

## Complete List of Publications

- *Citizen Corp.*, 100 WASH. U. L. REV. (forthcoming 2022) (with S. Masconale).
- *Contract Remedies for the New Economy Collaborations*, 101 TEX. L. REV. (forthcoming 2022) (with A. Schwartz).
- *Reckless Associations*, 36 HARV. J. L. & TECH. (forthcoming 2022) (with J. Bambauer & S. Masconale).
- *Blood in the Water: The Value of Anti-takeover Provisions During Market Shocks*, 143 J. FIN. ECON. 1070 (2022) (with Scott B. Guernsey and Matthew Serfling).
- *Moral Capitalism and Social Order*, SOC. PHIL. & POL. (forthcoming 2022) (with S. Masconale).
- *Activist Capitalism and the Future of the Corporation*, REVUE EUROPÉENNE DE DROIT, March/Apr. 2022 (bilingual publication) (with S. Masconale).
- *The Democratic Cost of Activist Capitalism*, MERCATUS CENTER POLICY BRIEF (forthcoming 2022) (with S. Masconale).
- *Big Tech and Political Equality*, in TECHNOLOGY ETHICS: A PHILOSOPHICAL INTRODUCTION AND READINGS (Gregory J. Robson & Jonathan Y. Tsou ed.) (forthcoming 2022) (with S. Masconale).
- *Lawyering Up*, 47 J. CORP. L. (forthcoming 2021) (with S. Guernsey, S. Masconale and C.K. Whitehead).
- *Cheap Friendship*, 54 U.C. DAVIS L. REV. 2341 (2021) (with J.R. Bambauer and S. Masconale).
- *Economic Challenges for the Law of Contract*, 38 YALE J. REG. 678 (2021) (with A. Schwartz).
- “Justice in Transactions: A Theory of Contract Law” (book review), NOTRE DAME PHIL. REV. (2021). <https://ndpr.nd.edu/reviews/justice-in-transactions-a-theory-of-contract-law/>.
- *The Nonrandom Walk of Knowledge*, 37 SOC. PHIL. & POL. (2021) (with J. R. Bambauer and S. Masconale).
- *Banking on the Lawyers*, 6 THE PRACTICE 4 (2020), <https://thepractice.law.harvard.edu/article/banking-on-the-lawyers/> (with S. Guernsey, S. Masconale and C.K. Whitehead).
- *Corporate Law and the Myth of Efficient Market Control*, 105 CORNELL L. REV. 101 (2020) (with William J. Bratton).
- *Shareholder Collaboration*, 98 TEX. L. REV. 863 (2020) (with J. E. Fisch).
- “When All Else Fails – The Ethics of Resistance to State Injustice” (book review), NOTRE DAME PHIL. REV. (2019), <https://ndpr.nd.edu/news/when-all-else-fails-the-ethics-of-resistance-to-state-injustice/>.
- *Is the Staggered Board Debate Really Settled?* 167 U. PA. L. REV. Online 9 (2019) (with K.J. M. Cremers and S. Masconale).

- *Investors' Time Preferences and Corporate Governance*, 41 SEATTLE U. L. REV. 387 (2018) (with K.J. M. Cremers) (invited Symposium – Berle IX: Investor Time Horizons).
- *CEO Pay Redux*, 96 TEX. L. REV. 205 (2017) (with K.J. M. Cremers and S. Masconale).
- *Staggered Boards and Long-Term Firm Value, Revisited*, 126 J. FIN. ECON. 422 (2017) (with K.J. M. Cremers and L. Litov).
- *Board and Shareholder Power, Revisited*, 101 MINN. L. REV. 1377 (2017).
- *Activist Hedge Funds and the Corporation*, 94 WASH. U. L. REV. 261 (2016) (with K.J. M. Cremers and S. Masconale).
- *Commitment and Entrenchment in Corporate Governance*, 110 NW. U. L. REV. 727 (2016) (with K.J. M. Cremers and S. Masconale).
- *The Shareholder Value of Empowered Boards*, 68 STAN. L. REV. 67 (2016) (with K.J. M. Cremers).
  - included in the *Corporate Practice Commentator's Top 10 Corporate and Securities Articles of 2016*.
- *Staggered Boards: Practice, Theory and Evidence*, in RESEARCH HANDBOOK ON MERGERS AND ACQUISITION, Steven Davidoff and Claire Hill, eds., Edward Elgar (2016).
- *Rethinking Chutes: Incentives, Investments, and Innovation*, 95 B.U. L. REV. 2027 (2015) (with C. Whitehead).
- *Paying for Risk: Bankers, Compensation, and Competition*, 100 CORNELL L. REV. 655 (2015) (with C. Whitehead).
- *Urban Decay, Austerity, and the Rule of Law*, 64 EMORY L. J. 1 (2014) (lead article) (with B. White and S. Masconale).
- *Disentangling Liberalization and Privatization Policies: Is There a Political Trade-Off?*, 42 J. COMP. ECON. 1033 (2014) (with F. Belloc and A. Nicita).
- *Lanymers and Fools: Lanymers-Directors in Public Corporations*, 102 GEO. L. J. 413 (2014) (with L. Litov and C. Whitehead).
  - reproduced in T.H. MAYNARD & D. M. WARREN, BUSINESS PLANNING: FINANCING THE START-UP BUSINESS AND VENTURE CAPITAL FINANCING (2014).
- *Intruders in the Boardroom: The Rise of Constituency Directors*, 91 WASH. U. L. REV. 311 (2013).
- *Regulating Risk and Governance in Banks: A Contractarian Perspective*, 62 EMORY L. J. 327 (2012).
- *Incomplete Contracts and Competition - Another Look at Fisher Body/General Motors?* 34 EUR. J. L. & ECON. 495 (2012) (with A. Nicita).
- *Give 'Em Enough Rope: A Reply to Professor Fried*, 89 TEXAS L. REV. SEE ALSO 143 (2011).
- *Making Sense of Executive Compensation*, 36 DEL. J. COR. L. 36 (2011).
- *Corporate Agency Problems and Dequity Contracts*, 36 J. CORP. L. 115 (2010).
- *Directors' Duty to Creditors and the Debt Contract*, 1 J. BUS. & TECH. L. 553 (2007).