

CHARLES MICHAEL YABLON

Curriculum Vitae

Educational Background

Columbia University 1968-1972

Bachelor of Arts

Magna Cum Laude, Phi Beta Kappa, Jones Prize for Best Essay in Philosophy of Science, Summer Traveling Fellowship

Yale University 1972-1975

Juris Doctor

Judicial Clerkship

Honorable Irving R. Kaufman, Chief Judge, United States Court of Appeals for the Second Circuit 1976-1977

Legal Practice

Cravath Swaine & Moore 1975-76, 1977-80

Litigation Associate

Worked primarily on antitrust and securities class actions, shareholder derivative suits, and litigation involving hostile takeovers.

Skadden Arps, Slate, Meagher & Flom 1980-83

Senior Litigation Associate

Worked on litigation involving hostile takeovers, securities class actions and general business litigation.

Academic Appointments

Benjamin N. Cardozo School of Law, Yeshiva University

1983-1986

Assistant Professor

1986-1988

Associate Professor

1988-present

Professor of Law

2003-2005

Director, Samuel and Ronnie Heyman
Center for Corporate Governance, now
Director Emeritus

Courses Taught: Corporations, Civil Procedure, Mergers and Acquisitions, Corporate

Finance, Comparative Corporate Governance, Class and Derivative Litigation, Injunctions, Jurisprudence

Academic and Research Interests: Corporate Governance, Mergers and Acquisitions, Executive Compensation, Comparative Corporate Governance, Civil Procedure, Discovery, Class Actions, Mass Torts

Publications

Books

A. Leo Levin, Philip Shuchman & Charles M. Yablon, CASES AND MATERIALS ON CIVIL PROCEDURE (Foundation Press 1992)

A. Leo Levin, Philip Shuchman & Charles M. Yablon, CASES AND MATERIALS ON CIVIL PROCEDURE, SECOND EDITION (Foundation Press 2000)

Articles, Essays & Reviews

Contention Disclosure and Corporate Takeovers, 6 Cardozo L. Rev. 429 (1985)

The Indeterminacy of the Law: Critical Legal Studies and the Problem of Legal Explanation, 6 Cardozo L. Rev. 917 (1985)

Law and Metaphysics, 96 Yale L. J. 613 (1987)

Arguing About Rights, 85 Mich. L. Rev. 871 (1987)

Judicial Process as an Empirical Study: A Comment on Justice Brennan's Essay, 10 Cardozo L. Rev. 149 (1988)

Poison Pills and Litigation Uncertainty, 1989 Duke L. J. 54 (1989)

Arguing From Necessity: A Comment on "Hegel and the Crisis of Private Law," 10 Cardozo L. Rev. 1019 (1989)

Forms, 11 Cardozo L. Rev. 1349 (1990)

Are Judges Liars? A Wittgensteinian Critique of Law's Empire, Canadian J. of Law and Jurisprudence (1990)

Justifying the Judge's Hunch: An Essay on Discretion, 41 Hastings L. J. 231 (1990)

On the Allocation of Burdens of Proof in Corporate Law: An Essay on Fairness and Fuzzy Sets, 13 Cardozo L. Rev. 497 (1991)

Overcompensating: The Corporate Lawyer and Executive Pay, 92 Colum. L. Rev. 1867 (1992)

Comments on Kevelson and Goodrich, 4 Cardozo Studies in Law and Literature 223 (1992)

Modern Corporate Theory: Public Utility or Private Part? A Comment on Professor Wolfe's Paper, 50 Wash. & Lee L. Rev. 1705 (1993)

On the Contribution of Baseball to American Legal Theory, 104 Yale L. J. 227 (1994)

Delaware Fiduciary Duty Law after *QVC* and *Technicolor*: A Unified Standard (and the End of *Revlon* Duties?) (w/ L. Cunningham) 49 Business Lawyer 1593 (1994)

Grant Gilmore, Holmes, and the Anxiety of Influence, 90 Northwestern L. Rev. 236 (1995)

Judicial Drag: An Essay on Wigs, Robes and Legal Change, 1995 Wisconsin L. Rev. 1129 (1995)

Freud as Law Professor: An Alternative History, 16 Cardozo L. Rev. 1439 (1995)

The Good, The Bad and the Frivolous Case: An Essay on Probability and Rule 11, 44 U.C.L.A. L. Rev. 65 (1996)

Stupid Lawyer Tricks: An Essay on Discovery Abuse, 96 Colum. L. Rev. 1618 (1996)

Corporate Culture in Takeovers, 19 Cardozo L. Rev. 553 (1997)

Bonus Questions: Executive Compensation in the Era of Pay for Performance, 75 Notre Dame L. Rev. 271 (1999)

Suing the Devil: A Guide for Practitioners, 86 Virginia L. Rev. 103 (2000)

A Dangerous Supplement? Longshot Claims and Private Securities Litigation, 94 Northwestern L. Rev. 567 (2000)

Timing Corporate Disclosures to Maximize Performance-Based Remuneration: A Case of Misaligned Incentives? 35 Wake Forest L. Rev. 83 (2000) (W/ J. Hill)

Corporate Governance and Executive Remuneration: Rediscovering Managerial Positional Conflict, 25 University of New South Wales L.J. 294 (2002) (w/ J. Hill)

Nietzsche and the Nazis: The Impact of National Socialism on the Philosophy of Nietzsche, 24 Cardozo L. Rev. 739 (2003)

A Theory of Presumptions, 2 Law, Probability and Risk 227 (Oxford 2003)

Hindsight, Regret and Safe Harbors in Rule 11 Litigation, 37 Loyola of Los Angeles L. Rev. 599 (2004)

The Meaning of Probability Judgments: An Essay on the Use and Misuse of Behavioral Economics, 2004 U. of Ill. L. Rev. 899 (2004)

Is the Market for CEOs Rational? 4 NYU Journal of Law and Business 89 (2007)

The Historical Race: Competition For Corporate Charters And The Rise And Decline Of New Jersey: 1880-1910, 32 J. Corp. L. 323 (2007)

Failed Lawyers and the Sources of Satire, 15 Geo. Mason L. Rev. 775 (2008)

Paper Presentations and Panel Discussions (last 5 years only)

“Is the Market for CEOs Rational?” presentation at University of Roma Tre, Rome, Italy December 9, 2004,

“Three Strange Statutes: Reflections on the Peculiarity of Delaware Law” presentation at University of Roma Tre, Rome, Italy, December 11, 2004

“Preemption in U.S. Business Regulation” presentation at University of Palermo, Palermo, Italy. December 15, 2004

“Is the Market for CEOs Rational?” Keynote Presentation at Corporate Law Teachers Association Conference, Sydney, Australia, February 9, 2005

Panel on In-House Compliance Programs, First Corporate Counsel Institute, New York State Bar Association, September 22, 2005

Roundtable on the Milberg Weiss Indictments, moderator and participant, October, 2006

“Failed Lawyers and the Sources of Satire”, Law and Society Conference, Berlin, Germany, July, 2007

Vanderbilt University Roundtable on Global Securities Markets, Oct. 2007, commentator and participant.

“Reflections on the Role of Corporate Governance in the Current Financial Crisis,” presentation at University of Roma Tre, Rome Italy, October 2008.