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EMPLOYMENT

2002-Present	<i>University of Chicago Law School</i> Sidley Austin Professor of Law, 2011-present Deputy Dean, 2009-2012 Professor of Law, 2007-2011 Walter Mander Teaching Scholar, 2007-2010 Assistant Professor of Law, 2002-2007	Chicago, IL
2008	<i>Yale Law School</i> Visiting Professor of Law	New Haven, CT
2007	<i>Tel Aviv University Law School</i> Visiting Professor of Law	Tel Aviv, Israel
2000 - 2002	<i>Preston, Gates & Ellis LLP</i> Litigation Associate	Seattle, WA
1999 - 2000	<i>U.S. Court of Appeals for the Ninth Circuit</i> Law Clerk to the Honorable Cynthia Holcomb Hall	Pasadena, CA

PUBLICATIONS

Law Review Articles

- *Assessing the Empirical Upside of Personalized Criminal Procedure*, 85 U. CHI. L. REV. ____ (forthcoming 2018) (with Matthew Kugler).
- *Interpreting Contracts via Surveys and Experiments*, 92 N.Y.U. L. REV. 1753 (2017) (with Omri Ben-Shahar).
- *The Myth of Fourth Amendment Circularity*, 84 U. CHI. L. REV. 1747 (2017) (with Matthew Kugler).
- *Is Privacy Policy Language Irrelevant to Consumers?*, 45 J. LEGAL STUD. S69 (2016) (with Matthew Kugler).
- *Contracting over Privacy: Introduction*, 45 J. LEGAL STUD. S1 (2016) (with Omri Ben-Shahar).
- *Actual Expectations of Privacy, Fourth Amendment Doctrine, and the Mosaic Theory*, 2015 SUP. CT. REV. 2005 (2016) (with Matthew Kugler).
- *Don't Ask, Must Tell and Other Combinations*, 103 CAL. L. REV. 919 (2015) (with Adam Samaha).
- *Personalizing Default Rules and Disclosure with Big Data*, 112 MICH. L. REV. 1417 (2014) (with Ariel Porat).
- *Toward a Positive Theory of Privacy Law*, 125 HARV. L. REV. 2010 (2013).
- *Absolute Preferences and Relative Preferences in Property Law*, 160 U. PENN. L. REV. 2157 (2012).
- *Judicial Takings or Due Process*, 97 CORNELL L. REV. 305 (2012) (with Eduardo Peñalver).

- *Signaling Exhaustion and Perfect Exclusion*, 10 J. TELECOMMUNICATIONS & HIGH TECH. L. 231 (2012).
- *Reunifying Privacy Law*, 98 CAL. L. REV. 2007 (2010).
- *Pseudonymous Litigation*, 77 U. CHI. L. REV. 1239 (2010).
- *The Right to Abandon*, 158 U. PENN. L. REV. 355 (2010).
- *Reputation Nation: Law in an Era of Ubiquitous Personal Information*, 102 NW. U. L. REV. 1667 (2008) (research spotlighted in *New York Times Magazine's* Year in Ideas Issue – 2008).
- *Privacy versus Antidiscrimination*, 75 U. CHI. L. REV. 363 (2008).
- *“Don’t Try this at Home”: Posner as Political Economist*, 74 U. CHI. L. REV. 1873 (2007).
- *Wealth without Markets?*, 116 YALE L.J. 1472 (2007).
- *“How’s My Driving?” for Everyone (and Everything?)*, 80 N.Y.U. L. REV. 1699 (2006).
- *Information Asymmetries and the Rights to Exclude*, 104 MICH. L. REV. 1835 (2006).
- *Exclusionary Amenities in Residential Communities*, 92 VA. L. REV. 437 (2006).
- *A Social Networks Theory of Privacy*, 72 U. CHI. L. REV. 919 (2005).
- Symposium Essay, *Consent, Aesthetics, and the Boundaries of Sexual Privacy after Lawrence v. Texas*, 54 DEPAUL L. REV. 671 (2005).
- *The Right to Destroy*, 114 YALE L. J. 781 (2005).
- *Charismatic Code, Social Norms, and the Emergence of Cooperation on the File-Swapping Networks*, 89 VA. L. REV. 505 (2003).
- *Social Norms from Close-Knit Groups to Loose-Knit Groups*, 70 U. CHI. L. REV. 359 (2003).
- *How Changes in Property Regimes Influence Social Norms: Commodifying California’s Carpool Lanes*, 75 IND. L.J. 1231 (2000).
- *The Uneasy Case for Devolution of the Individual Income Tax*, 85 IOWA L. REV. 907 (2000).
- *Controlling the Costs of Alternative Medicine*, 25 S.W.U. L. REV. 543 (1999).
- *The Balanced Budget Amendment & Social Security: An Alternative Means of Judicial Enforcement*, 22 SETON HALL LEGIS. J. 513 (1998).
- Case Note, *When the Taking Itself Is Just Compensation*, 107 YALE L.J. 1975 (1998).

Books & Book Chapters

- PROPERTY (Aspen Publishers 9th Edition 2018) (with Jesse Dukeminier, James E. Krier, Gregory S. Alexander & Michael H. Schill).
- PROPERTY (Aspen Publishers 2nd Concise Edition 2017) (with Jesse Dukeminier, James E. Krier, Gregory S. Alexander & Michael H. Schill).
- *Historic Preservation and Its Even Less Authentic Alternative*, in EVIDENCE AND INNOVATION IN HOUSING LAW AND POLICY (Cambridge Univ. Press. 2017) (Lee Anne Fennell & Benjamin J. Keys, eds.).
- PROPERTY (Aspen Publishers 8th edition 2014) (with Jesse Dukeminier, James E. Krier, Gregory S. Alexander & Michael H. Schill).
- PROPERTY (Aspen Publishers Concise Edition 2014) (with Jesse Dukeminier, James E. Krier, Gregory S. Alexander & Michael H. Schill).
- INFORMATION AND EXCLUSION (Yale University Press 2011).
- *Less Regulation, More Reputation*, in THE REPUTATION SOCIETY 63 (Hassan Masum ed., MIT Press 2011).
- *Unilateral Relinquishment of Property*, in RESEARCH HANDBOOK ON THE ECONOMICS OF PROPERTY LAW 125-147 (Kenneth Ayotte & Henry E. Smith eds., Edward Elgar Publishing 2011).
- *Collective Privacy*, in THE OFFENSIVE INTERNET: PRIVACY, SPEECH, AND REPUTATION 217-236 (Martha Nussbaum & Saul Levmore eds., Harvard University Press 2010).

- SHADES OF GRAY: INTERGENERATIONAL EQUITY IN THE ERA OF ENTITLEMENT REFORM (Institute of Governmental Studies Press 1997).

Amicus Briefs Written

- Brief of Amici Curiae Empirical Fourth Amendment Scholars in Support of Petitioner in *Carpenter v. United States* (with Sarah Schrup, Matthew Kugler, Christine Scott-Hayward, and Matthew Tokson).

PRIMARY RESEARCH INTERESTS

- Property
- Privacy
- Contracts
- Traffic Safety & Motorist Behavior
- Trade Secrets Law
- Law and Technology

COURSES AND SEMINARS TAUGHT

- Property (Chicago)
- Privacy (Chicago)
- Elements of the Law (Chicago)
- Trade Secrets (Chicago and Yale)
- Law and the Economic Development of Chicago (Chicago)
- Law and Social Norms (Tel Aviv University)
- Canonical Ideas in Legal Thought (Chicago)

EDUCATION

YALE LAW SCHOOL, J.D., 1999.

Honors: John M. Olin Prize for Best Paper on Law, Economics & Public Policy

Activities: *The Yale Law Journal* – Executive Editor

Professor Drew S. Days III – Research Assistant

Advocacy for Parents & Children Legal Clinic – Director

UNIVERSITY OF CALIFORNIA, BERKELEY, B.A., with highest honors, 1996.

Political Science major, Public Policy minor.

Honors: Chancellor’s Commendation for Academic Distinction

Phi Beta Kappa

Alumni Leadership Scholarship

Activities: University Students’ Cooperative Association – President

Roundtable: The Journal of Public Policy – Articles Editor

SELECTED PRESENTATIONS

- *Assessing the Empirical Upside of Personalized Criminal Procedure*, UCLA Law School (February 2018), Privacy Law Scholars Conference (May 2018), University of Chicago Law Review Symposium (May 2018).
- *Hyde Park’s Two Turns in the Takings Clause Spotlight*, Journal of Legal Studies Symposium (May 2018).
- *Interpreting Contracts via Surveys and Experiments*, Keio University Law School (September 2016), Sidley Austin LLP 100th Anniversary Event (November 2016), University of Chicago Law School (December 2016), American Law and Economics Association Annual Meeting (June 2017).

- *Exclusionary Amenities and Exclusionary Vibes*, Harvard Graduate School of Design (April 2016).
- *Is Privacy Policy Language Irrelevant to Consumers?*, Conference on Contracting over Privacy, University of Chicago (October 2015).
- *Duration Doesn't Matter: Testing the Mosaic Theory of the Fourth Amendment*, Tulane Law School (February 2015), University of Chicago Law School (April 2015), Emory Law School (September 2015).
- *Don't Ask, Must Tell and Other Combinations*, University of Chicago Law School (September 2014), Privacy Law Scholars Conference, George Washington University Law School (June 2014).
- The Maestro Lectures, Academia Sinica & National Taiwan University, Taipei, Taiwan. (April 2014).
- *Social Networks, Social Norms, and Behavioral Analysis*, 2013 Coase-Sandor Institute Summer School in Law and Economics: New Tools in Law and Economics (July 2013) (ten hour intensive course for foreign scholars interested in law and economics).
- *Personalizing Default Rules and Disclosure with Big Data*, (American Law & Economics Association Annual Meeting) (May 2014), University of Maryland Law School (September 2013), Privacy Law Scholars Conference (June 2013), Northwestern Business School (May 2013), University of Chicago Law School (February 2013).
- *Toward a Positive Theory of Privacy Law*, Harvard University Law School (November 2012).
- *Is Crowdsourcing Overrated? A Traffic Safety Field Experiment*, University of Virginia Law School (October 2012), University of Chicago Law School (September 2012).
- *The Economics of Privacy*, University of Colorado Law School Silicon Flatirons Conference (December 2011).
- *Absolute Preferences and Relative Preferences in Property Law*, University of Pennsylvania Law School (November 2011), University of Texas Law School (April 2012).
- *Judicial Takings or Due Process?*, University of Pennsylvania Law School (February 2011), University of Minnesota Law School (March 2011), Case Western Law School (March 2011), Loyola-Chicago Law School (April 2011), University of Chicago Law School (April 2011).
- *Reunifying Privacy Law*, Cornell Law School (September 2010), Privacy Law Scholars Conference at George Washington University (June 2010), University of Chicago Law School (April 2010), University of California, Berkeley Conference on Prosser at Fifty (January 2010).
- *Comparative Regulatory Approaches to Protecting Consumer Privacy*, Second Annual Public Policy Conference for State Attorneys General, Northwestern University (May 2010).
- *Addressing Sensitive Information*, Federal Trade Commission Privacy Roundtable (March 2010).
- *Collective Privacy*, N.Y.U. Law School Conference on Federal Privacy Legislation, October 2009.
- *The Right to Abandon*, University of Chicago Law School (October 2008), University of California-Davis Law School (March 2009), Washington University Law School (April 2009), Property Works in Progress Conference – University of Colorado Law School (June 2009).
- *Reciprocal Privacy*, Privacy, Speech, and the Internet Conference at University of Chicago (November 2008).
- *Reputation Nation: Law in an Era of Ubiquitous Personal Information*, Northwestern University (April 2007), University of Chicago Law School (May 2007), Columbia Law School (October 2007), UCLA Law School (Nov. 2007), American Law and Economics Association Annual Meeting (May 2008), Yale Law School (September 2008).
- *Information, Technology, and Privacy: What's Next?*, American Association of Law Schools Annual Meeting (January 2007).

- *Symmetrical Privacy*, Microsoft Corporation (April 2006), Boalt Hall, University of California Law School (Nov. 2006).
- *Social Network Theory and Speech Regulation*, University of Illinois Conference on Law and Networks (March 2006).
- “*How’s My Driving?*” for Everyone (and Everything?), University of Chicago Law School (Mar. 2006).
- The Coase Lecture, *Information Asymmetries and the Rights to Exclude*, University of Chicago Law School (Jan. 2006).
- *Information Asymmetries and the Rights to Exclude*, Notre Dame Law School (Oct. 2005), and Midwestern Law and Economics Association Annual Meeting (October 2005).
- *Exclusionary Amenities in Residential Communities*, University of Virginia Law and Economics Workshop (April 2005), University of San Diego Law School (Sep. 2005), George Washington University (Oct. 2005), NYU Law School Colloquium on the Law, Economics, and Politics of Urban Affairs (Feb. 2006).
- *A Social Networks Theory of Privacy*, University of Michigan Cyberlaw and Economics Workshop (Feb. 2005), University of Toronto Law and Economics Workshop (Feb. 2005), Fordham Law School Intellectual Property & Privacy Symposium (April 2005), American Law and Economics Association Annual Meeting (May 2005), Law & Society Association Annual Meeting (May 2004).
- *A Network Theory of the Privacy Torts, The Right to Destroy, The Future of Peer-to-Peer File Swapping: Explaining Anomalies in Peer-to-Peer*, Seton Hall Law School (April 2004).
- *Privacy and Consent in Lawrence v. Texas*, DePaul Law School (March 2004).
- *The Right to Destroy*, American Law and Economics Association Annual Meeting (May 2004), University of Chicago Law School, The Emeritus Luncheon (June 2003).

MISCELLANEOUS

- American Law Institute, Member, 2015-present
- Adviser, American Law Institute Data Privacy Principles Project, 2013-present
- University of Chicago Law School Graduating Students’ Award as the most outstanding teacher, 2010 and 2016
- University of Chicago Law School Graduating Students’ Class of 2005 Award for contributions to improving the quality of student life
- Chosen as one of four faculty hooders by University of Chicago Law School graduating students – 2005, 2006, 2007, 2009, 2010, and 2016
- Chair, University of Chicago Faculty Appointments Committee, 2007-2009
- University of Chicago Faculty Senate, 2007-2010
- Faculty Director, David M. Rubenstein Scholarship Program, University of Chicago Law School, 2011-present
- Member, University of Chicago Law School Dean Search Committee, 2015
- Advisory Board, Future of Privacy Forum
- Head Coach and Assistant Coach, Near South Little League
- Member of Washington State Bar since 2000