

JAY LAWRENCE WESTBROOK

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PERSONAL

Born December 11, 1943.

Married (Pauline), with one son (Joel), born October 2, 1971.

EDUCATION

B.A., Political Science/Philosophy, University of Texas at Austin, 1965.

J.D., School of Law, University of Texas at Austin, 1968.

CAREER EXPERIENCE

Legislative Assistant, State Senator Franklin Spears, 1963-64.

Military Service, 1968-74 (six months active duty), Army National Guard (Texas Airborne, District of Columbia Military Police).

Surrey & Morse, Washington, D.C.: Associate, 1969-74; Partner, 1974-80 [now merged with Jones, Day, Reavis & Pogue]

School of Law, The University of Texas at Austin, 1980-present. Since 1991, holder of the Benno C. Schmidt Chair of Business Law.

PRACTICE EXPERIENCE

After graduation from Law School, I joined the firm of Surrey & Morse and later became a partner. The firm had offices in Washington, New York, Paris, London and Jeddah. It had a general civil practice with an emphasis on international business, litigation, securities and taxation. In 1986 it merged with the firm of Jones, Day, Reavis & Pogue.

My primary professional training and experience was in litigation. While I was responsible for many types of litigation, most of my work was in large commercial and corporate cases and included international arbitration. During the last six years of private practice I was active in a litigation role in a number of large bankruptcy reorganizations, notably In re W.T. Grant, In re United Merchants and Manufacturers (Robert Hall), and In re Great American Management and Investment. While most of my work was business-oriented (e.g., Schnell v. Chris Craft, Supreme Court of Delaware), I also was lead counsel in a nationwide civil rights class action, Burwell v. Eastern Airlines, and was general counsel to an organization devoted to mainstreaming the physically handicapped.

In addition to litigation, I had substantial experience in international business negotiation and securities practice.

Since becoming a teacher, I have served as a consultant and expert witness in a number of commercial and international litigation matters. I have also been employed as an umpire in international arbitration.

TEACHING EXPERIENCE

Quizmaster, Dean Leon Green, University of Texas Law School (1966-67).

Holder of the Benno C. Schmidt Chair of Business Law at The University of Texas Law School since 1991. I joined the Texas faculty in January, 1980.

Courses taught: Basic Commercial Law, Secured Credit, Bankruptcy, International Business Litigation, International Business Transactions, and four seminars (International Business Litigation, Transnational Bankruptcy, Damages, and Business and Commercial Capstone).

Administrative: Chair, Appointments Committee (1988-89); Chair, Queen Mary College Exchange (1986-88; 1990; 1993-94); Chair, Dean's Long Range Planning Committee (1984); Chair, Law School Bar and Alumni Relations Committee (1981-1984); Advisor, Texas International Law Journal (1985-91; 2009-); Chair, Governance Committee (2011-12); Chair, Budget Committee (2012-13).

2002 Visiting Scholar, University College London

2002 Visiting Scholar, Humboldt University of Berlin

1991-92, Robert J. Braucher Visiting Professor, Harvard Law School.

Spring, 1990, Visiting Professor, University of London.

HONORS AND AWARDS

Scholarship: Silver Gavel Award, American Bar Association, for As We Forgive Our Debtors: Bankruptcy and Consumer Credit In America (Oxford University Press 1989) (co-author); the same book was a finalist for the Distinguished Scholarly Publication Award, given to one book annually by the American Sociological Association. Annual Writing Award, American College of Consumer Financial Services Lawyers for The Fragile Middle Class: Americans in Debt. Best Article of the Year, American Bankruptcy Law Journal (2018).

Teaching: The recipient of the Texas Excellence Teaching Award for the Law School for the academic years 1981-82 and 2001-2002 (Best Teacher Award).
1997 Award for Excellence in Teaching of International Law at the Law School.
Law Week Student Honoree 2001 (Outstanding Faculty Member)

National Conference of Bankruptcy Judges: The Excellence in Education Award (2009).
International Insolvency Institute, Outstanding Contributions (2014); American College of Bankruptcy, Distinguished Service Award (2016); Commercial Law League: Larry King Award.

Law School: Chancellors; Order of the Coif; Texas Law Review; Consul (Student Activities Award); Semi-Finalist and Best Brief, Hildebrand Moot Court Competition.

PROFESSIONAL ORGANIZATIONS

American Law Institute
Life Member

American College of Bankruptcy
Member, Foreign Fellows Committee

National Bankruptcy Conference
Member, Executive Committee (2010-12)
Member, International Committee
Member, Capital Markets Committee

International Academy of Commercial and Consumer Law
President (2008-10)
Member, Board of Directors

International Insolvency Institute
Member, Board of Directors (2001-11)
Member, Prize Committee (2001- 2020)

American Bankruptcy Institute
Life Member

INSOL International

American Bar Association

Member, Business Bankruptcy Committee

Council of the International Section, State Bar of Texas (1986-1989).

Permanent Expert Committee for the St. Petersburg International Legal Forum and Private Law Prize

Member

Bar Associations: District of Columbia Bar Association (inactive); Texas Bar Association (International, Corporate and Litigation Sections); American Bar Association (International and Litigation Sections).

COURTS

Admitted to practice in the State of Texas (1968); United States Courts of Appeal for the Second, Fourth, and District of Columbia Circuits; and the United States Supreme Court.

LAW REFORM

I was the United States Reporter for the Transnational Insolvency Project of the American Law Institute. The project was designed to develop procedures for cooperation among NAFTA courts in transnational bankruptcy cases. My responsibilities included coordinating the efforts of the Canadian and Mexican Reporters and the three Advisory Committees. Phase I of the project produced definitive international statements of the bankruptcy laws of each of the NAFTA countries. Phase II led to the adoption by the ALI of Principles of Cooperation in Transnational Insolvency Cases Among the Members of the North American Free Trade Agreement.

I served as a member of the Advisory Committee to the Executory Contracts Working Group of the American Bankruptcy Institute's Commission on Reform of Chapter 11.

PUBLIC SERVICE

I was Senior Advisor on Transnational Bankruptcy to the National Bankruptcy Review Commission.

In April, 2000, I was appointed by the United States Bankruptcy Court for the Western District of Texas as Examiner to report upon the law governing proprietary claims of investors in the international bankruptcy of the InverWorld group. In June, 1994, I was appointed by the court to serve as *amicus curiae* in a large international litigation, In re Maxwell Communication Corp., 700 B.R. 800 (Bankr. S.D.N.Y. 1994).

I served as co-chair of the United States delegation to the United Nations Commission on International Trade Law (UNCITRAL) concerning international insolvency. In May, 1997, UNCITRAL promulgated a Model Law of Transnational Insolvency. I was a co-drafter of the proposed United States version of the Model Law, Chapter 15 of the Bankruptcy Code, along with its commentary, and worked closely with the Congressional staffs on the version adopted.

I serve from time to time as a consultant to the International Monetary Fund and the World Bank.

I am a member of the State Department Advisory Committee on Private International Law.

I was a member of the advisory committee for the European Communication and Cooperation Guidelines For Cross-border Insolvency.

I was Co-Chair of the Advisory Committee to the American Law Institute project on Transnational Insolvency: Principles of Cooperation.

I served as a member of the Committee of the International Monetary Fund advising the Financial Stability Board (Group of 20) concerning its Key Attributes of Effective Resolution Regimes for Financial Institutions.

BOOKS

The Law of Debtors and Creditors: Text, Cases and Problems (Aspen Press 8th ed. 2020) (co-author).

Teachers Manual, The Law of Debtors and Creditors (Aspen 8th ed. 2020) (co-author).

A Global View of Business Insolvency Systems (Martinus Nijhoff 2010) (senior editor & co-author), Translation, 2018 People's Republic of China.

The Fragile Middle Class: Americans in Debt (Yale University Press 2000) (co-author).

As We Forgive Our Debtors: Bankruptcy and Consumer Credit In America (Oxford University Press 1989) (co-author).

Comprehensive Commercial Law: Statutory Supplement (Aspen Law & Business, annual) (co-author).

American Law Institute, International Statement of United States Bankruptcy Law (2003) (United States Reporter).

American Law Institute, Principles of Cooperation in Transnational Insolvency Cases Among the Members of the North American Free Trade Agreement (2003) (United States Reporter).

ARTICLES

Single authored:

Bailiffs for Gunboats: Ukraine v. Russia, in Festschrift Fur Christoph G. Paulus (C.H. Beck 2022).

Chapter 11 Under Duress, 37 Emory Dev. J. 551 (2021).

Equity in Bankruptcy Courts: Public Priorities, 94 Am. Bankr. L.J. 203 (2020).

Comity and Choice of Law in Global Insolvencies, 54 Texas Int. L.J. 259 (2019).

Transparency in Corporate Groups, 13 Brook. J. Corp. Fin. & Com. L. 33 (2018).

Global Insolvency Proceedings for a Global Market: The Universalist System and the Choice of a Central Court, 96 Texas L. Rev. 1473 (2018), in Symposium: Bankruptcy's Universal Pragmatist: A Celebration of the Work of Jay Lawrence Westbrook.

The Demystification of Contracts in Bankruptcy, 91 Am. Bankr. L.J. 481-562 (2017) (with Stayart).

The Retreat of American Bankruptcy Law, 17 Queensland L.Rev. 40-56 (2017).

Ian Fletcher and the Internationalist Principle, (2015) 3 NIBLeJ 30.

Corporate Formalism in a Global Economy, in Annual Survey of Insolvency Law 311 (Vancouver 2015).

Commercial Law and The Public Interest, 4 Penn. St. J.L. & Int'l Aff. 445 (2015).

Nortel: the cross-border insolvency case of the century, 2015 Butterworths J. Int'l Banking and Fin. L. 498.

Secured Creditor Control and Bankruptcy Sales: An Empirical View, 2015 Ill. L. Rev. 831.

Interpretation Internationale, 87 Temple L. R. 739-757 (2015).

SIFIs and States, 49 Tex. Int. L.J. 329 (2014) (Symposium)
<http://blogs.law.harvard.edu/corpgov/?s=westbrook&submit=Go>
<http://ssrn.com/abstract=2351236>.

Chapter 15 Comes of Age, in Annual Review Of Insolvency Law (Sarra ed. Canada 2014) (<http://ssrn.com/abstract=2477878>).

Sovereign Debt and Exclusions from Bankruptcy Proceedings, in A DEBT RESTRUCTURING MECHANISM FOR SOVEREIGNS: DO WE NEED LEGAL PROCEEDINGS? (Paulus ed. 2014) (<http://ssrn.com/abstract=2478856>).

An Empirical Study of the Implementation in the United States of the Model Law on Cross-Border Insolvency, 87 Am. Bankr. L. J. 247 (2013).

Bankruptcy Tourism, 3 Int. J. Proced. L. 159 (2013).

Breaking Away: Local Priorities And Global Assets, 46 Tex. Int'l L.J. 601 (2011).

Introduction, University of Texas International Insolvency Symposium: The Priority Dilemma, 46 Tex. Int'l L.J. 1 (2011).

International Arbitration and Multinational Insolvency, 29 Penn State Int'l L.Rev. 635 (2011).

The Elements of Coordination in International Corporate Insolvencies: What Cross-Border Bank Insolvency Can Learn From Corporate Insolvency, in CROSS-BORDER BANK INSOLVENCY (Lastra ed. 2011 Oxford University Press).

A Comment on Universal Proceduralism, 48 Colum. J. Transnat. L. 503 (2010).

Jacob Ziegel and Going Broke Internationale in ANNUAL REVIEW OF INSOLVENCY LAW (Sarra ed. 2010)

Multinational Insolvency: A First Analysis of Unilateral Jurisdiction, in Norton Annual Review of International Insolvency (2009).

Priority Conflicts as a Barrier to Cooperation in Multinational Insolvencies, 27 Penn. St. Int. L. Rev. 869 (2009).

The Present and Future of Multinational Insolvency, in THE INTERSECTION OF INSOLVENCY AND COMPANY LAWS (2009).

Testimony, Exemption of Financial Assets From Bankruptcy, Subcommittee on Commercial and Administrative Law, Committee on the Judiciary; House of Representatives (September 26, 2008).

Legal Integration Of Nafta Through Supranational Adjudication, 43 Texas Int. L.J. 349 (2008).

Locating The Eye Of The Financial Storm, 32 Brook. J. Int'l L. 1019 (2007).

Avoidance Of Pre-Bankruptcy Transactions In Multinational Bankruptcy Cases, 42 Tex. Int'l L.J. 899 (2007).

National Regulation of MultiNational Default, in Economic Law and Justice in Times of Globalisation: Festschrift for Carl Baudenbacher 777 (2007).

The Multinational Provisions of the New Spanish Law, in Estudios Sobre La Ley Consursal: Libro Homenaje A Manuel Olivencia (copyright 2004).

Multinational Financial Distress: The Last Hurrah Of Territorialism, 41 Tex. Int'l L.J. 321 (2006) (Book Review)

Chapter 15 and Discharge, 13 Am. Bankr. Inst. L. Rev. 503 (2005).

Chapter 15 at Last, 79 Am. Bankr. L. J. 713 (2005).

Universalism and Choice of Law, 23 Penn State Int. L.J. 625 (2005).

The Duty to Seek Cooperation in Multinational Insolvency Cases, in THE CHALLENGES OF INSOLVENCY LAW REFORM IN THE 21ST CENTURY, (Peters, et al ed. 2006) (Geneva), reprinted in ANNUAL REVIEW OF INSOLVENCY LAW 2004 (Sarra ed. 2005) (Canada).

The Control of Wealth in Bankruptcy, 82 Tex. L. Rev. 795 (2004).

Bankruptcy Control Of The Recovery Process, 12 Am. Bankr. I. L. Rev. 245 (2004).

International Judicial Negotiation, 38 Tex. Int. L.J. 567 (2003).

Multinational Enterprises in General Default: the UNCITRAL Model Law and Related Regional Reforms, in Aktuelle Entwicklungen des europäischen und internationalen Zivilverfahrensrechts (2002).

Empirical Research in Consumer Bankruptcy, 80 Tex. L. Rev. 2123 (2002) [reprinted in 12 J. Bankr. L. & Prac. 3 (2003).]

Multinational Enterprises in General Default: Chapter 15, The ALI Principles, and The EU Insolvency Regulation, 76 Am. Bankr. L.J. 1 (2002).

The Transnational Insolvency Project of the American Law Institute, 17 Conn. J. Int. L. 99 (2001).

Systemic Corporate Distress: A Legal Perspective, in World Bank Institute, Resolution of Financial Distress (Stijn Claessens et al. eds. 2001).

Managing Defaulting Multinationals Within NAFTA in Foundation and Perspectives of International Law, 465-79 (2001).

Japan's New Cross-Border Insolvency Law, 1112 Kinyu Shoji 86 (2001) (in Japanese).

A Global Solution to Multinational Default, 98 Mich. L. Rev. 2276 (2000);
http://papers.ssrn.com/paper.taf?abstract_id=259960.

The Globalization of Bankruptcy Reform, 1999 N.Z. L.Rev. 401.

Comparative Empiricism, 37 Osgoode Hall L.J. 143 (1999).

Modeling International Bankruptcy, 1998-1999 Annual Survey of Bankruptcy Law 465.

Universal Priorities, 33 Texas Int'l L.J. 27 (1998).

Local Legal Culture and the Fear of Abuse, 6 Am. Bankr. I. L. Rev. 25 (1998).

Pierre Loiseaux: A Master Teacher, 32 U.C. Davis L. Rev. 15 (1998).

The Commission's Recommendations Concerning the Treatment of Bankruptcy Contracts, 5 Am. Bankr. I. L. Rev. 463 (1997).

Universal Participation in Transnational Bankruptcies, in Making Commercial Law, Essays in Honour of Roy Goode (Cranston ed. Clarendon Press 1997).

International Developments in Commercial Law and in Civil Procedure and Arbitration, 46 J. Leg. Ed. 579 (1996).

Creating International Insolvency Law, 70 Am. Bankr. L. J. 563 (1996).

The Lessons of Maxwell Communications, 64 Fordham L. Rev. 2531 (1996).

Transnational Bankruptcy, in The Development of Bankruptcy Law in the Second Circuit Court of Appeals (1996).

Developments In Transnational Bankruptcy, 39 St. Louis U.L.J. 745 (1995).

Comment: A More Optimistic View of Cross-Border Insolvency, 72 Wash. U. L. Q. 947 (1994).

A Comparison of Bankruptcy Reorganization in the US with the Administration Procedure in the UK, in Current Issues in Cross-Border Insolvency and Reorganization (London 1994).

Cross-Border Insolvencies: United States Report in International Symposium on Civil Justice in the Era of Globalization (Tokyo 1994).

Contract Issues In International Insolvencies, in *Insolvency and Finance in the Transportation Industry* (London 1993).

Fees and Inherent Conflicts of Interest, 1 A. Bankr. I. L. Rev. 287 (1993).

Chapter 11 Reorganization, in *Proceedings of the Symposium on Insolvency*, Marmara University (Istanbul 1993).

Comparative Insolvency, 28 Texas I. L. J. 675 (1993) (Review).

Clear Thinking About Insider Preferences: A Reply, 77 Minn. L. Rev. 1393 (1993).

Chapter 11 Reorganization in the United States, chapter in *Insolvency Law Theory and Practice* (Rajak ed. London 1993).

A Comparative Empirical Research Agenda in Consumer Bankruptcy, 21 Canadian Bus. L. J. 30 (1992).

Two Thoughts About Insider Preferences, 76 Minn. L. Rev. 73 (1991).

Choice of Avoidance Law in Global Insolvencies, 17 Brook. J. Int. L. 499 (1991).

Theory and Pragmatism in Global Insolvencies: Choice of Law and Choice of Forum, 65 Am. Bankr. L. J. 457 (1991).

Global Insolvencies in a World of Nation States, chapter in *Current Issues in Insolvency Law* (London 1991).

A Comparison of United Kingdom Administration and Chapter 11 in the United States, 6 Insol. L. & Prac. 86 (London 1991).

Extraterritoriality, Conflicts of Laws, and Transnational Regulation of Business, 25 Tex. Int. L. J. 71 (1990) (Review essay).

A Functional Analysis of Executory Contracts, 74 Minn. L. Rev. 227 (1989).

Bhopal Symposium: Theories of Parent Company Liability and The Prospects for An International Settlement, 20 Tex. I.L.J. 321 (1985).

Glitch: UCC 9-402(7) and the UCC Revision Process, 52 Geo. L.J. 408 (1984) [Excerpt reprinted in Speidel, Summers, and White, *Commercial Law Teaching Materials* 123-24 (4th Ed. 1987).]

The Coming Encounter: International Arbitration and Bankruptcy, 67 Minn. L. Rev. 595 (1983).

Co-authored:

International Application of Avoidance Actions, 2018 National Conference of Bankruptcy Judges (Video)(with Pottow)

The Demystification of Contracts in Bankruptcy, 91 Am. Bankr. L.J. 481 (2017) (with Stayart).

Chapter 15 Recognition in the United States: Is a Debtor “Presence” Required?, 24 Int. Ins. L. Rev. 28-56 (2015), (summarized in Am. Bankr. L.J., May 24, 2015; Harvard Bankruptcy Roundtable, <http://blogs.law.harvard.edu/bankruptcyroundtable/?s=glosband.>) (with Glosband).

Lessons on Love from the Uniform Commercial Code, 17 Green Bag 2D 443 (2014) (with Rosenthal).

The Success of Chapter 11: A Challenge to the Critics, 107 Mich. L. Rev. 603 (2009) (with Warren).

Abolition Of The Corporate Duty To Creditors, 107 Colum. L. Rev. 1321 (2007) (with Hu).

Less Stigma or More Financial Distress: An Empirical Analysis of the Extraordinary Increase in Bankruptcy Filings, 59 Stan. L.Rev. 213 (2006) (with Sullivan and Warren).

Contracting Out of Bankruptcy: An Empirical Intervention, 118 Harv. L. Rev. 1197 (2005) (with Warren).

Who Uses Chapter 13 in CONSUMER BANKRUPTCY IN GLOBAL PERSPECTIVE. (Oxford: Hart Publishing Co. 2003) (with Teresa A. Sullivan, Elizabeth Warren).

Une Prospérité Précaire: Sur les situations financières critiques dans la classe moyenne. 138 Actes de la Recherche en Sciences Sociales (June 2001):19-33 (with abstracts in French, English, German, and Spanish) (excerpted from The Fragile Middle Class) (with Teresa A. Sullivan, Elizabeth Warren).

Financial Characteristics of Businesses in Bankruptcy, 73 Am. Bankr. L.J. 499 (1999) (with Warren).

Consumer Bankruptcy in the United States: A Study of Alleged Abuse and of Local Legal Culture, 20 J. of Con. Pol. 223 (Netherlands 1997) (with Teresa A. Sullivan, Elizabeth Warren).

The American Law Institute NAFTA Insolvency Project, 23 Brook. J. Int. L. 7 (1997) (Jacob S. Ziegel and Jay Lawrence Westbrook).

Bankruptcy and the Family, 21 Marriage & Family Review 193 (1995) [republished in Families and Law 193 (Lisa J. McIntype & Marvin B. Sussman eds. 1995)] (with Teresa A. Sullivan, Elizabeth Warren).

Conflict of Laws in International Insolvencies, in Current Developments in International and Comparative Corporate Insolvency Law (Ziegel ed. Clarendon Press 1994) (with Donald T. Trautman).

Searching for Reorganization Realities, 72 Wash. U. L. Q. 1257 (1994) (with Elizabeth Warren).

Four Models for International Bankruptcy, 41 Am. J. Comp. L. 573 (1994) (with Donald T. Trautman, Emmanuel Gaillard).

The Persistence of Local Legal Culture: Twenty Years of Evidence From the Federal Bankruptcy Courts, 17 Harv. J. L. & Pub. Pol. 801 (1994) (with Teresa A. Sullivan, Elizabeth Warren).

Consumer Debtors Ten Years Later: A Financial Comparison of Consumer Bankrupts 1981-1991, 68 Am. Bankr. L. J. 121 (1994) (with Teresa A. Sullivan, Elizabeth Warren).

Laws, Models, and Real People, 13 Law & Soc. Inq. 661 (1988) (with Teresa A. Sullivan, Elizabeth Warren).

The Use of Empirical Data in Formulating Bankruptcy Policy, 50 Law & Cont. Prob. 195 (1987) (with Teresa A. Sullivan, Elizabeth Warren).

Folklore and Facts: A Preliminary Report from the Consumer Bankruptcy Project, 60 Am. Bankr. L.J. 293 (1986) (with Teresa A. Sullivan, Elizabeth Warren).

Rejoinder: Limiting Access to the Bankruptcy Discharge, 1984 Wisc. L. Rev. 1069 (with Teresa A. Sullivan, Elizabeth Warren).

Limiting Access to the Bankruptcy Discharge: An Analysis of the Creditors' Data, 1983 Wisc. L. Rev. No. 1091 (with Teresa A. Sullivan, Elizabeth Warren).

COLUMN

Warren & Westbrook, Professors of Law, Am. Bankr. L. J. (2002-2004).

SELECTED PAPERS (from 2000)

Legal:

“Public Priorities, National Conference of Bankruptcy Judges, 2019, Washington, D.C.

“Comity and Choice of Law in Global Insolvencies,” International Academy of Commercial and Consumer Law, Durham, England, 2018.

“Corporate Groups and the Corporate Form,” International Insolvency Institute, Tokyo, June, 2016.

“The Retreat of American Bankruptcy Law,” Personal Insolvency Conference, Brisbane, September, 2016.

“Localist Priorities,” University of Texas Symposium on Priority in Cross-Border Insolvencies,” May 12, 2010.

“The Model Law in the United States: COMI and Groups,” International Insolvency Institute, Rome, June 6, 2010, National Conference of Bankruptcy Judges, October, 2010.

“International Arbitration and Multinational Insolvency,” International Academy of Commercial and Consumer Law, Toronto, July 21, 2010.

“International Judicial Negotiation 2009,” St. Gallen Annual Conference on Dispute Resolution, St. Gallen University, Switzerland, 2009.

“Priority Conflicts as a Barrier to Cooperation in Multinational Insolvencies,” International Academy of Consumer and Commercial Law, Bamberg, Germany, 2008.

“Legal Integration of NAFTA Through Supranational Adjudication,” Oxford University, May, 2008.

“International Arbitration and Bankruptcy, International Insolvency Institute,” June 2007.

“Legal Integration of NAFTA Through Supranational Adjudication,” American University, February 2007.

“The Duty of Cooperation in Multinational Bankruptcies”, Insolvency Symposium 2004, University of Geneva, September 2004.

“Corporate Directors’ Duty to Creditors,” Guest Lecture, Bar Ilan University Faculty of Law, Israel, June 2005 (with Hu).

“Twenty-First Century Bankruptcy: Two Decades of Evidence About Consumer Debt and The Stigma of Bankruptcy,” Personal Bankruptcy in the 21st Century: Emerging

Trends and New Challenges, Cegla, Tel Aviv University, June 2005 (with Sullivan and Warren).

“Global Law in a Globalizing World,” Symposium on Sovereignty In A Globalizing World, University of Texas School of Law, April, 2005.

“Comment on Lubben, Real Options,” American Association of Law Schools, San Francisco, January, 2005.

“The Law of Financial Distress,” Brooklyn Law School (2003).

“Public Enforcement of Private Rights,” Conference Honoring Russell Weintraub, Texas International Law Journal, Austin (2002).

“Empirical Research in Consumer Bankruptcy,” Center for Lawyers, the Media, and Civil Justice, The University of Texas Law School, Austin (2002).

“Multinational Enterprises in General Default: The UNCITRAL Model Law and Related Regional Reforms,” German Procedure Association, Athens (2001).

“ALI Principles of Cooperation,” International Insolvency Institute, New York (2001).

“ALI Principles of Cooperation,” International Insolvency Conference, University of Connecticut (2001).

“Managing Defaulting Multinationals Within NAFTA,” Schmithoff Conference, University of London (2000).

LECTURES (from 1990)

The Law of Financial Distress: The Resolution Revolution,” Instituto Tecnológico Autónomo de México (ITAM), March 14, 2023.

Conference on the Comparative and Cross-Border Issues in Bankruptcy and Insolvency Law, Chicago-Kent Law School, November 24, 2017 (Keynote).

“Global Insolvency Proceedings for a Global Market,” National University of Singapore, Center for Business and Finance Law. Global Insolvency Proceedings for a Global Market, National University of Singapore August 17, 2017, Distinguished Visitor Lecture Series.

The Retreat of American Bankruptcy Law, Personal Insolvency Conference (keynote consumer bankruptcy), Queensland University of Technology, Brisbane, Australia, 2016.

Multinational Business Insolvencies, International Association of Insolvency Regulators Bermuda, 2015.

Forum Shopping in International Bankruptcy, Faculty of Law, University of Munich, May, 2011.

An Empirical Look at Chapter 15, Faculty of Law, University of Western Ontario, April, 2011.

Contracts in Bankruptcy, Zagreb University, Zagreb, Croatia (2009).

Multinational Insolvency: Present and Future,” Edwin Coe Lecture, INSOL Europe, Barcelona, 2008.

International Judicial Negotiation, University College London, Public Lecture (2003).

Managing Multinational Defaults Within NAFTA, Schmitthoff Conference, Centre for Commercial Law Studies, University of London, June, 2000.

International and Comparative Insolvency, St. Gallons University, Switzerland, May, 1998; May, 2000.

The UNCITRAL Model Law on Cross-Border Insolvency, Symposium: Bankruptcy in the Global Village, Brooklyn, 1996; London, 1997.

Lessons of Maxwell Communications, Fordham Law School Graduate Lecture Series, March, 1996.

Chapter 11 and Law Reform in the United Kingdom, Conference on the Rescue Culture, London, September, 1995.

Executory Contract Reform, American College of Bankruptcy, Washington, D.C., May, 1995.

Phase II of the Consumer Bankruptcy Project, National Conference of Bankruptcy Judges, Toronto, October, 1994 (with Sullivan and Warren).

Bankruptcy and Commercial Law in the United States, University of Guadalajara, Guadalajara, Mexico, November, 1993.

Executory Contracts: Acceptance in the Courts, Financial Lawyers Association, Los Angeles, March, 1993.

Corporate Reorganization in the United States, International Conference on Corporate Reorganization, Istanbul, February, 1993.

A Comparative Empirical Research Agenda in Consumer Bankruptcy, University of Toronto Commercial Law Workshop, 1991.

Bankruptcy Teaching and Research in the United States, Hart Workshop, Institute of Advanced Legal Studies, London, 1991.

Chapter 11 Reorganization, Hart Workshop, Institute of Advanced Legal Studies, London, 1991.

Taking Arms Against a Sea of Bankruptcies, American Bankers Association, Orlando, 1991.

Global Insolvencies in a World of Nation States, University College, University of London, 1990.

A Comparison of United Kingdom Administration and Chapter 11 in the United States, King's College, University of London, 1990.

Bankruptcy Law Developments, University of Texas Annual Bankruptcy Conference (1983-2003) (joint presentations).

MEDIA ARTICLES

"International Bankruptcy Approaches Chapter 15," New York Law Journal (August 23, 2001).

"U.S. Fights Bankruptcy 'Grab' Rule Alone," Wall Street Journal (January 29, 1988).

"The World of Bankruptcy," 11 Discovery 4 (1988).

"Texaco's Chapter 11", The Texas Lawyer p. 14 (1987).

"Flower's Approval Crucial for Braniff," The Dallas Morning News (February 13, 1983).

GRANTS

"Now Is the Time for Venue Reform," The Hill (August 31, 2021) (co-author)

"Small Businesses in Bankruptcy," Small Business Administration (1995) (co-principal investigator).

"Business Bankruptcy Study," National Conference of Bankruptcy Judges (1993-98) (co-principal investigator).

"Demographic Aspects of Consumer Bankruptcy," National Conference of Bankruptcy Judges (1991) (co-principal investigator).

"Choices in Consumer Bankruptcy" funded National Science Foundation grant SES-8310173 (approx. \$110,000) (1983-86) (co-principal investigator).

"Choices in Consumer Bankruptcy: Legal and Demographic Antecedents," University of Texas Law School Foundation (1982) (co-principal investigator).

"Choices in Consumer Bankruptcy: Replication in the Southern and Eastern Districts of Texas." University Research Institute (1982-83) (co-principal investigator).

"Working Women in Bankruptcy". Policy Research Institute, Lyndon Johnson School of Public Affairs (1984) (co-principal investigator).

"Consumer Bankruptcy in Texas," Texas Bar Foundation (1985)(co-principal investigator).

Meyer Research Grant, American Bar Foundation (1986) (co-principal investigator).