

MICHAEL A. LIVERMORE

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POSITIONS

UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Charlottesville, VA

Associate Professor of Law, 2013–present

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

Founding Executive Director, Institute for Policy Integrity, 2008–2013

Co-Director, Administrative and Regulatory State Clinic, 2009–2013

Adjunct Professor, 2009–2013

Postdoctoral Fellow, Center for Environmental & Land Use Law, 2006–2007

CLERKSHIP

HON. HARRY T. EDWARDS, U.S. COURT OF APPEALS FOR THE DC CIRCUIT, Washington DC

2007–2008

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., magna cum laude, May 2006

Order of the Coif

Managing Editor, *New York University Law Review*

Furman Academic Scholar

Law Review Alumni Association Award

Butler Scholar

Frank H. Sommer Memorial Award

Law and Economics Prize

STATE UNIVERSITY OF NEW YORK AT ALBANY, Albany, NY

B.A. (English), magna cum laude, May 2000

Phi Beta Kappa

Presidential Scholar

COURSES

Administrative Law

Environmental Law

Cost-Benefit Analysis and Regulatory Oversight

BAR ADMISSION

New York State

U.S. Court of Appeals for the DC Circuit

PUBLICATIONS

Books

The Globalization of Cost-Benefit Analysis in Environmental Policy (Oxford University Press, 2013) (ed. with Richard L. Revesz).

Retaking Rationality: How Cost-Benefit Analysis Can Better Protect the Environment and Our Health (Oxford University Press, 2008) (with Richard L. Revesz).

Journals

“Rethinking Health-Based Environmental Standards,” 89 *New York University Law Review* ____ (forthcoming 2014) (with Richard L. Revesz).

“Regional Variation, Holdouts, and Climate Treaty Negotiations,” 4 *Journal of Benefit-Cost Analysis*, art. 1 (2013) (with J. Scott Holladay).

“Patience is an Economic Virtue: Real Options, Natural Resources, and Offshore Oil,” 84 *University of Colorado Law Review* 581 (2013).

“Capture, Regulatory Review, and Agency Inaction,” 101 *Georgetown Law Journal* 1337 (2013) (with Richard L. Revesz).

“Can Cost-Benefit Analysis of Environmental Policy Go Global?” 19 *New York University Environmental Law Journal* 146 (2011).

“Retaking Rationality: Two Years Later,” 48 *Houston Law Journal* 1 (2011) (with Richard L. Revesz).

“A Brief Comment on ‘Humanizing Cost-Benefit Analysis,’” 2011 *European Journal of Risk Regulation* 13.

“Water Pollution and Regulatory Cooperation in China,” 44 *Cornell International Law Journal* 101 (2011) (with Craig Wenner & Hong Lan).

“Environmental Law: The Future of Cost-Benefit Analysis in Environmental Policy,” 17 *University of Baltimore Journal of Environmental Law* 189 (2010) (transcript of panel discussion).

“Análisis Cost-Beneficio en Países en Vías de Desarrollo,” 117 *Estudios Públicos* 21 (2010).

“Realist Lawyers and Realistic Legalists: A Brief Rebuttal to Judge Posner,” 59 *Duke Law Journal* 1187 (2010).

“Pitfalls of Empirical Studies that Attempt to Understand the Factors Affecting Appellate Decisionmaking,” 58 *Duke Law Journal* 1895 (2009) (with Hon. Harry T. Edwards).

“Cause or Cure? Cost-Benefit Analysis and Regulatory Gridlock,” 17 *New York University Environmental Law Journal* 107 (2008).

“Reviving Environmental Protection: Preference-Directed Regulation and Regulatory Ossification,” 25 *Virginia Environmental Law Journal* 311 (2007).

Book Note, “Conversation, Representation, and Allocation: Justice Breyer’s Active Liberty,” 81 *New York University Law Review* 1505 (2006) (with D. Theodore Rave).

Note, “Authority and Legitimacy in Global Governance: Deliberation, Institutional Differentiation, and the Codex Alimentarius,” 81 *New York University Law Review* 766 (2006).

Book Chapters

“Balanced Job Impact Analysis” in *Beyond Compliance Costs: The Other Economic Impacts of Regulation* (University of Pennsylvania Press, forthcoming 2013) (Adam Finkel & Cary Coglianese eds.) (with Jason Schwartz).

“Can Executive Review Help Prevent Capture?” in *Preventing Regulatory Capture: Special Interest Influence and How to Limit It* (Cambridge University Press, 2013) (Dan Carpenter & David Moss, eds.) (with Richard L. Revesz)

SELECTED LITIGATION, PUBLIC COMMENTS, AND PETITIONS

Brief of *Amicus Curiae* Institute for Policy Integrity at New York University School of Law *in* White Stallion Energy Center, et al. v. U.S. Environmental Protection Agency (DC Cir. 2013) (supporting rule establishing hazardous air pollutant standards for mercury emissions from electricity generating facilities).

Brief of *Amicus Curiae* Institute for Policy Integrity at New York University School of Law *in* Coalition for Responsible Regulation, et al. v. U.S. Environmental Protection Agency (DC Cir. 2011) (supporting rule imposing limitations on greenhouse gas emissions from automobiles).

Brief of *Amicus Curiae* Institute for Policy Integrity at New York University School of Law *in* Public Citizen et al. v. Federal Motor Carrier Safety Administration (DC Cir. 2009) (supporting challenge to rule increasing permissible hours for long-haul truck drivers).

Comments of the Institute for Policy Integrity at New York University School of Law concerning the Administrative Conference of the United States Proposed Recommendations for Regulatory Analysis Requirements, Midnight Rules, and Improving Coordination (June 13, 2012).

Comments of the Institute for Policy Integrity at New York University School of Law concerning the Environmental Protection Agency Proposed Federal Implementation Plans to Reduce Interstate Transport of Fine Particular Matter and Ozone (October 1, 2010).

Joint Comments of the Institute for Policy Integrity at New York University School of Law and Environmental Defense Fund concerning the Environmental Protection Agency Proposed Rulemaking to Establish Light Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards (November 27, 2009).

Petition for Rulemaking by the Institute for Policy Integrity at New York University School of Law to the Environmental Protection Agency under Section 115, Title VI, Section 111, and Title II of the Clean Air Act to Regulate Greenhouse Gas Emissions (February 19, 2013).

Petition by the Institute for Policy Integrity at New York University School of Law to the Minerals Management Service under Section 18 of the Outer Continental Shelf Land Act to Consider Option Value in Five-Year OCS Leasing Program (April 25, 2011).

Petition for Rulemaking by the Institute for Policy Integrity at New York University School of Law to the Environmental Protection Agency under Sections 211 and 231 of the Clean Air Act to Institute a Cap-and-Trade System for Greenhouse Gas Emissions from Vehicle Fuels (July 29, 2009).

SELECTED PRESENTATIONS AND PANELS

“OIRA, Regulatory Review, and Capture” American Law and Economics Association, presentation, Stanford Law School, May 18, 2012.

“Presidential Review in the Obama Administration,” Association of American Law Schools Annual Meeting, panel discussion, Washington, DC, January 7, 2012.

“Valuing Lives: A Conference on Ethics in Health & the Environment,” New York University Center for Bioethics, panel discussion, New York, NY, March 5, 2011.

“Happiness Analysis vs. Cost-Benefit Analysis,” Law and Society Association Annual Meeting, panel discussion, Chicago, IL, May 28, 2010.

“Pitfalls of Empirical Legal Studies,” Northwestern University School of Law, Workshop on Judicial Behavior, presentation, Chicago, IL, February 17, 2010.

“New Ideas for Risk Regulation,” Society for Risk Analysis Conference, panel discussion, Washington, DC, June 22–23, 2009.