

Resume

Paul Brooke Stephan

University of Virginia
School of Law
580 Massie Rd.
Charlottesville VA 22903-1738
(434) 924-7098; FAX: (434) 924-7536

1807 Rugby Place
Charlottesville VA 22903
E-mail: pbs@virginia.edu
(434) 293-6939
Mobile: 434-981-2442

Born 1950; married to Dr. Pamela Clark; sons Paul and George, daughter Adriana

Specialties

post-Soviet law; international business transactions; international law; federal taxation; U.S. constitutional law

Employment

John C. Jeffries, Jr. Distinguished Professor, University of Virginia School of Law	2009-
Elizabeth D. and Richard A. Merrill Professor, University of Virginia School of Law	2008-
Visiting Professor, Peking University School of Transnational Law	2011
Justin D'Atri Visiting Professor of Law, Business, and Society, Columbia Law School	2010
Visiting International Professor, Sydney University	2010, 2011
Lewis F. Powell, Jr. Professor, University of Virginia School of Law	2003-2009
Visiting International Professor, Radzyner School of Law, Interdisciplinary Center Herzliya	2008-09
Counselor on International Law, Office of the Legal Adviser, U.S. Department of State	2006-07
Hunton & Williams Research Professor, University of Virginia School of Law	1992-95, 2004-07
Visiting Professor, Université Paris 2 – Panthéon-Assas, Faculté de Droit	2004
Visiting Professor, Institut d'Études politiques de Paris and Université Paris 1 – Panthéon-Sorbonne, Faculté de Droit	2004
Visiting Professor, Melbourne University, Faculty of Law	2002, 2004, 2006
Parsons Visiting Professor, Sydney University, Faculty of Law	2004
Visiting Professor, Université de Lausanne, Faculté de Droit	2001
Guest Professor, Universität Wien, Rechtswissenschaftliche Fakultät	1998
Percy Brown, Jr. Professor, University of Virginia School of Law	1991-2003
E. James Kelly, Jr – Class of 1965 Research Professor	2000-03
Barron F. Black Research Professor, University of Virginia School of Law	1996-99
Professor, University of Virginia School of Law	1985-91
Associate Professor, University of Virginia School of Law	1983-85
Assistant Professor, University of Virginia School of Law	1979-83
Law Clerk, Hon. Lewis F. Powell, Jr., Supreme Court of the United States	1978-79
Law Clerk, Hon. Levin H. Campbell, United States Court of Appeals for the First Circuit	1977-78

Education

University of Virginia School of Law Executive Editor, VIRGINIA LAW REVIEW Order of the Coif	J.D., 1977
Yale University (Russian Studies)	M.A., 1974
Yale University (cum laude; history major)	B.A., 1973

Summer Employment

Associate, Sullivan & Cromwell, New York, N.Y.	1977
Associate, Covington & Burling, Washington, D.C.	1976
Intern, Soviet Internal Branch, Office of Current Intelligence, Central Intelligence Agency	1974, 1975

Courses Taught

property; contracts; American contracts law; comparative law; international business transactions; transactions; international financial crimes; international law and the scholarly process; international law; international trade law; international law in the U.S. Supreme Court; federal income taxation; corporate taxation; estate and gift taxation; international taxation; taxation of innovative financial transactions; tax policy; colloquium on international relations and international law; emerging markets; Russian law; foreign investment in the former Soviet Union; Soviet legal system; research seminar in Soviet law; tutorial in Soviet law; Soviet-Capitalist business transactions; international civil litigation; U.S. Supreme Court decisions; legal aspects of foreign intelligence

Publications: In Print

Books

INTERNATIONAL TRADE AND INVESTMENT – LAW AND POLICY (LexisNexis: Newark, 2011)

INTERNATIONAL BUSINESS AND ECONOMICS – LAW AND POLICY (LexisNexis: Newark, 4th ed., 2010) (with Julie A. Roin), (LexisNexis: Charlottesville, 1993, 2d ed. 1996, 3d ed. 2004) (with Julie A. Roin and Don Wallace, Jr.)

DOING BUSINESS IN EMERGING MARKETS—A TRANSACTIONAL COURSE (Foundation Press: New York, 2009) (with Richard N. Dean)

THE LIMITS OF LEVIATHAN – CONTRACT THEORY AND THE ENFORCEMENT OF INTERNATIONAL LAW (Cambridge University Press: Cambridge, 2006) (with Robert E. Scott)

THE LAW AND ECONOMICS OF THE EUROPEAN UNION (LexisNexis: Charlottesville, 2003) (with Ben W.F. Depoorter and Francesco Parisi)

Book Chapters

Treaties and the Court, 1946-2000, in THE U.S. SUPREME COURT AND INTERNATIONAL LAW: CONTINUITY OR CHANGE? 317 (Cambridge University Press: New York, David L. Sloss, Michael D. Ramsey & William S. Dodge eds. 2011)

- Empagran – Empire Building or Judicial Modesty?* in THE U.S. SUPREME COURT AND INTERNATIONAL LAW: CONTINUITY OR CHANGE? 553 (Cambridge University Press: New York, David L. Sloss, Michael D. Ramsey & William S. Dodge eds. 2011)
- Tax Administration in Comparative Perspective* in INTERNATIONAL INVESTMENT LAW AND COMPARATIVE PUBLIC LAW 599 (Oxford University Press: New York, Stephan W. Schill ed. 2010)
- The Problem with Cooperation* in COOPERATION, COMITY AND COMPETITION POLICY 217 (Oxford University Press: New York, Andrew T. Guzman, ed. 2010)
- Taxes, Economics of* in 3 ENCYCLOPEDIA OF LAW AND SOCIETY – AMERICAN AND GLOBAL PERSPECTIVES 1463 (SAGE Publications: Thousand Oaks, David S. Clark ed. 2007)
- Introduction* in ECONOMICS OF EUROPEAN UNION LAW xi (Edgar Elgar: Cheltenham, Paul B. Stephan ed. 2007)
- United States* in PARTY AUTONOMY: CONSTITUTIONAL AND INTERNATIONAL LAW LIMITS IN COMPARATIVE PERSPECTIVE 313 (Juris Publishing, Inc.: Huntington, George A. Berman ed. 2005)
- Energy Development and Distribution – What Can the Law Do?* in INTERNATIONAL ENERGY POLICY, THE ARCTIC AND THE LAW OF THE SEA 201 (Martinus Nijhoff Publishers: Leiden, Myron H. Nordquist, John Norton Moore & Alexander S. Skaridov eds. 2005)
- Against International Cooperation*, in COMPETITION LAWS IN CONFLICT: ANTITRUST JURISDICTION IN THE GLOBAL ECONOMY 66 (The AEI Press: Washington, D.C., Richard A. Epstein & Michael S. Greve eds. 2004)
- Regulatory Cooperation and Competition – The Search for Virtue* in TRANSATLANTIC REGULATORY COOPERATION – LEGAL PROBLEMS AND POLITICAL PROSPECTS 167 (Oxford University Press: Oxford, George A. Bermann, Matthias Herdegen & Peter L. Lindseth eds. 2000)
- Inheritance and Gift Taxation* in IV ENCYCLOPEDIA OF LAW AND ECONOMICS 239 (Edward Elgar: Cheltenham, Boudewijn Bouckaert & Gerrit De Geest eds. 2000)
- Toward a Positive Theory of Privatization: Lessons from Soviet-type Economies* in ECONOMIC DIMENSIONS IN INTERNATIONAL LAW 324 (Cambridge University Press: Cambridge, Jagdeep S. Bhandari & Alan O. Sykes eds. 1997)
- Foreword and Westernization of the European East?* in LAW REFORM IN POST-COMMUNIST EUROPE: THE VIEW FROM WITHIN 1, 473 (Martinus Nijhoff Publishers: Dordrecht, Stanislaw Frankowski & Paul B. Stephan eds. 1994) (with Stanislaw Frankowski)
- Introduction and Prevention and Control of International Terrorism*, in INTERNATIONAL LAW AND INTERNATIONAL SECURITY – A U.S.-SOVIET DIALOGUE ON THE MILITARY AND POLITICAL DIMENSIONS (M.E. Sharpe, Inc.: Armonk, Boris M. Klimenko & Paul B. Stephan eds. 1991) (published in the Soviet Union as *Международное право и международная безопасность – Диалог советских и американских экспертов* (International Relations: Moscow, 1991))

Introduction, Property Law and Economic Rights under Perestroika: A Sovietologist's Perspective, and Revisiting the Incorporation Debate: The Role of Domestic Political Structure, in THE MOSCOW CONFERENCE ON LAW AND BILATERAL ECONOMIC RELATIONS 147 (American Bar Association: Chicago, James R. Silkenat & Paul B. Stephan eds. 1991) (published in the Soviet Union as Тезисы выступлений советских и американских докладов – Московская конференция право и экономическое сотрудничество (Union of Jurists: Moscow, 1991))

Comrades' Courts and Labor Discipline Since Brezhnev, in LAW AND ECONOMY IN THE U.S.S.R. 221 (Martinus Nijhoff Publishers: Dordrecht, Olimpiad S. Ioffe & Mark W. Janis eds. 1986)

Articles

Disaggregating Customary International Law, 21 DUKE J. COMP. & INT'L L. 191 (2010)

Symmetry and Selectivity: What Happens in International Law When the World Changes, 10 CHI. J. INT'L L. 91 (2009)

Open Doors, 13 LEWIS & CLARK L. REV. 11 (2009)

What Story Got Wrong – Federalism, Localist Opportunism and International Law, 73 MO. L. REV. 1041 (2008)

The Institutional Implications of an Odious Debt Doctrine, 70 LAW & CONTEMP. PROBS. 213 (Summer 2007)

Private Remedies for Treaty Violations after Sanchez-Llamas, 11 LEWIS & CLARK L. REV. 65 (2007)

U.S. Judges and International Courts, PROCEEDINGS OF THE 100TH ASIL ANNUAL MEETING 238 (2006)

Process Values, International Law, and Justice, 23 SOCIAL PHILOSOPHY AND POLICY 131 (2006), republished in JUSTICE AND GLOBAL POLITICS 131 (Ellen Frankel Paul, Fred D. Miller, Jr., & Jeffrey Paul eds., Cambridge University Press: Cambridge, 2006)

The Politics of the Geneva Convention: Anxiety as the Beginning of Insight, 46 VA. J. INT'L L. 1 (2005) (with Samuel Estreicher)

Global Governance, Antitrust, and the Limits of International Cooperation, 38 CORNELL INT'L L.J. 173 (2005), reprinted in ECONOMICS OF EUROPEAN UNION LAW 419 (Edgar Elgar: Cheltenham, Paul B. Stephan ed. 2007)

An Empirical Assessment of the Impact of Formal Versus Informal Dispute Resolution on Poverty: A Governance-Based Approach, 25 INT'L REV. L. & ECON. 89 (2005) (with Edgardo Buscaglia)

Self-Enforcing International Agreements and the Limits of Coercion, 2004 WISC. L. REV. 551 (with Robert E. Scott)

US Constitutionalism and International Law: What the Multilateralist Move Leaves Out, 2 J. INT'L CRIM. JUSTICE 11 (2004)

Courts, the Constitution, and Customary International Law – The Intellectual Origins of the Restatement (Third) of the Foreign Relations Law of the United States, 44 VA. J. INT'L L. 33 (2003)

Foreword – Taking International Law Seriously, 44 VA. J. INT'L L. 1 (2003) (with Samuel Estreicher)

A Becoming Modesty – U.S. Litigation in the Mirror of International Law, 52 DEPAUL L. REV. 627 (2002)

Courts, Tribunals and Legal Unification – The Agency Problem, 3 CHI. J. INT'L L. 333 (2002)

Institutions and Élites: Property, Contract, the State, and Rights in Information in the Global Economy, 10 CARDOZO J. INT'L & COMP. L. 801 (2002)

Redistributive Litigation – Judicial Innovation, Private Expectations and the Shadow of International Law, 88 VA L. REV. 789 (2002)

The Political Economy of Conflicts of Laws, 90 GEORGETOWN L.J. 957 (2002)

International Governance and American Democracy, 1 CHI. J. INT'L L. 237 (2000)

Choice of Law and Its Consequences: Constitutions for International Transactions, 26 BROOKLYN J. INT'L L. 211 (2000)

Richardson v. McKnight and the Scope of Immunity after Privatization, 8 SUP. CT. ECON. REV. 103 (2000) (with Clayton P. Gillette)

The Cold War and Soviet Law, PROCEEDINGS OF THE 93RD ASIL ANNUAL MEETING 43 (2000)

Sheriff or Prisoner? The United States and the World Trade Organization, 1 CHI. J. INT'L L. 49 (2000)

Rationality and Corruption in the Post-Socialist World, 14 CONN. J. INT'L L. 533 (1999)

The Futility of Unification and Harmonization in International Commercial Law, 39 VA. J. INT'L L. 743 (1999)

The New International Law – Legitimacy, Accountability, Authority, and Freedom in the New Global Order, 70 U. COLO. L. REV. 1555 (1999)

Constitutional Limitations on Privatization, 46 AM. J. COMP. L. 481 (Supp. 1998) (with Clayton P. Gillette)

Creative Destruction – Idiosyncratic Claims of International Law and the Helms-Burton Legislation, 27 STETSON L. REV. 1341 (1998)

Toward a Positive Theory of Privatization – Lessons from Soviet-Type Economies, 16 INT'L REV. L. & ECON. 173 (1996)

Accountability and International Lawmaking: Rules, Rents and Legitimacy, 17 NW. J. INT'L L. & BUS. 681 (1996-97)

- The Fall – Understanding the Collapse of Soviet Communism*, 29 SUFFOLK U. L. REV. 17 (1995)
- Barbarians Inside the Gates: Public Choice Theory and International Economic Law*, 10 AM. U. J. INT'L L. & POL'Y 745 (1995)
- Modern Techniques for Financial Transactions and Their Effects on Currency*, 42 AM. J. COMP. L. 203 (Supp. 1994), reprinted in MODERN TECHNIQUES FOR FINANCIAL TRANSACTIONS AND THEIR EFFECTS ON CURRENCY (Aspen Publishers: New York, Michael Stathopoulos ed. 1995)
- Further Thoughts on the Rule of Law and a New World Order*, 26 JOHN MARSHALL L. REV. 739 (1993)
- Privatization After Perestroika: The Impact of State Structure*, 14 WHITTIER L. REV. 403 (1993)
- Labor Law in Russia – The Hopes and Fears of Post-Soviet Workers*, 32 VA. J. INT'L L. 789 (1992)
- Further Reflections on the Implementation of Comparative Advantage Principles in Trade Law*, 2 J. LEG. ECON. 111 (1992)
- Soviet Law and Foreign Investment: Perestroika's Gordian Knot*, 25 INT'L LAW. 741 (1991)
- Revisiting the Incorporation Debate: The Role of Domestic Political Structure*, 31 VA. J. INT'L L. 417 (1991)
- Perestroika and Property: The Law of Ownership in the Post-Socialist Soviet Union*, 39 AM. J. COMP. L. 1101 (1991)
- International Law in the Supreme Court*, 1990 SUP. CT. REV. 133
- The Reconstruction of Soviet Commercial Law and Its Impact on International Business Transactions*, 24 GEO. WASH. J. INT'L L. & ECON. 89 (1990)
- Soviet Economic Law: The Paradox of Perestroika*, Carl Beck Papers in Russian and East European Studies, No. 805, June 1990
- Disaggregation and Subchapter C: Rethinking Corporate Tax Reform*, 76 VA. L. REV. 655 (1990)
- Перестройка и советология [Perestroika and Sovietology] in США – ЭКОНОМИКА ПОЛИТИКА ИДЕОЛОГИЯ [USA – ECONOMICS, POLITICS, AND IDEOLOGY]*, No. 3, p. 30 (1989)
- Courts with Income Tax Jurisdiction – An International Comparison*, 8 VA. TAX REV. 233 (1988), reprinted as *Una Comparacion Internacional de Tribunales de Impuestos*, REVISTA DE TRIBUNA FISCAL DE LA FEDERACIÓN, NO. 11, p. 73 (1988)
- Constitutional Limits on the Struggle Against International Terrorism: Revisiting the Rights of Overseas Aliens*, 19 CONN. L. REV. 831 (1987)
- A Comment on Transfer Tax Reform*, 72 VA. L. REV. 1471 (1986), reprinted in FEDERAL WEALTH TRANSFER TAX ANTHOLOGY (Anderson Publishing Co.: Cincinnati, 1998, Paul L. Caron, Grayson M.P. McCouch, and Karen C. Burke eds.)
- Nontaxpayer Litigation of Income Tax Disputes*, 3 YALE L. & POL'Y REV. 73 (1985)

Human Capital and the Federal Income Tax, 70 VA. L. REV. 1357 (1984), reprinted in FEDERAL INCOME TAX ANTHOLOGY (Anderson Publishing Co.: Cincinnati, 1997, Paul L. Caron, Karen C. Burke, and Grayson M.P. McCouch eds.)

Bob Jones University v. United States: *Public Policy in Search of Tax Policy*, 1983 SUP. CT. REV. 33

The First Amendment and Content Discrimination, 68 VA. L. REV. 203 (1982)

Constitutional Limits on International Rendition of Criminal Suspects, 20 VA. J. INT'L L. 777 (1980)

Defenses, Presumptions, and Burden of Proof in the Criminal Law, 88 YALE L.J. 1325 (1979) (with John C. Jeffries, Jr.)

The Central Intelligence Agency: Present Authority and Proposed Legislative Change, 62 VA. L. REV. 332 (1976)

Books Edited

ECONOMICS OF EUROPEAN UNION LAW (Edgar Elgar: Cheltenham, 2007)

PROCEEDINGS OF THE 94TH ASIL ANNUAL MEETING (American Society of International Law: Washington, D.C., 2000)

LAW REFORM IN POST-COMMUNIST EUROPE: THE VIEW FROM WITHIN (Martinus Nijhoff Publishers: Dordrecht, 1994) (with Stanislaw Frankowski)

INTERNATIONAL LAW AND INTERNATIONAL SECURITY – A U.S.-SOVIET DIALOGUE ON THE MILITARY AND POLITICAL DIMENSIONS (M.E. Sharpe, Inc.: Armonk, 1991) (co-editor-in-chief with Boris M. Klimentko) (joint study with the USSR Diplomatic Academy; published in the Soviet Union as *Международное право и международная безопасность – Диалог советских и американских экспертов* (International Relations: Moscow, 1991))

THE MOSCOW CONFERENCE ON LAW AND ECONOMIC COOPERATION (American Bar Association: Chicago, 1991) (with James R. Silkenat) (published in the Soviet Union as *Тезисы выступлений советских и американских докладов – Московская конференция право и экономическое сотрудничество* (Union of Jurists: Moscow, 1991))

Book Reviews

Book Review (Peter H. Solomon, Jr. & Todd S. Fogelson, *Courts and Transition in Russia: The Challenge of Judicial Reform*, 117 POL. SCI. Q. 165 (2002)

Has Globalization Gone Too Far? 18 NW. J. INT'L L. & BUS. 246 (1997)

Book Review (Gordon B. Smith, *Reforming the Russian Legal System*), 56 RUSSIAN REV. 492 (1997)

Book Review (Robert Rand, *Comrade Lawyer*), 51 RUSSIAN REV. 452 (1992)

Book Review (P.I. Stuchka, *Selected Writings; George Ginsburgs, The Soviet Union and Legal Cooperation*), 49 RUSSIAN REV. 373 (1990)

Glasnost' and the Soviet System of Justice (Book Review – Ger P. van den Berg, The Soviet System of Justice: Figures and Policy), 21 LAW & SOC'Y REV. 837 (1988)

Book Review (George M. Armstrong, The Soviet Law of Property), 34 AM. J. COMP. L. 813 (1986)

Book Review (John N. Hazard et al., The Soviet Legal System: Law in the 1980s), 12 SOVIET UNION/UNION SOVIÉTIQUE 351 (1985)

Book Review (Frank M. Coffin, The Ways of a Judge), 67 VA. L. REV. 1447 (1981)

In Press

International Humanitarian Law in the Context of Terrorism and the U.S. Courts (for RUSSIAN YEARBOOK ON INTERNATIONAL LAW)

The Cold War and Soviet Law (for COLD WAR INTERACTIONS RECONSIDERED, to be published by Martinus Nijhoff)

International Law as a Source of Law (for ENCYCLOPEDIA OF LAW AND ECONOMICS, to be published by Palgrave Press)

U.S. Courts and International Tribunals (for MOSCOW JOURNAL OF INTERNATIONAL LAW)

Privatizing International Law, 97 VA. L. REV. ____ (2011)

The Political Economy of Jus Cogens, 44 VAND. J. TRANSNAT'L L. ____ (2011)

Rethinking the International Rule of Law: The Homogeneity Fallacy and International Law's Threats to Itself, 3 JERUSALEM REV. LEG. STUD. ____ (2011)

Work in Progress

The Political Economy of Extraterritoriality

The Law and Economics of Treaty Enforcement (for HANDBOOK ON THE ECONOMICS OF PUBLIC INTERNATIONAL LAW, to be published by Edgar Elgar)

Miscellany

Коррупция – не только российская проблема [*Corruption – Not Only a Russian Problem*], НЕЗАВИСИМАЯ ГАЗЕТА [INDEPENDENT GAZETTE], Oct. 21, 2008, p. 3

Does the CISG Fill a Much-Needed Gap? PROCEEDINGS OF THE 101ST ASIL ANNUAL MEETING 414 (2007)

Don't Feed the Bear, THE AMERICAN INTEREST, p. 90 (March/April 2007) (with Hugh Ragsdale)

The Skeptic Speaks: I am Not a Blind, Pig-Stupid Opponent of Unification, PROCEEDINGS OF THE 96TH ASIL ANNUAL MEETING 336 (American Society of International Law: Washington, D.C., 2002)

FEDERAL ESTATE AND GIFT TAXATION (Emanuel Law Outlines: Larchmont, 2001)

Introduction, PROCEEDINGS OF THE 94TH ASIL ANNUAL MEETING xi (American Society of International Law: Washington, D.C., 2000)

International Law and Economics – Remarks, PROCEEDINGS OF THE 90TH ASIL ANNUAL MEETING 115 (1997)

Change in the Soviet Union: Political Dynamics in the Gorbachev Era in SOVIET AND POST-SOVIET RUSSIA IN A WORLD IN CHANGE 3 (University Press of America: Lanham, Allen C. Lynch & Kenneth W. Thompson eds. 1994)

The Political Economy of Federalism: The United States Experience and Soviet Problems (for Moscow conference on federalism, December 1991) (published in U.S.S.R. as Политическая экономия федерализма – опыт США и советские проблемы (Gorbachev Foundation: Moscow, 1991)

A U.S. Perspective on the Legal Environment for Foreign Investment in Russia, in PRACTICING LAW INSTITUTE, LEGAL AND PRACTICAL ASPECTS OF DOING BUSINESS IN THE SOVIET REPUBLICS (Practicing Law Institute: New York, 1992)

Из почты международных отделов – Советы юриста [Postings from Abroad – A Lawyer's Advice], Правда [PRAVDA], Jan. 16, 1991, p. 7

FEDERAL INCOME TAXATION (Emanuel Law Outlines: Larchmont, 1990, 2nd ed. 1994, 3rd ed. 1997, 4th ed. 2001)

History, Background and Outstanding Problems of the Twenty-Fifth Amendment: Its History and Meaning in PAPERS ON PRESIDENTIAL DISABILITY AND THE TWENTY-FIFTH AMENDMENT (University Press of America: Lanham, 1988) (for Commission on Presidential Disability and the Twenty-fifth Amendment)

SIGNIFICANT SUPREME COURT DECISIONS, 1980 TERM (The AEI Press: Washington, D.C., 1985)

Foreword: The First Amendment and National Security in THE FIRST AMENDMENT AND NATIONAL SECURITY (Darby Print Co.: Atlanta, 1984) (for Center for Law and National Security, University of Virginia School of Law)

Lecturing and Consulting Activities

international and U.S. governmental organizations

International Bank for Reconstruction and Development (World Bank) – advisor on drafting of Turkmenistan Tax Code

Organization for Economic Cooperation and Development – organized workshops for Central and East European governments on tax dispute resolution; presentation to quarterly meeting of Competition Committee of Directorate for Financial, Fiscal and Enterprise Affairs

International Monetary Fund – advisor on implementation of Kazakh tax code and on drafting of Azerbaijan tax code

General Secretariat of Organization of Black Sea Economic Cooperation – advisor on various legal issues

U.S. Court of Appeals for the Fourth Circuit – speaker at 2001 Judicial Conference

U.S. Department of Treasury – advisor on technical assistance to Central and East European and former Soviet states, 1992-98

U.S. Securities and Exchange Commission – lecturer in International Securities Regulation symposium
U.S. Tax Court – reporter for 1988 International Conference on Courts with Income Tax Jurisdiction; speaker at 2001 Judicial Conference
Federal Bureau of Investigation – lecturer in programs for combatting international organized and white collar crime involving former Soviet Union
Central Intelligence Agency – lecturer on Soviet politics and international law issues
Treasury Executive Institute, U.S. Department of Treasury – lecturer on Soviet management problems
House Committee on Ways and Means – invited to testify on international law aspects of expatriation tax
Office of Technology Assessment, U.S. Congress – consultant on problems of First Amendment and information controls
National Judicial College – organized and taught in training program for Soviet judges
Supreme Court of Virginia – lecturer at semiannual district judges conferences and annual judicial conferences
Delaware Supreme Court – lecturer on recent Supreme Court decisions

foreign governments and educational institutions

Hebrew University – panelist for program on National Courts and the International Rule of Law
Interdisciplinary Center Herzliya – panelist for program on Law in a Time of Crisis
Max Planck Institute of Comparative Public Law and International Law – panelist for U.S. State Department-German Ministry of Foreign Affairs Conference on Legal Aspects of Global War on Terror
Centre Americain, Institut d'Études politiques de Paris – lecturer on U.S. approaches to international law
Australian National University – lecturer on U.S. approaches to international law
Lauterpacht Research Centre for International Law, Cambridge University – lecturer on political economy of international lawmaking
Diplomatic Academy, Austrian Ministry of Foreign Affairs – lecturer on legal aspects of the post-Communist transition
Soviet-American Center for the Development of Constitutional Democracy – planning committee
Supreme Court of the Republic of Georgia – co-chair of international working group developing model commercial and business laws
Fund for Education, Ministry of Foreign Affairs of the Republic of Georgia – foreign member of advisory board
Ministry of Foreign Affairs of the Georgian Republic – lecturer on international law and domestic elections
Diplomatic Academy, Soviet Ministry of Foreign Affairs – lecturer on international law and superpower relations
Tbilisi State University, Faculty of International Relations – lecturer on international law of trade and economics
Moscow State University, Faculty of Social Sciences – lecturer on the United States and Perestroika

legal practice

Counsel of Record, brief of *Amicus Curiae*, National Foreign Trade Council, Sakwe Balintulo et al. v. Daimler AG et al., No. 09-2778-CV, United States Court of Appeals for the Second Circuit

Counsel of Record, brief of *Amicus Curiae* The Hon. Alejo Vidal-Quadras, MEP (Spain), Vice President, European Parliament, The Hon. Struan Stevenson, MEP (Scotland), *et al.*, People's Mojahedin Organization of Iran, v. United States Department of State, No. 09-1059, United States Court of Appeals for the District of Columbia Circuit

Counsel of Record, brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, Sanchez-Llamas v. Oregon, No. 04-10566 and Bustillo v. Johnson, No. 05-51, Supreme Court of the United States

Author, brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, Medellín v. Dretke, No. AP 75,207, Texas Court of Criminal Appeals

Counsel of Record, brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, Medellín v. Dretke, No. 04-5928, Supreme Court of the United States

Counsel of Record, brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, Sosa v. Alvarez-Machain, No. 03-339, Supreme Court of the United States

Counsel for petitioner, Hausmaninger v. Commissioner (U.S. Tax Court 2003)

Wilmer, Cutler & Pickering – adviser, 1990-95

WilmerHale – co-counsel on international arbitration matter and expert on Russian law

Infante, Zumpano, Hudson & Miloch – expert on Russian law

Rothgerber Johnson & Lyons – expert on Russian law

Bryan Cave – expert on Russian law

Moncrief Oil International, Inc. – expert on Russian law

Lovells – expert on Russian law

Compagnie Noga d'Importation et d'Exportation S.A. – expert on Russian law

Fulbright & Jaworski – expert on Russian law

Schindler Cohen & Hochman LLP – expert on Russian law

DLA Piper Rudnick Gray Cary – expert on Russian law

Akin Gump Strauss Hauer & Feld – expert on Russian law

Covington & Burling – expert on Russian law

Morvillo, Abramowitz, Grand, Iason & Silberberg – expert on Russian law

Piper Rudnick – expert on Russian law

White & Case – expert on Russian law

Perkins Coie – expert on Russian law

Winston & Strawn – expert on Russian law and Azeri law

Sullivan & Cromwell – expert on Russian law

Munger Tolles & Olson – expert on international business practices

Latham & Watkins – adviser on Russian law

Williams & Connolly – expert on international financial transactions

Hogan & Hartson – expert on Russian law

Steptoe & Johnson – expert on Russian law

Richards Butler – expert on international-letter-of-credit law

Coudert Brothers – adviser on Russian law

Jenner & Block – expert on Russian law

Films By Jove, Inc. – expert on Russian law

judicial citations of expert opinions

Cherney v. Deripaska, [2008] E.W.H.C. 1530 (Comm.) (issue of adequacy of Russian courts for purposes of *forum non conveniens*), *on appeal*, [2009] All Eng. Rep. D 02 (C.A.)

United States v. Kozeny, 582 F. Supp. 2d 535 (S.D.N.Y. 2008) (issue of legality of bribe payment under Azeri law)

Whale Telecom Ltd. v. Qualcomm Inc., ___ Misc. 3d ___ (Sup. Ct. N.Y. 2006) (issue of Russian statute of limitations)
Norex Petroleum Ltd. v. Access Industries Inc., 304 F. Supp. 2d 570 (S.D.N.Y. 2004) (issue of adequacy of Russian courts for purposes of *forum non conveniens*)
JSC Foreign Economic Ass'n Technostroyexport v. International Development and Trade Services, Inc., 295 F. Supp. 2d 366 (S.D.N.Y. 2003) (issue of Russian statute of limitations)
Base Metal Trading, S.A. v. Russian Aluminum, 253 F. Supp. 2d 681 (S.D.N.Y. 2003) (issue of adequacy of Russian courts for purposes of *forum non conveniens*)
Films By Jove, Inc. v. Berov, 154 F. Supp. 2d 432 (E.D.N.Y. 2001), 250 F. Supp. 2d 156 (E.D.N.Y. 2003) (issues of ownership of copyright under Soviet law and effect of conversion of state enterprise into lease enterprise)
Pavlov v. Bank of New York Co., 135 F. Supp. 2d 426 (S.D.N.Y. 2001) (issue of adequacy of Russian courts for purposes of *forum non conveniens*)

summer teaching

Westfälische Wilhelms-Universität, Münster – guest professor, 2000, 2005
University of San Diego International and Comparative Law Institute, Paris – visiting professor, 1998, 1999, 2008
Russian Law Institute, Emory University, Moscow – instructor, 1994
Cardozo Law School Summer Institute at Moscow State Institute for International Relations – visiting professor and educational director, 1991
Virginia Law School LL.M. in the Judicial Process – instructor, 1981, 1985, 1987, 1989, 1997, 2000

international conferences

2010 Annual Meeting of Russian Society of International Law – panelist
2009 Annual Meeting of American Society of International Law – planning committee, moderator
2008 Sixth World Public Forum Dialogue of Civilizations – speaker
2008 Annual Meeting of Russian Society of International Law and Martens Lectures – featured speaker, panel moderator
2007 Annual Meeting of American Society of International Law – panelist
2006 Annual Meeting of European Law and Economics Association – delivered paper, panelist
2006 Annual Meeting of American Society of International Law – panelist
2005 Annual Meeting of American Association for the Advancement of Slavic Studies – panelist
2005 Conference on Commercial Law Reform in Russia and Eurasia, Kennan Center for Advanced Russian Studies – panel moderator
2004 Conference on Justice and Global Politics, Bowling Green State University – delivered paper
2004 Kennedy School of Government, Harvard University, conference on regulatory competition and complementarity – commentator
2004 St. Petersburg Conference on International Energy Policy, the Arctic and the Law of the Sea – panelist
2004 Annual Meeting of American Society of International Law – panelist
2003 Annual Meeting of American Society of Law and Economics – delivered paper
2003 American Enterprise Institute Conference on Antitrust Policy: Competition and Cooperation – delivered paper
2002 Clifford Symposium on Civil Litigation – delivered paper
2002 Annual Meeting of American Society of International Law – delivered paper
2001 Annual Meeting of European Law and Economics Association – delivered paper
2000 Annual Meeting of Latin American Law and Economics Association – delivered paper
2000 Annual Meeting of American Society of International Law – co-chair of program committee, panelist and panel moderator

1999 Yale Law School Conference on the Rule of Law in the Russian Federation – delivered paper
1997 Annual Meeting of American Society of International Law – delivered paper
1996 Sanford Institute of Public Policy, Duke University – lecture on tax dispute resolution in Russia
1994 Congress of the International Academy of Comparative Law – U.S. delegate, delivered paper
1991 International Center Moscow Conference on Federalism – planning committee and delivered lead paper
1991 Duke University Conference on Law Reform in the Soviet Union – delivered paper
1990 American Bar Association Moscow Conference on Law and Economic Cooperation – vice chair of executive committee; member of faculty

nongovernmental organizations

Kennan Institute for Advanced Russian Studies – speaker at 2006 symposium on Russian Democracy
Federalist Society – speaker at 2006 faculty conference
American Constitution Society – speaker at 2004 annual meeting
American Society of International Law, International Economic Law Interest Group – speaker and panelist at various conferences
American Society of International Law, International Law in Domestic Courts Interest Group – speaker and commentator at various conferences
American Enterprise Institute – speaker at conferences on sovereignty and antitrust federalism
International Law Institute – lecturer on privatization and tax reform for Kazakh and Mongolian legal officials and law reform for Russian legal academics
American Bar Association Central and East European Law Initiative – Chair, Commonwealth Planning Group, and participant in assessment trips and workshops in Moscow and Kiev; member of advisory board, 1992-95
National Democratic Institute for International Relations – election observer for Georgian elections
American Bar Association Section on International Law and Practice – Chair, Special Committee on Soviet law projects; member, council, 1991-94; member of advisory committee for Soviet lawyer internship projects; chair of committee on legal education
American Association of Law Schools – lecturer at conference for property law teachers
Forum for U.S.-Soviet Dialogue – chair (1986-89), board of directors (1983-91), conference participant (1982-1991)
Association of State Attorney Generals – organized and lectured in program for Soviet procurators
Institute of Chartered Financial Analysts – tax counsel
Commission on Presidential Disability and the Twenty-Fifth Amendment – counsel to the Commission
Soviet Jewry Legal Advocacy Center – lecturer on Soviet criminal law and human rights violations
Virginia Hospital Buyers Association – lecturer on contract law at annual seminars
American Enterprise Institute – lecturer and consultant on activities of U.S. Supreme Court
Federal Executives Institute – lecturer at seminars on legal aspects of foreign intelligence and post-Soviet politics

Professional Membership and Affiliations

Member, Supreme Court of United States, U.S. Court of Appeals for the District of Columbia Circuit, U.S. Tax Court, Virginia and District of Columbia Bars
American Law Institute
American Society of International Law
American Law and Economics Association
International Bar Association – U.S. Branch

Co-Chair, International Law in Domestic Courts Interest Group, American Society of International Law
Advisory Committee, International Economic Law Interest Group, American Society of International Law
Editorial Board, Review of Law and Economics
Co-Editor, European Law Abstracts, Legal Scholarship Network
Contributing Editor, Preview of United States Supreme Court Cases, Public Education Division, American Bar Association
Advisory board, Comparative Law Abstracts, Legal Scholarship Network
Contributor, International Economic Law and Policy Blog, <http://worldtradelaw.typepad.com/ielpblog/>
Omicron Delta Kappa