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**EDUCATION**

Carnegie Tech, B.S. in Chemistry, 1961 (4-year scholarship)  
University of Florida, LL.B., 1964 (Law Review, Order of the Coif)  
Yale University, LL.M., 1965 (Sterling Fellow)

**PROFESSIONAL STATUS**

Member of the New York Bar; U.S. Courts of Appeals for the Third and Fifth Circuits

**EMPLOYMENT**

Sibley, Giblin, King & Levenson: Summer, 1964  
Louisiana State University Law School: Summer, 1969  
Council on Legal Education: 1969-1970  
University of Toledo Law School: 1965-1969, 1970-1976  
Cardozo Law School: 1976-2016 (Acting Dean 1980-82)  
Oxford University, Visiting Fellow, Centre for Socio-Legal Studies, May-June 1997  
Fordham Law School, 1999-2000 (Adjunct Faculty)

**RANK**

Professor Emeritus of Law

**SUBJECTS TAUGHT**

LongTerm: Contracts, Professional Responsibility, The Legal Profession, Land Use.

Past: Family Law, Federal Jurisdiction, Jurisprudence, Law & Poverty, Housing Law, Consumer Problems of the Poor, Legal Process, Municipal Corporations, Workmen's Compensation Seminar, Community Land Use Game Seminar, Social Indicators Seminar, Negotiation, and seminars on legal services delivery systems.

**LAW SCHOOL COMMITTEES**

Appointments and Promotions, Budget, Educational Policy, ABA Accreditation and Self-Study, AALS Accreditation, Placement, Academic Standards, Faculty Rules.

**UNIVERSITY COMMITTEES**

Faculty Review Committee.

**PROFESSIONAL ACTIVITIES**

	<u>Page</u>
A. General .....	2
B. Congressional Testimony (Federal and State) .....	3
C. Citations in Congressional Documents .....	4
D. Citations in Legal Practice Journals.....	4
E. Citations in Legal Briefs, Pleadings and Motions .....	5
F. Conferences And Other Presentations .....	5
G. Consulting Activities (Public Institutions) .....	8
H. Publications.....	9
I. Short-Length Publications .....	31
J. Amicus Briefs and Cert. Petitions .....	33
K. Op-Eds (Accessible on homepage by clicking on the "Op-Eds" hyperlink).....	34
L. National and Professional Press.....	36
M. Popular Press – Other .....	38

**A. General**

U.S. Chamber of Commerce Institute For Law Reform 2004 Research Award.  
 Professional Responsibility, Legal Ethics & Legal Education Practice Group Executive Committee,  
 The Federalist Society (1997-1998).  
 Committee on Professional and Judicial Ethics of the Ass’n of the Bar of the City of NY (1994-1997).  
 Association of Professional Responsibility Lawyers (1991-02).  
 Committee on Professional Responsibility of the Ass’n of the Bar of the City of NY (1990-93).  
 New York State Bar Association Committee on Professional Ethics, 1985-87.  
 Law and Economics Institute, summer 1986.  
 Mayor’s Committee on the Judiciary (New York City) (1981-82).  
 Lecturer on Professional Responsibility of Government Lawyers and Para-professionals, Legal Education Institute of the U.S. Civil Service Commission.  
 Proposal Reader - U.S. Office of Education (1978-1990).  
 Pre-1980 listings available

## **B. Congressional Testimony (Federal and State)**

Hearing on H.R. 526: Furthering Asbestos Claim Transparency (FACT) Act of 2015. Testimony before the Subcommittee on Regulatory Reform, Commercial and Antitrust Law of the U.S. House Committee on the Judiciary (Statement of Lester Brickman), Feb. 4, 2015, available at <http://www.ustream.tv/recorded/58433258>; 2015 WLNR 3578295. **Cited in:** 34 Am. Bankr. Inst. J. 12 (March 2015).

How Fraud and Abuse in the Asbestos Compensation System Affect Victims, Jobs, The Economy and the Legal System. Testimony before the Subcommittee on the Constitution of the U.S. House Committee on the Judiciary, Sept. 9, 2011 (Statement of Lester Brickman); available at <http://judiciary.house.gov/files/hearings/pdf/Brickman%2009092011.pdf>. **Cited in:** 23 Widener L. Rev. 725 at 729 n.24, 762 n.22 (2014).

Asbestos: Mixed Dust and FELA Issues, testimony on the proposed FAIR Act and the effect of mass filings of silicosis claims, Committee on the Judiciary, U.S. Senate, (Feb. 2, 2005). **Cited In:** 2-9 MEALEY'S TORT REF. UPDATE 16 (Apr. 2005); 20-6 MEALEY'S LITIG. REP. ASB. 17 (Apr. 2005); 3-8 MEALEY'S LITIG. REP. SILICA 11 (Apr. 2005); 3-9 MEALEY'S LITIG. REP. SILICA 11 (May 2005); 20-9 MEALEY'S LITIG. REP. ASB. 26 (June 2005); 12 Conn. Ins. L.J. 477 at 494 (2005-2006); 37 St. Mary's L.J. 283, at 290 (2006); 31 U. Dayton L. Rev. 173 at 194 (2006); 58 Admin. L. Rev. 269 at 344, 350 (2006); 30 Am. J. Trial Advoc. 295 at 300 (2006); 17 J. Bankr. L. & Prac. 2 Art. 3 n.125 (2008).

Oversight Hearing On The Administration of Large Business Bankruptcy Reorganizations: Has Competition For Big Cases Corrupted The Bankruptcy System, testimony on administration of asbestos bankruptcies, Subcommittee on Commercial and Administrative Law of the House Judiciary Committee (108<sup>th</sup> Cong., July 21, 2004). **Cited In:** 4-1 MEALEY'S ASB. BANKR. REP. 10 (Aug. 2004); 19-13 MEALEY'S LITIG. REP. ASB. 6 (Aug. 2004); 43 Bankr. Ct. Dec. News 1,7 (2004); 2-6 MEALEY'S INTL. ASB. LIAB. REP. 8 (Aug. 2004); 80 Notre Dame L. Rev. 1187, at 1188, 1196, 1208, 1210 (2005); 14 J. Bankr. L. & Proc. 1 n.43 (2005); 25 Bankr. L. Letter 1 (2005); 74 U.M.K.C. L. Rev. 585 at 604 (2006); 62 N.Y.U. Ann. Surv. Am. L. 271 at 288, 292, 319 (2006); 6-12 MEALEY'S BANKR. REP. 22 n.29, 30 (July 2007); 3 Envtl. Ins. Litig. L. & Prac. §27:20 at 503 (2006), §§ 26:39, 26:40 (2009).

Hearings on Ohio H.B. 292 (to reform asbestos litigation), Committee On Judiciary Of The Ohio Senate, May 5, 2004.

Attorney Fees and the Proposed Global Tobacco Settlement before the Subcommittee on Courts and Intellectual Property of the House Committee on the Judiciary, 105<sup>th</sup> Congress (Dec. 10, 1997) (statement of Lester Brickman.) **Cited In:** 109 Yale L.J. 1496 (2000); 51 De Paul L. Rev. 319 (2001); 44 Wake Forrest L.R. 923, 932 n.58 (2009); 32 Andrews Asb. Litig. Rep. 11 (2009); 27 Andrews Toxic Torts Litig. Rep. 12 (2009); 16 Andrews Class Action Litig. Rep. 3 (2009); 23 Geo. J. Legal Ethics 603 at 612 n.53 (2010); 25 Andrews Tobacco Ind. Litig. Rep. 8 (2010).

Product Liability Reform and How the Legal Fee Structure Affects Consumer Compensation Before the Subcommittee On Telecommunications, Trade, and Consumer Protection of the House Comm. on Commerce, 105<sup>th</sup> Cong. 105-31 (Apr. 30, 1997) (statement of Lester Brickman.) **Cited In:** 11 Geo. J. Legal Ethics 233, at 238 (1998).

Contingency Fee Abuses: Hearing on Examining Certain Contingency Fee Abuses and Their Effect On The Tort System Before the Senate Comm. on the Judiciary, 104<sup>th</sup> Congress, 1st Sess.

(Nov. 7, 1995) (statement of Lester Brickman). **Cited In:** 47 DePaul L. Rev. 268 (1998); 47 DePaul L. Rev. 341 (1998); 11 Geo. S. Legal Ethics 238 (1998); Singapore Academic L. J. 76 at 76-77 n.1, 114 n.150, 117 n.162, 152 n.274 (2004).

Effects of Asbestos Injury Litigation on Federal and State Courts Before Subcommittee on Intellectual Property and Judicial Administration of the House Committee on the Judiciary, 102<sup>nd</sup> Congress, 1<sup>st</sup> Sess. (Oct. 24, 1991) (statement of Lester Brickman). **Cited In:** *Lippe v. Bairnco Corp.*, 2002 WL 34342589 at n.31 (SDNY, Feb. 1, 2002); 88 N.W. L. Rev. 527-28 (1994); 24 J. of Environmental Affairs 631 (1997); Schwartz & Lorber, 24 Am. J. Trial Advocacy 251 (2000); 6 Tex. Rev. Law & Pol. 137 at n.158 (2001); 53 So. Car. L. Rev. 815 at 823 (2002); 3-3 MEALEY'S ASB. BANKR. REP. 24 (Oct. 2003); 62 NYU Ann. Surv. Am. L. 223 at 235 (2006); 59 Stan. L. Rev. 1671 at 1729 (2007).

#### **D. Citations in Legal Practice Journals**

**Los Angeles Daily Journal:** Oct. 4, 1989, at sec. II, p.1, Oct. 23, 1997 at 1, Nov. 2, 1994 at 1, Mar. 20, 1998 at xx; **Lloyd's Asbestos Litigation Reporter**, April 5, 2018; **New Jersey Law Journal:** May 2, 1994 at 15, Dec. 30, 1995 at 5, Jan. 29, 1996 at 29, June 30, 1997 at 6, Aug. 4, 1997 at 4, Mar. 23, 1998 at xx, May 19, 2003, Oct. 24, 2005 at 17, Feb. 13, 2006 at 1; **New York Law Journal:** Feb. 7, 1994 at 1, Mar. 21, 1994 at 1, Apr. 28, 1994 at 5, June 27, 1994 at 2, Sept. 22, 1994 at 5, Jan. 26, 1995 at 5, Feb. 23, 1995 at 5, June 15, 1995 at 5, Aug. 7, 1995 at 2, Oct. 5, 1995 at 5, Jan. 4, 1996 at 5, June 4, 1996 at 1, June 12, 1996 at 3, Oct. 10, 1996 at 5, July 17, 1997 at 5, June 1, 1998 at 2, Nov. 30 1998 at 1, Dec. 11, 1998 at 1, Dec. 28, 1998 at A4, Feb. 2, 1999 at 8, Apr. 15, 1999 at 5, July 6, 1999 at 1, May 15, 2000 at 1, May 19, 2000 at 8, May 24, 2001 at 5, Dec. 3, 2001 at 1, Jan. 17, 2002 at 1, May 7, 2003 at 1, Sept.13, 2004 at 3, May 5, 2005 at 1, Mar. 6, 2006 at 23; **Pennsylvania Record:** Jan. 19, 2012; **Southeast Texas Record:** Oct. 15, 2008, Oct. 27, 2008, Nov. 1, 2008, Aug. 5, 2009, Aug. 17, 2009, Aug. 27, 2009, May 5, 2009 (2), May 3, 2010, May 8, 2010, Nov. 5, 2010, Jan. 14, 2014, Jan. 28, 2014; **West Virginia Record:** Nov. 24 2008, Aug. 27, 2009, Sep. 2, 2011, Dec. 14, 2012, Sep. 18, 2014; **Texas Lawyer:**, Feb. 13, 1995 at 1, Feb. 5, 1996 at 29, Mar. 16, 1998 at 37, July 11, 2005 at 1, July 10, 2006 at 7.

#### **C. Citations in Congressional Documents**

135 Cong. Rec. (no. 149) E. 3679; 135 Cong. Rec. (no. 165) S.16888; 138 Cong. Rec. (no. 120) S.12851; 141 Cong. Rec. (no. 141) H2663; 141 Cong. Rec. (no. 67) S.; 144 Cong. Rec. (no. 78) S.6364; 144 Cong. Rec. (no. 76) S. 6373; 144 Cong. Rec. (no. 75) S. 6149; 144 Cong. Rec. (no. 64) S.5097; 149 Cong. Rec. (n. 58) S. 5175; 150 Cong. Rec. (no. 150) S. 5767; 150 Cong. Rec. (no. 51) S. 4127; 150 Cong. Rec. (no.53) S.4247; 150 Cong. Rec. (no. 31) S. 2651; 151 Cong. Rec. (no. 9) D49 (Senate); 152 Cong. Rec. (no. 13) S.738; 152 Cong. Rec. (no. 152) S. 837; 104 S. Rpt. 280 (1995); 108 S. Rpt. 118 nn.2, 43, 76 (2003); 109 S. Rpt. 97 nn.2, 22 (2005); 2013 Legis. Bill Hist. US H.B. 982, nn.50, 57, 62; 102 H. Rpt. 1085; 107 H. Rpt. 693 nn.101-02 (2002); 108 H. Rpt. 32 nn.116-117 (2003); 108 H. Rpt. 805; 109 H. Rpt. 123 (2005); 112 H. Rpt. 174 (2011); 112 H. Rpt. 352 (2011); 112 H. Rpt. 562; 112 H. Rpt. 687 (2012) nn.21, 24, 26, 33, 40, 41, 57, 73; 112; 112 H. Rpt. 747; 112 H. Rpt. 687, nn.24, 26; 114 H. Rpt. 352 (2015); 2011 Legis. Bill Hist. US H.B. 4369 nn.34, 62; 2011 Legis. Bill Hist. US H.B. 966 n.55; 2013 Legis. Bill Hist. US H.B. 2655 n.54.; 2013 Legis. Bill Hist. US H.B. 982 nn. 48, 50; 2015 Legis. Bill Hist. US H.B. 526 at 56, nn.40, 42, 44, 47, 49, 56, 63, 64, 118, 133, 134; 2017 Legis. Bill Hist. US H.B.906 (Feb. 24, 2017); 115 H. Rpt. 18 (Feb. 24, 2017).

## **E. Citations in Legal Briefs, Pleadings and Motions**

I have been cited approximately 525 times in legal briefs, pleadings and motions filed in state and federal trial and appellate courts as of Jan. 30, 2018. A listing can be found in LEXIS.

## **F. Conferences And Other Presentations**

Panelist: AALS Annual Meeting, Section on Litigation, "American-Style Litigation: A Force for Good or Ill?" San Diego, CA, Jan. 5, 2018.

Featured Speaker: DRI Asbestos Medicine Conf., Los Vegas, NV Nov. 3, 2017 "Civil Rico: An Effective Deterrent to Fraudulent Asbestos Litigation?"

Moderator: Law Reform Ass'n of New York CLE Program on Asbestos Litigation, New York, NY June 19, 2017.

Featured Speaker: Yale Political Union, "Disincentivizing Tort Litigation," New Haven, CT, Nov. 17 2015.

Featured Speaker: Law Reform Ass'n of New York CLE Program on Asbestos Litigation. "Ten Practices Designed to Defraud Defendants in Asbestos Litigation." New York, NY, June 30, 2015.

Debate: The Private Attorney-General: Good or Bad, Fed. Soc'y 17<sup>th</sup> Annual Faculty Conf., Wash., D.C., Jan. 3, 2015.

Podcast: Fraud and Abuse in Mesothelioma Litigation, Federalist Society, Oct. 20, 2014.

Panelist: Class Action Suits, Manhattan Institute, Jan. 23, 2014, New York, NY. Available on C-SPAN, Jan. 24, 2014.

Presenter: New York County Lawyers' Ass'n Joint Committee on Fee Disputes and Conciliation, Training Session for Fee Arbitrators, N.Y., N.Y., Feb. 11, 2013.

Panelist: Federalist Society National Lawyers Convention, Panel on Attorney Fees in Class Actions, Wash., D.C., Nov. 10, 2011.

Presenter: New York County Lawyers' Ass'n Joint Committee on Fee Disputes and Conciliation, Training Session for Fee Arbitrators, N.Y., N.Y., November 9, 2010.

Debate: Columbia Law School, Oct. 12, 2010 with Professor Brian Fitzpatrick of Vanderbilt Law School: "Do Class Action Lawyers Make Too Much Money?"

Debate: Western New England Law School, Sept. 1, 2010 with Professor Brian Fitzpatrick of Vanderbilt Law School: "Do Class Action Lawyers Make Too Much Money?"

Panelist: Institute of Advanced Legal Studies Conference on Regulating and Deregulating Lawyers, paper: "The Collaborative Effort of Judges and Rent-Seeking Lawyers in Expanding Tort Liability: A Modest Proposal for Reform," London, June 3-4, 2010.

Panelist: George Washington University Law School Conference on: Aggregate Litigation: Critical Perspectives, "Anatomy of an Aggregate Settlement: The Triumph of Temptation Over Ethics," Washington, D.C., March 12, 2010.

Presenter: New York County Lawyers' Ass'n Joint Committee on Fee Disputes and Conciliation, Training Session for Fee Arbitrators, N.Y., N.Y., December 2, 2008.

Featured Speaker: Medical Grand Rounds, Long Island Jewish Medical Center, "Physician Involvement in Mass Tort Fraud," Long Island, N.Y., Sept. 12, 2008.

Featured Speaker: American Tort Reform Ass'n Annual Meeting, "What Is the Significance of the Prosecutions of Milberg Weiss and Dickie Scruggs for Civil Justice Reform Prospects?", Washington, D.C., Mar. 11, 2008.

Presenter: Mealey's Asbestos Medicine Conference, "The Ethics of Diagnosis," Philadelphia, Apr. 16, 2007.

Panelist: AEI-Brookings Judicial Symposium on Civil Justice Issues, "Toxic Torts and Mass Screening," Washington, D.C., December 7, 2006. **Cited In:** 85 Tex. L. Rev. 1465 at n.182 (2007).

- Panelist: ALI-ABA Conference on Asbestos Litigation in the 21<sup>st</sup> Century, "Asbestos Screenings: Dead or Just Napping," New Orleans, LA, Nov. 30-Dec. 1, 2006.
- Panelist: Mealey's Silica & Asbestos Claims Conference, "The Mass Screening of Silica & Asbestos Claims: The Fallout from Judge Jack's Decision," Philadelphia, PA, Nov. 9, 2006.
- Panelist: U.S. Chamber of Commerce Inst. for Legal Reform, Annual Legal Reform Summit, "Latest Adaptations in the Plaintiffs' Bar Business Model," Washington, D.C., Oct. 26, 2006.
- Presenter: Federalist Society, "Mass Fraud in Mass Torts?," Washington D.C., Oct. 12, 2006.
- Panelist: American Enterprise Inst. for Public Policy Research, "Will The FAIR Act Fix The Asbestos Mess," Washington, D.C., Jan. 19, 2006.
- Panelist: Conference on "Asbestos: Anatomy of a Mass Tort", Univ. of Connecticut Law School, Hartford, Ct., Nov. 3, 2005.
- Speaker: Annual Meeting of Ass'n of American Physicians and Surgeons, "The Silica Story And Its Significance," Arlington, Va., Sept. 23, 2005.
- Speaker: Rotary Club of New York, "Silicosis: Son of Asbestosis?," New York, N.Y., August 23, 2005.
- Panelist: Colloquy on Legislation To Resolve Asbestos Litigation – A Conversation with President George Bush, McComb County, Michigan, January 7, 2005.
- Featured Speaker: American Tort Reform Ass'n Annual Legislative Conference, "A Look at Asbestos Litigation," New Orleans, LA., November 16, 2004.
- Presenter: New York County Lawyers' Ass'n Joint Committee on Fee Disputes and Conciliation, Training Session for Fee Arbitrators, N.Y., N.Y., October 20, 2004.
- Discussant: American Enterprise Institute for Public Policy Research, "What Do We Know About Contingency Fees?," Wash. D.C., Sept. 22, 2004. **Cited In:** 85 Tex. L. Rev. 1465 at n.182 (2007).
- Panelist: Mealey's National Asbestos Litigation Conference, "Ethical Issues Related to Screening," Philadelphia, Sept. 20-21, 2004.
- Presenter: Conference On Asbestos Allocation: Apportionment Liability In Asbestos Litigation, "Ethical Issues In Asbestos Litigation," San Francisco, June 17-18, 2004.
- Featured Speaker: Insurance Federation of New York, New York, An Update on Asbestos Litigation, May 13, 2004.
- Featured Speaker: Manhattan Inst. Center For Legal Policy, "On The Theory Class's Theories of Asbestos Litigation: The Disconnect Between Scholarship And Reality," New York, Mar. 10, 2004. **Cited In:** 72 Def. Couns. J. 241, at 242 (2005); 40 The Advoc. (Texas) 80 at n. 8 (2009).
- Moderator: Ass'n of Bar of City of New York, "Litigation Reform & The 9/11 Victim Compensation Fund," N.Y., N.Y., Sept. 18, 2003.
- Presenter: New York County Lawyers' Ass'n Joint Committee on Fee Disputes and Conciliation, Training Session for Fee Arbitrators, N.Y., N.Y. May 5, 2003.
- Panelist: Pepperdine Law School, "Asbestos Litigation & Tort Law: Trends, Ethics, and Solutions," Malibu, California, Apr. 4-5, 2003.
- Panelist: Ass'n of the Bar of the City of New York, "Asbestos: What Went Wrong?," New York, N.Y., Oct. 21, 2002.
- Panelist: U.S. Chamber Institute for Legal Reform and Manhattan Institute Center for Legal Policy, "Magnet Courts & Class Actions: The Empirical Evidence," Washington, D.C., June 17, 2002.
- Featured Speaker: Forum of the Center for Legal Policy at the Manhattan Institute, "Asbestos Litigation: Malignancy in the Courts?," New York, N.Y., May 2, 2002.
- Panelist: Univ. of Ill. Law School Conf. on "Ethics 2000 and Beyond: Reform or

- Professional Responsibility as Usual?" Champaign, Ill., Apr. 5, 2002.
- Panelist: ABA Nat'l Conf. on Professional Responsibility, "The Ethics of Hourly Rate Billing," Miami Beach, Fla., May 31, 2001.
- Keynoter: Minnesota State Bar CLE 2001 Business Law Institute, "The Role of Financial Self-Interest in the Governance and Operation of the Bar," Minneapolis, Apr. 27, 2001.
- Panelist: William & Mary Law School Conf. on Toxic Torts, Panel on Ethical and Settlement Issues in Mass Tort Litigation, Williamsburg, Va., Mar. 23-24, 2001.
- Presenter: New York State Unified Court System, Training Session, Fee Dispute Arbitration in Domestic Relations Cases, N.Y., Jan. 23, 2001.
- Panelist: ABA National Inst. on Class Actions, "Current Ethical Issues in Class Actions," New York, Oct. 13, 2000.
- Testimony: ABA Commission on Evaluation of the Rules of Professional Conduct ("Ethics 2000"), New Orleans, LA., June 2, 2000.
- Panelist: Hudson Inst., U.S. Chamber of Commerce, Federalist Soc'y, Conf. On Excessive Legal Fees, "The Scope of the Problem and Responses by the Judiciary and Bar," Washington, D.C., May 25, 2000. **Cited In:** 18 Geo. J. Ethics 1343, at 1356 (2005).
- Presenter: New York State Unified Court System, Training Session, Fee Dispute Arbitration in Domestic Relations Cases, N.Y., May 23, 2000.
- Panelist: Federalist Society Nat'l Lawyers Convention, "Class Action Ethics & Abuse," Washington, D.C., Nov. 11, 1999.
- Panelist: The Federalist Society, Manhattan Inst., and U.S. Chamber Inst. for Legal Reform (joint program), "The New Business of Government-Sponsored Litigation: State Attorneys General & Big City Lawsuits," Washington, D.C., June 22, 1999.
- Debate: NYU Federalist Society, "Tort Reform and Federalism," New York, Apr. 15, 1999.
- Presenter: American Tort Reform Foundation Forum, "Contingency Fee Lawyers and States' Attorneys General: Partnerships For Private Gain or Public Good," Washington D.C., February 25, 1999.
- Presenter: Fordham University School of Law, "The Tobacco Litigation & Attorneys' Fees," New York, Feb. 4, 1999.
- Presenter: Manhattan Inst., "Order in the Court: A Fresh Look at Litigation Reform in America," New York, Jan. 20, 1999.
- Featured Speaker: American Swiss Foundation Forum, "Contingency Fees and Class Actions," New York, Feb. 10, 1998.
- Presenter: Federalist Society Lawyers' Convention, "What Drives Legal Ethics?" Wash., D.C., Oct. 18, 1997. (Broadcast on C-Span).
- Keynoter: American Legislative Exchange Council Civil Justice Task Force meeting, "Tort Reform," Austin, Texas, Apr. 12, 1997.
- Featured Speaker: Manhattan Inst. Center for Judicial Studies luncheon forum, "Civil Justice Reform as Consumer Protection," New York, Mar. 27, 1997. **Cited In:** 71 N.Y.S. Bar Ass'n J. 51 (Apr. 1999).
- Featured Speaker: Invitation-only meeting of ABA leaders and a group of general counsels, "Seeking Common Ground: A Dialogue Between General Counsel and the ABA," Washington, D.C., June 26, 1996.
- Featured Speaker: Forbes CEO Forum, on tort reform, Toronto, June 21, 1996.
- Panelist: Ass'n of American Law Schools Professional Responsibility, "Institutional Choices in the Regulation of Lawyers," San Antonio, Tex., Jan. 7, 1996.
- Panelist: ABA Section on Business Law, "Securities Class Actions: Is Legislation Necessary?," Chicago, Aug. 8, 1995.
- Panelist: Ass'n of Bar of the City of New York, "Proposed Contract with America Legislative Changes," New York, June 12, 1995.

- Presenter: American Bar Ass'n 21st Nat'l Conference on Professional Responsibility, plenary session panel on Contingency Fees, San Diego, June 2, 1995.
- Presenter: American Tort Reform Association Annual Meeting of Coalition Leaders, "on the effects of contingency fees on the tort system," Chicago, Ill., Oct 4, 1994.
- Featured Speaker: NYU Institute of Judicial Administration Appellate Judges Seminar luncheon, "a proposal to reform contingency fee abuses," N.Y., June 28, 1994.
- Featured Speaker: NYU Institute of Judicial Administration Board of Directors meeting, "a proposal to reform contingency fee abuses," Washington, D.C., May 17, 1994.
- Presenter: New York Criminal Bar Ass'n, "Legal Fees After the Court of Appeals Recent Decision Prohibiting Non-Refundable Retainers: The Impact of Cooperman on 'Flat,' 'Minimum' and other Non-Hourly Fee Arrangements," N.Y., Apr. 26, 1994.
- Featured Speaker: National Employment Lawyers Association of New York "ethical issues relevant to employment law," N.Y., Dec. 10, 1993.
- Presenter: Cardozo Law Review Symposium on "Scientific Evidence After the Death of Frye," "The Irrelevance of Scientific Evidence: Tort System Outcomes Are Principally Determined by Lawyers' Rates of Return," New York, Oct. 25, 1993.
- Presenter: Ass'n of Professional Responsibility Lawyers, "Nonrefundable Retainers," New York, August 7, 1993.
- Panelist: New York State Association of Disciplinary Attorneys, "Nonrefundable Retainers," Brooklyn, N.Y., May 25, 1993.
- Presenter: Ass'n of the Bar of the City of New York, "New Approaches in Controlling Legal Fees and Contingency Agreements," presentation titled: A Proposal To Bring The Contingency Fee System Into Line With Its Ethical Mandates and Policy Roots. New York, May 18, 1993.
- Presenter: Practicing Law Institute, "The Attorney-Client Relationship After Kaye, Scholer," presentation titled: Has the Office of Thrift Supervision Changed the Relevant Ethical Rules by its Actions in the Kaye, Scholer Matter?, Washington D.C., June 15, 1992.
- Presenter: Symposium on Bankruptcy, South Carolina, Law Review, "attorney fees in bankruptcy," Columbia, S.C., Mar. 20, 1992.
- Presenter: Institute for Continuing Legal Education of Loyola Law School, Conference on the Longshore and Harbor Workers' Compensation Act; presented a proposal for an industry-financed benefits pool for asbestos claimants, New Orleans, Feb. 7, 1992.
- Moderator/Organizer: Colloquy on an Administrative Solution to the Asbestos Litigation Crisis, Administrative Conference of the United States, Washington, D.C., Oct. 31, 1991 (for which I authored the proposal that was the subject of the conference).
- Testimony: Fairness Hearing held in reorganization of Manville Settlement Trust (on attorney fees), U.S.D.C., New York, January 2, 1991. **Cited In:** *In re Joint E.&S. Dists. Asbestos Litigation (Findley v. Blinken)*, 129 B.R. 710, at 863-4 (E. & S.D.N.Y. 1991); 88 N.W. L. Rev. 527 (1994).
- Testimony: ABA Commission on Evaluation of Disciplinary Enforcement hearing, New Orleans, La., **June 8, 1990.**
- Pre-1990 listings available

## **G. Consulting Activities (Public Institutions)**

(1) Administrative Conference of the United States (to organize a colloquium to evaluate a plan for an administrative alternative to asbestos litigation, 1991); U.S. Office of Education (to evaluate applications for clinical legal education grants, 1978-88); The Legal



Education Institute of the U.S. Civil Service Commission as a lecturer on professional responsibility of government attorneys, 1977-1980); The National Science Foundation (to construct a research agenda for improving the delivery of legal services to middle class consumers, 1975-78); ABA Special Committee on Specialization (1975); Law Enforcement Assistance Administration (to add clinical programs in prosecutors offices, 1974); The Ford Foundation (for which I prepared a year-long field report on legal paraprofessionals, 1970-71); The North Central Association (a regional accrediting agency for which I evaluated a law school for accreditation purposes, 1972); the Housing Committee of the Toledo Model Cities Program (1968-69).

(2) The Council on Legal Education for Professional Responsibility -- activities included evaluation of programs, the organization of workshops on clinical legal education and related areas, and the writing up of these workshops for the CLEPR Newsletter (1970-1980).

(3) I have consulted for a number of law schools on matters of curricular design in the clinical area, e.g., L.S.U., Cleveland State, Temple.

(4) I have been a consultant to Lear Siegler, Volt Technical Services, NLADA, Auerbach Associates, American Technical Assistance Corporation, and the Quincy Corporation to provide evaluations of and technical advice and assistance to OEO Legal Services programs. In the 1968-75 period I evaluated approximately 70 programs.

(5) In 1966-67, I was Deputy Director of, and consultant to, the Student Wave Survey, a \$30,000 research project funded by the Association of American Law Schools for the purpose of (1) ascertaining the demand for legal education through 1985, and (2) ascertaining the needs of society for lawyers through 1985. My own efforts were directed primarily towards the "demands" aspect and particularly the data accumulation phase, over which I had complete charge. In addition, I issued a number of interim reports and published several newsletters.

## H. Publications

**SSRN** <http://ssrn.com/author=40172>. (As of 6/5/2018 based on 20 publications): 10,163 Total Downloads. **BePress** (as of 6/5/17), based on 6 publications): Total Downloads: 4025. **ResearchGate** (as of 12/11/17, based in 4 publications): Total Downloads: 1,125.

**Civil RICO: An Effective Deterrent To Fraudulent Asbestos Litigation?**, 40 *CARDOZO L. REV.* (forthcoming June 2019); accessible at <https://ssrn.com/abstract=3232988>.

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## I. Short-Length Publications

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I have authored several issues of the Newsletter of the Council on Legal Education for Professional Responsibility including: no. 2 (Nov. 1969), no. 6 (Jan. 1970), no. 9 (Apr. 1970) and no. 11 (May, 1970) of vol. 1; no. 3 (Nov. 1970) and no. 4 (Jan. 1971) of vol. 3; no. 1 (July, 1971) of vol. 4; no. 8 (Nov. 1974) of vol. 7; and no. 3 (Feb. 1978) of vol. 10. In addition, I authored the following newsletters of the Council that are of "short article" length:

Clinical Education--Polemics and Pragmatics, v. 3, no. 5 (Feb. 1971); **Cited In:** 30 *J. Legal Ed.* 57 (1979); Report on Paraprofessional Workshops, v. 4, no. 10 (Mar., 1972); CLEPR Conference on Clinical Teaching, v. 5, no. 2 (July, 1972); Clinical Work in the First and Second Year of Law School, v. 6, no. 7 (Dec. 1973); Clinical Legal Education and Legal Aid--The Canadian Experience (co-authored), no. 6, no. 13 (May, 1974); Clinical Education: The Student Perspective (co-authored), v. 7, no.1 (July, 1974); Group Legal Services and Clinical Legal Education, v. 7, no. 6 (Oct.1974); The Education and Licensing of Lawyers, v. 9, no. 2 (Feb. 1974), reprinted in 46 *The Bar Examiner* 63 (1977); Growing Pains in Law School Tax Clinics, v. 10, no. 4 (Mar. 1978), **Cited In:** 35 *Vanderbilt Law Review* 352 (1982); Is Law School a Full Time Enterprise?, v. 10, no. 6 (May 1978); Highlights of Conference on Title XI, no. 10, no. 7 (May 1978).

In 1966-67, as Deputy Director of the AALS-funded Student Wave Survey, I published several newsletters which listed and commented on the interim results of the Survey. In 1967-69, I published a quarterly journal titled Law & Poverty which was a commentary on local socio-legal issues.

## J. Amicus Briefs and Cert. Petitions

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