Beef? A Few Words About Paying for Performance in Bankruptcy, 156 UNIV.PA. L. REV. PENUMBRA 64 (2007) (invited contribution to UNIVERSITY OF PENNSYLVANIA LAW REVIEW online, available at <http://www.pennumbra.com/>).

The Expressive Function of Directors' Duties to Creditors, 12 STAN. J. L. FIN. & B. 224 (2007) (cited in *In re Stephens*, 704 F.3d 1279 (10th Cir. 2013)).

Twilight in the Zone of Insolvency, 1 J. BUS. & TECH. L. 229 (2007)(invited panel remarks).

When Churches Fail: The Diocesan Debtor Dilemmas, 79 S. CAL. L. REV. 363 (2006) (cited in *Blaudziunas v. Egan*, 74 A.D.3d 697 (2010)).

Religious Organizations Filing for Bankruptcy, 13 AM. BANKR. INST. L. REV. 25 (2005)(invited panel remarks).

Price, Path & Pride: Third-Party Closing Opinion Practice Among U.S. Lawyers (A Preliminary Investigation), 3 BERKELEY BUS. L.J. 59 (2005) (selected for presentation at 2005 Yale/Stanford Junior Faculty Forum & 2005 Harvard/Texas Commercial Realities Workshop).

Secrets and Liens: The End of Notice in Commercial Finance Law, 21 EMORY BANKR. DEV. J. 421 (2005) (cited in *In re Duckworth*, 776 F.3d 453 (7th Cir. 2014) & *Express Working Capital, LLC v. Starving Students, Inc.*, 28 F. Supp. 3d 660 (N.D. Tex. 2014)).

Doing Deals in School: A prof talks about teaching transactional law, 15 BUS. L. TODAY 51 (Sept/Oct 2005).

Directors' Duties to Creditors: Power Imbalance and the Financially Distressed Corporation, 50 UCLA L. REV. 1189 (2003) (cited in *N. Am. Catholic Educ. Programming Found., Inc. v. Rob Gheewalla*, 92 A.2d 930 (Del. May 18, 2007); *In re RSL Com Primercall Inc.*, 2003 Bankr. LEXIS 1635 (Bankr. S.D.N.Y. Dec. 11, 2003)).

Remote Control: Revised Article 9 and the Negotiability of Information, 63 OHIO ST. L.J. 1327 (2002) (cited in *In re Gamma Center, Inc.*, 489 B.R. 688. (Bankr. N.D. Ohio 2013)).

Enron, Asset Securitization and Bankruptcy Reform: Dead or Dormant? 11 J. BANKR. L. & PRAC. 101 (2002) (cited in *Trenwick America Litigation Trust v. Ernst & Young, L.L.P.*, 906 A.2d 168 (Del.Ch. 2006).

Financing Information Technologies: Fairness and Function, 2001 WIS. L. REV. 1067.

Fighting Fiction with Fiction: The New Federalism in (a Tobacco Company) Bankruptcy 78 WASH. U.L.Q. 1271 (2000) (cited in *In re Mayes*, 294 B.R. 145 (10th Cir. 2003)).

On Balance: Religious Liberty and Third-Party Harms, 84 UNIV. MINN. L. REV.589 (2000) (cited in *In re Congregation Birchos Yosef*, 535 B.R. 629 (Bankr. S.D.N.Y. 2015)).

First Principles and Fair Consideration: The Developing Clash Between the First Amendment and the Constructive Fraudulent Conveyance Laws, 52 UNIV. MIAMI L. REV. 247 (1997).

Editor, *Forms Under Revised Article 9 of the Uniform Commercial Code*, BUSINESS LAW SECTION, AMERICAN BAR ASSOCIATION (2002).

Proceeds Under Revised Article 9 of the UCC, MARYLAND INSTITUTE FOR CONTINUING PROFESSIONAL EDUCATION OF LAWYERS (April, 2000 & September 2001).

Contributor (with J. Levin, M. Ginsburg and T. Freedman) *MERGERS, ACQUISITIONS & BUYOUTS* (Aspen) (fraudulent conveyance issues) (1992 to 2006).

Regular Guest Blogger: Creditslips.org, concurringopinions.org, & regblog.org.

Casebooks CONTRACT LAW IN ACTION (Carolina Academic Press), vol. I & II, with Macaulay et al. (4th ed. 2016).

Works in Process *Abusive Process: Purdue Pharma and the Future of Nondebtor Releases Against Corporate Social Responsibility* (critique of CSR as a legal mechanism of social change)
Why Is Business Law Education So Bad? Value(s) Creation by Law Professors (critiquing literature on “transactional skills” education.)

Recent
Professional
and
Community
Activities

American Bar Association: Section of Business Law Council (“board of directors” of Business Law Section) (2010-2011; 2017-present); Committee on Corporate Laws (by invitation); Section Content Officer (2011-2017) (responsible for strategic and policy guidance on all educational and other content generated by Business Law Section); *Chair*, Business Law Section Publications Board (\$3.2 million book publications program) (2004-2010); *Co-Chair*, Business Law Education Committee of Business Law Section (2003-2007); *Co-Chair*: Law School Initiative (2003-2006); member, Task Force on Human Rights in Supply Chain Agreements (on going); two-time winner of “Chair’s Award” for distinguished service to the Business Law Section.

American Law Institute: *Member*, elected 2005.

The American Bankruptcy Law Journal. Member, editorial board (2015-2018) (peer reviewed journal of the National Conference of Bankruptcy Judges).

The Business Lawyer. Member, editorial board (2009-present) (peer reviewed journal of the Business Law Section of the American Bar Association).

American College of Commercial Finance Lawyers, *Fellow*, inducted 2008; Member, Board of Regents (2014-present).

Association of American Law Schools: *Chair*, Section on Commercial and Related Consumer Law (2003-2004).

The Temple 10-Q. Founding editor of weekly business law blog by and for Temple business law community.

National Conference of Bar Examiners: Observer, Contracts Drafting Group, April 2012.

Illinois Bar Examiners: Question drafter (Contracts, Secured Transactions, and Negotiable Instruments).

Philadelphia Stock Exchange: Dispute resolution panelist (2007-2010).

Counsel of Record, *Brief for Amici Curiae Law Professors in Support of Petitioners, Casimir Czyzewski v. Jevic Holding Corp., et al.*, No. 15-649 (U.S. Supreme Court, Dec. 2015)(co-counsel Melissa Jacoby; signatories include Professors Robert Rasmussen, Mark Roe, David Skeel, and Jay Westbrook). Opinion published at __U.S. __, 137 S. Ct. 973, 197 L. Ed. 2d 398 (2017)).

Lead Author, *Brief of Amicus Curiae Law Professors, in In re Cybergeneics Corp.* (Docket No. 01-3805, U.S. Ct. App. 3d Cir, December 13, 2002) (signatories include Professors Ken Klee, Elizabeth Warren and William Woodward). Opinion published at 330 F.3d 548 (2003).

National Conference of Bankruptcy Judges: *Fellow* (October 2002).

Baltimore Scholars Program: Mentor pre-law students at historically black Maryland colleges and universities.

Member, Board of Directors and Secretary, Baltimore Ronald McDonald House, Inc (1999-2002).

Member, Greater Baltimore Committee Education Subcommittee (2000-2004).

Baltimore Jewish Council: Reading tutor for elementary-age school children.

Boston Athenaeum, Associates’ Council. Member of council responsible for activities of young members of one of the nation’s oldest private libraries (1997-99).

Member and general counsel to Massachusetts Citizens Against the Death Penalty, Inc. Pro-bono counsel to 501(c)(4) organization opposed to institution of death penalty in Massachusetts (1998-99).

Boston Law Firm Group. Mentor to Boston-area minority law students (1997-99).

Expert Work

In re Enron Corp. (Bankr. S.D.N.Y.), consulting expert to Official Committee of Unsecured Creditors on matters of transaction characterization and legal opinions (2005-2007); resolved by settlement including \$30 million estate recovery.

In re Dexter Distributing (Bankr. D. Az), consulting expert to debtor in possession on claims of breach of fiduciary duty by corporate directors.

U.S. Bank National Association v. GreenPoint Mortgage Funding, Inc. (N.Y. Sup. Ct., pending), consulting and potentially testifying expert on certain definitions in asset securitization transactions.

Banco Santander v. Stradley Ronon, LLP, (Pa. Ct. Cm. Pl.), expert retained in legal malpractice case involving secured transaction under UCC Article 9; resolved in favor of client at summary judgment.

National Credit Union Administration Board v. Credit Suisse Securities (USA) LLC, et al. (S.D.N.Y.); National Credit Union Administration Board v. UBS Securities, LLC (S.D.N.Y.); et al., submitted expert report and testified at deposition in coordinated actions brought by the NCUA in the Southern District of New York, the Central District of California and the District of Kansas.

Education

J.D. (1990) University of Wisconsin; Note and Comment Editor, WISCONSIN LAW REVIEW. Dean's List (1988).

B.A., *cum laude* (1986), University of Wisconsin (history and philosophy); Trewartha Scholar (research grant for outstanding honors thesis); History department prize for best history essay.

Prior Professional Experience

Hill & Barlow, Boston, MA; Senior Associate, corporate and commercial departments (1995-1999).

Kirkland & Ellis, New York, NY; Associate, commercial department (1992-1995).

Milbank, Tweed, Hadley & McCloy, New York, NY; Associate (1990-1992).

Admissions to Practice

New York (1991); Massachusetts (1995) (inactive); Supreme Court of the United States (2015)

Selected Presentations, Short Articles and Media Quotes

Selected Presentations and Short Articles:

1. Co-Organizer and co-moderator (w/ R. Rebouche), *Contract in Crisis*, Law & Contemporary Problems Symposium, July 2021
2. Panel Presenter, *Failure's Failures*, National Business Law Scholars 2021 Conference (June 2021)
3. Panel organizer and editor, University of Wisconsin Law Review Symposium: The Wisconsin School of Contracts (October 2020)
4. *The Sacklers' Last Poison Pill*, N.Y. TIMES, Dec. 5, 2020 (with Gerald Posner), available at <https://www.nytimes.com/2020/12/05/opinion/sackler-purdue-pharma-doj.html>
5. Plenary Presenter, *Contracting COVID: Private Order and Public Good*, National Business Law Scholars 2020 Conference (May 2020)
6. *Don't Just Do Something; Stand There!* ABA *Business Law Today* & presentations of model standstill agreement to various bar associations)(April 2020-present)
7. Presenter, *Why is Business Law Education So Bad? Legal Education and Institutional Choice*, BYU Deals Conference (March 2020)
8. Fintech and Institutional Choice, AALS discussion group (Jan. 2020)
9. Presenter, *Against Corporate Social Responsibility*, Commercial Law Conf. Tsinghua University School of Law (Oct. 2019).
10. Presenter, *Moral Bankruptcy*, Renmin University School of Law & Tsinghua University School of Law (Oct. 2019)
11. Presenter, *Against Corporate Social Responsibility*, Canadian Law and Economics Association (Oct. 2019)
12. Moderator, John Kidwell Lecture, University of Wisconsin-Madison (March 2018 & November 2018)
13. Presenter, *Contract Social Responsibility*, Tsinghua University Law School (Beijing) & Beijing Normal Law School (October 2018)
14. Presenter, *Addressing Economic Crimes*, Mongolian Prosecutors Association (Mar. 2018).
15. Commentator, Corpus Linguistics and Contract Interpretation, Corpus Linguistics Conference, Brigham Young University (March, 2018)
16. Presenter, *Controlling Creditor Control*, Festschrift in Honor of Jay Westbrook, University of Texas-Austin (January, 2018)
17. Presenter, *The Secret Life of Priority*, University of Amsterdam Law School (November 2017)
18. Presenter, *The Secret Life of Priority*, Tsinghua University (Beijing) (October 2017)
19. Presenter, *Structured Dismissals in Bankruptcy*, Joe Lee Lecture, Univ. Kentucky Law School (June 7, 2017)
20. Presenter, *Addressing Economic Crimes*, Mongolian Supreme Court and Lower Courts (Mar. 2017).
21. Presenter, *Making America Worse, Trump Casinos 1997-2010*, Tsinghua University Law School (Oct. 29, 2016) & Temple University (Nov. 2):

22. Presenter: *Best Practices in Debt Collection Law*: Mongolian Bailiff's (Sheriff's) Office, Ulan-Bator, Mongolia (Mar. 31 & Apr. 1, 2016).
23. Moderator: *Current Trends in Compliance and Enforcement*, Temple Law School (Apr. 2016).
24. Presenter and Organizer: *Content Convergence for Business Bar Leaders*, ABA Business Bar Leaders' Conference (May 2016).
25. Author, *The Arc of Covenant Banking*, Concurring Opinions (Jan. 29, 2016).
26. Presenter, *A Few Words About Independent Directors*, Tsinghua University (Oct. 2015).
27. Presenter, *Examining Success*, Renmin University, Beijing, China (Oct. 2015).
28. Presenter, *Braucher's Business*, University of Arizona Law Review Symposium (April 2015).
29. Organizer and Discussant, *The (Un)Quiet Realist: Reflecting and Building on the Work of Bill Whitford*: Organized Temple Law Review symposium with leading bankruptcy, commercial and contracts scholars (Oct. 24, 2014).
30. Organizer and Moderator, *Harold E. Kohn Lecture*: Presentation by speaker Leo E. Strine, Chief Justice, Delaware Supreme Court (Oct. 9, 2014).
31. *The Global Financial Crisis: Some Causes and Cures*, presentation for representatives of Consiglio Nazionale Forense (Italian Bar Association), Phila, PA (Aug. 13, 2014).
32. *Regulatory Implications of Bank Securitization and Executive Compensation*, RegBlog, available at <http://www.regblog.org/2014/05/27-lipson-unlu-matsumura-martin-bank-securitization-and-executive-compensation.html> (May 27, 2014) (invited contribution).
33. Program Chair and Presenter, *Producing and Distributing Content*, Business Bar Leaders Conference (sponsored by Business Law Section, ABA) (May 16, 2014).
34. *The Role and Rule of Law: Creditors' Rights and Legitimacy*, presentation for Mongolian judges, Ulan Baator, Mongolian (Mar. 26, 2014).
35. Presenter, *Examining Success: The Benefits and Costs of Bankruptcy Examination*, Society for Benefit-Cost Analysis, Washington DC (Mar. 13, 2014).
36. Presenter, *Ethical Issues in Closing Opinion Practice*, Association of Commercial Finance Attorneys, Yale Club, New York (Feb. 18, 2014).
37. *Relational Reorganization*, ContractsProfBlog, available at http://lawprofessors.typepad.com/contractsprof_blog/2013/08/revisiting-the-contracts-scholarship-of-stewart-macaulay-post-vi-jonathan-lipson.html (Aug. 28, 2013) (invited blog post on scholarship of Stewart Macaulay).
38. *Detroit: Kicking the Federalism Question Down the Rhodex*, <http://www.concurringopinions.com/archives/2013/07/guest-post-jonathan-lipson-on-the-mess-in-detroit.html> (July 25, 2013) (invited blog post on developments in Detroit chapter 9 bankruptcy).
39. Testimony, American Bankruptcy Institute Field Hearings on Reform of Chapter 11 (video and written statement available at <http://commission.abi.org>) (June 7, 2013) (testimony on informational aspects of chapter 11 system).
40. Presenter, *Chapter 11 Success Modeling Project*, UCLA Law School (Feb. 2013).
41. Panelist and Presenter, *Executive Compensation and Securitization*, Tsinghua University School of Law, *Commercial Law Conference* (Oct. 2012).
42. Panelist and Presenter, *Executive Compensation and Securitization*, Canadian Law and Economics Ass'n (Oct. 2012).
43. Author, *Failing at Failure: An Institutional Analysis of Dodd-Frank's Orderly Liquidation Authority* RegBlog (Sept. 11, 2012) available at <https://www.law.upenn.edu/blogs/regblog/>

- [2012/09/11-lipson-orderly-liquidation-authority.html](#) (invited blog post on “institutional analysis” of financial distress systems).
44. Presenter, *Information Discovery and Machine Learning in Bankruptcy Reorganization*, University of Wisconsin Dep’t Computer Science (May 2012).
 45. Organizer & Program Chair and Commentator, *Who’s In the House: The Changing Role and Nature of In-House and General Counsel*, Wisconsin Law Review Symposium (Nov. 2011).
 46. Panelist & Presenter: Tsinghua University School of Law, *Commercial Law Conference*, Oct. 2011 (Beijing, China), *Choosing Failure: Comparative Institutional Analysis of the Convergence of Financial Distress Systems*.
 47. Commentator and Panelist, *Empirical and Lyrical: The Scholarship of Stewart Macaulay* (Oct. 2011).
 48. Panelist and Presenter, *Examine This! Examiners, Examinations and You*, National Conference of Bankruptcy Judges, Tampa, Florida, (Oct. 2011).
 49. Panelist & Presenter, *Examiner Examination*, New York City Bar Ass’n (May 2011).
 50. Panelist & Presenter, *Examiners in Chapter 11 Bankruptcies*, Business Bankruptcy Committee, Am. Bar Ass’n, Spring Meeting (Apr. 2011).
 51. Panelist & Presenter: Tsinghua University School of Law, *Commercial Law Conference* (Oct. 30, 2010) (Beijing, China), *Controlling Creditor Opportunism*.
 52. Invited Speaker, Renmin (People’s) University (Nov. 1, 2010) (Beijing, China), *Controlling Creditor Opportunism*.
 53. Invited Speaker, University of International Business and Economics Beijing, (Nov. 1, 2010) (Beijing, China), *Four Models of Failure Under U.S. Law*.
 54. Panelist & Presenter, *The SEC in Bankruptcy: Past, Present and Future*, St. John’s School of Law, (Oct. 8, 2010) (presenting *Controlling the Market for Information in Reorganization*, 18 AM. BANKR. INST. L. J. 647 (2011) (solicited manuscript))
 55. Panelist & Presenter, *Never Really Thought About It: Understanding “Miscellaneous” Provisions and Other Background Text in Agreements*, Am. Bar Ass’n Annual Meeting (Aug. 8, 2010) (presenting *What’s Amiss? The Lawyering Interest in “Miscellaneous” Contract Provisions*, 65 CONS. FIN. L. Q. 151 (2011)(solicited manuscript)).
 56. Author, *Of Lebron James and Louis Brandeis: Why Elizabeth Warren Should Run the Consumer Financial Protection Bureau*, National Law Journal (online) (July 29, 2010), available at <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202463992960&slreturn=1&hblogin=1>.
 57. Author, *The Great Repression: The Crisis of Richard Posner*, Huffington Post (July 13, 2010), available at http://www.huffingtonpost.com/peter-j-liacouras/the-great-repression-the_b_644925.html.
 58. Panelist & Presenter, *The Shadow Bankruptcy System*, Commercial Law Conference, Tsinghua University (Beijing) (Oct. 28, 2009).
 59. Panelist (and organizer): *The ‘New’ New Deal: Transactional Skills for a Changing Environment*, Conference on the Minority Lawyer, Philadelphia, PA (Sept. 24, 2009).
 60. Author, *Beware the Toxicity of Shadow Bankruptcy*, Nat’l L.J. 42, (June 15, 2009) (opinion).
 61. Author, *Turnaround investors always call the shots*, 80 Adver. Age (May 18, 2009) (available at 2009 WLNR 9767919) (point-counterpoint).
 62. Panelist & Presenter, *Cost-Benefit Analysis and Closing Opinion Practice: Some Ethical Issues*, Delaware State Bar Ass’n (Apr. 30, 2009).

63. Panelist & Presenter, American Constitution Society, *Global Financial Climate Change: Bankruptcy, Bailouts, and the Law*, presented by the ACS Philadelphia Lawyer Chapter (Feb. 24, 2009).
64. Panelist & Presenter, *Enron Re-run*, Commercial Law Conference, Tsinghua, University (Beijing) (Oct. 23, 2008).
65. Panelist & Presenter, American Bar Association, Committee on Affordable Housing and Community Development, *Ethical Issues in Third Party Closing Opinions Practice*, Washington, DC (May 23, 2008).
66. Discussant, *Law, Economics and Neuroscience*, University of Southern California, Los Angeles, CA (May 14, 2008) (commenting on Berns, et al, *Adolescent Engagement in Dangerous Behaviors*).
67. Panelist & Presenter, *Conference on Globalizing Secured Transactions*, Thomas Jefferson University School of Law (Mar. 14, 2008) (presenting *Atrophy and Catastrophe: Designing and Protecting Rights-Creating Information Systems in Global Secured Credit*).
68. Panelist & Presenter, Joint Meeting of American Association of Law Schools Debtor/Creditor Section and National Conference of Bankruptcy Judges (Oct. 2007) (draft of empirical study of use of bankruptcy examiners).
69. Panelist & Presenter, American Bar Association, Committee on Legal Opinions, Annual Meeting (“Crossing the Threshold”) (Aug. 12, 2007) San Francisco, CA (repeated as Webcast November 11, 2007).
70. Panelist & Presenter, Harvard/Texas Commercial Realities Workshop (proposal for a study of UCC-1 and corporate chartering systems) (Apr. 2007).
71. Panelist & Presenter, Middle Eastern Partnership Institution (United States State Department/University of Pennsylvania), *U.S. Commercial and Bankruptcy Law* (Apr. 9, 2007).
72. Panelist & Presenter, Association of Commercial Finance Attorneys, Presentation, *Ethical Issues in Negotiating and Drafting Opinion Letters* (Mar. 26, 2007).
73. Panelist & Presenter, Harvard/Texas Commercial Realities Workshop (proposal for an empirical study of examiners in large chapter 11 bankruptcies) (Apr. 2006).
74. Moderator, *Teaching, Training and Growing M&A Lawyers*, Business Law Section, American Bar Ass’n (Apr. 7, 2006).
75. Presenter, Temple Institute for International Law and Public Policy (Nov. 7, 2005) (presented draft of *The Expressive Function of Directors’ Duties to Creditors*).
76. Panelist, *Twilight in the Zone of Insolvency*, University of Maryland School of Law (Nov. 3, 2005) (presented draft of *The Expressive Function of Directors’ Duties to Creditors*).
77. Panelist, American Association of Law Schools - Joint Meeting of Commercial and Contracts Sections (intellectual property panel) (June 15, 2005) (presented draft of *Not.com: Commercial Law at the Cross-Codes?*).
78. Presenter, 2005 Yale/Stanford Junior Faculty Forum (working draft of *Price and Pride: Third-Party Closing Opinion Practice Among U.S. Lawyers (A Preliminary Investigation)*) (May 27, 2005)
79. Presenter, 2005 Harvard/Texas Commercial Realities Workshop (working draft of *Price and Price: Third-Party Closing Opinion Practice Among U.S. Lawyers (A Preliminary Investigation)*) (Apr. 8, 2005).
80. Panelist, American Association of Law Schools, Debtor-Creditor Section, *Catholic Church Bankruptcies* (Jan. 7, 2005).

81. Presenter, Midwest Law and Economics Ass'n, University of Iowa. Present working draft of *Why do Lawyers ask for and Give Third-Party Closing Opinions?* (Oct. 8, 2004).
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84. Moderator and program chair, American Bar Association, *Train in Vain: Ethics Training for Business Lawyers and Law Students* (Apr. 2004).
85. Moderator and organizer: *Who's the Consumer? The Changing Identity of Consumers in Commercial Law*, Association of American Law Schools annual meeting (Jan. 2004).
86. Moderator, Eastern District of Pennsylvania Bankruptcy Bar annual continuing legal education program (Jan. 2004).
87. Moderator and director, American Bar Association, *Questions from the Perplexed -- Common Drafting Issues Under Revised Article 9* (Nov. 2003) (nationwide teleconference of UCC Article 9 program).
88. Presenter, Midwest Law and Economics Association, *Contract, Notice and the Privatization of Property: Verification and Measurement in Commercial Finance Law* (working paper) (Oct. 2003).
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92. Fellow, National Conference of Bankruptcy Judges (Oct. 2002).
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