

MICHAEL P. MALLOY, Ph.D.
Distinguished Professor and Scholar
University of the Pacific
McGeorge School of Law

RESUME

Education

THE GRADUATE SCHOOL, GEORGETOWN UNIVERSITY

Ph.D. (August 1983)

Dissertation: *Civil Authority in Medieval Philosophy: Selected Commentaries of Aquinas and Bonaventure.*

Honors: Pass with Distinction, Philosophical Anthropology Comprehensive Examination

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

Basic International Banking (August 1981)

Intermediate International Banking (September 1981)

HAGUE ACADEMY OF INTERNATIONAL LAW

Certificate, Course of Study in Public International Law (July-August 1981)

THE LAW SCHOOL, UNIVERSITY OF PENNSYLVANIA

J.D. (May 1976)

Honors: Scholarship Grant (Three Years)

Best Memorials, American Society of International Law Moot Court Competition (Mid-Atlantic Region, 1976)

Third Place, Best Oral Arguments, American Society of International Law Moot Court Competition (Mid-Atlantic Region, 1976)

COLLEGE OF ARTS & SCIENCES, GEORGETOWN UNIVERSITY

B.A. (May 1973)

Honors: General University Grant (Four Years)

Magna cum laude

Phi Beta Kappa

Employment

McGEORGE SCHOOL OF LAW, UNIVERSITY OF THE PACIFIC

3200 Fifth Avenue, Sacramento, CA 95817-2799

Distinguished Professor and Scholar (2003 to date): Teaching responsibilities in areas such as *Banking Law, Business Associations, Commercial Law* (Payment Systems), *Con-*

tracts, Current Issues in Securities Regulation, International Banking, International Business Transactions, International Trade, Law and Literature, and Securities Regulation. Introduced courses in Economic Sanctions and Trade, International Banking, Law and Literature, and Transnational Arbitration into the curriculum.

Chair, University Academic Affairs Committee on Graduate Studies (2022-2023).

Member, University Academic Affairs Committee on Graduate Studies (Fall 2020-2022).

Member, University Compensation Committee (Spring 2018-): Pursuant to a charge by the University president, participating in the task of analyzing, assessing, and recommending new approaches to faculty and non-faculty compensation and benefits.

Member, Pacific Vision Initiative Task Force (Spring 2017): At the request of the University president, participated in University-wide effort to identify and formalize institutional values.

Teacher of the Year (LL.M. Division, May 2014).

Faculty On-Site Director, London Summer Program (2007, 2008).

Faculty Director, J.D. Certificate Program in International Legal Studies (2005-2010).

Director, Center for Global Business and Development (2004-2008): Supervised international research, publications, educational and conference activities with respect to global business and development, and participated in Center programs in Africa, Asia, and Europe. Oversaw the activities of the Institute for Global Business, the Institute for Sustainable Development, and the Institute for Development of Legal Infrastructure, with the assistance of institute directors.

Distinguished Faculty Award (May 2000): Conferred by the University with citation for "contributions to [the University of the] Pacific through research, teaching and international and national service meet[ing] the highest standards of faculty achievement."

Faculty Director, J.D. Concentration in International Legal Studies (1999-2001, 2006-2010).

Faculty Adviser, THE TRANSNATIONAL LAWYER (1998-2001).

Chair, Graduate and International Studies Committee (1997-2001).

Faculty Adviser, Vis International Commercial Arbitration Moot Team (1996-1998; 1999-2000).

Professor of Law (July 1996-December 2002).

U.S. REPRESENTATIVE, REAL ESTATE MARKET ADVISORY GROUP

Committee on Urban Development, Housing and Land Management (formerly Committee on Housing and Land Management)

UN Economic Commission for Europe

(UN Office Geneva, 2015-): Providing expert guidance to REM and the Committee, particularly on the impact of regulatory policy on housing and development; serving as one of the principal drafters of the revised *Policy Framework for Sustainable Real Estate Markets*, published by the UN Economic Commission for Europe in 2019.

UNIVERSITY OF CALIFORNIA, DAVIS

Davis, CA

Visiting Professor of Law (Summer Sessions, 2014-2016, 2018): Teaching courses in Orientation in USA Law program and in the UC Davis LL.M. program.

RECHTSWISSENSCHAFTLICHE FAKULTÄT, UNIVERSITÄT SALZBURG

Salzburg, Austria

Gastprofessor (Fall Semesters, 2005-2008): Teaching a course on Transnational Business Transactions in the collaborative LL.M. program offered by Salzburg and Pacific McGeorge.

FACULTY OF LAW, MACAU UNIVERSITY OF SCIENCE AND TECHNOLOGY

Macau, Peoples Republic of China

Visiting Professor of Law (2006-2008): Consulting with respect to the future development of the Faculty, and in particular regarding the Master of Laws in International Economic and Commercial Law Program.

SUFFOLK UNIVERSITY SCHOOL OF LAW

120 Tremont Street, Boston, MA 02108

Visiting Professor of Law (2001-2002): Teaching responsibilities in Administrative Law, Commercial Paper and Payments Systems, and International Trade Regulation.

**MORIN CENTER FOR BANKING AND FINANCIAL LAW STUDIES
BOSTON UNIVERSITY SCHOOL OF LAW**

765 Commonwealth Avenue, Boston, Massachusetts 02215
(Fall 2001)

Lecturer on Law: Teaching responsibilities in *Government Regulation of Depository Institutions* offered in the LL.M. program at the Morin Center.

RECHTSWISSENSCHAFTLICHE FAKULTÄT, UNIVERSITÄT SALZBURG

Salzburg, Austria

Gastprofessor (Spring 2000): Designed and presented a course on *International Arbitration: Theory and Practice* to students of the law faculty. Presented a four-hour Tagung ("conference") on *Current Issues in International Arbitration* at the invitation of the Rechtsakademie to professors, practitioners, and other experts.

FORDHAM UNIVERSITY SCHOOL OF LAW

140 West 62d Street, New York, New York 10023

Professor of Law (1987-1996): Teaching responsibilities in areas such as domestic and international bank regulatory law, contracts, corporate/securities, public international law, international trade and international organizations. Introduced courses in *International Banking*, *International Financial Institutions* and *Economic Sanctions* into the curriculum.

Director of Graduate Studies (1990-1994): Supervision of the operation and policies of the Graduate Program, offering LL.M. degree programs in Banking, Corporate and Finance Law and in International Business and Trade Law. Created and supervised the Graduate Colloquium, in conjunction with the Annual Survey Issue of the FORDHAM LAW REVIEW. Introduced the *Graduate Seminar* into the curriculum, requiring preparation and public defense of Master's Thesis by each LL.M. candidate.

Faculty Adviser, LL.M. in Banking, Corporate & Finance Law (1989-1990): In the first year of the Graduate Program, supervised and advised LL.M. candidates specializing in Banking, Corporate and Finance Law studies. Acted as assistant and adviser to the first Director.

**MORIN CENTER FOR BANKING AND FINANCIAL LAW STUDIES
BOSTON UNIVERSITY SCHOOL OF LAW**

765 Commonwealth Avenue, Boston, Massachusetts 02215

(Spring 1995, Spring 1996)

Lecturer on Law: Teaching responsibilities with respect to the course in International Banking offered in the LL.M. program at the Morin Center.

WASHINGTON COLLEGE OF LAW, AMERICAN UNIVERSITY

4400 Massachusetts Avenue, NW, Washington, DC 20016 (Fall 1995)

Visiting Professor of Law: Teaching responsibilities with respect to courses in *Business Associations* and *Financial Institutions*.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

2120 L Street, NW, Washington, DC 20037 (1988-1992)

Consultant: Research study of the administration of the Securities Exchange Act of 1934, with respect to bank- and thrift-issued securities, by the federal bank regulatory agencies (*i.e.*, the Comptroller of the Currency, Federal Reserve Board, FDIC, Office of Thrift Supervision) under the authority of section 12(i) of the Act.

**MORIN CENTER FOR BANKING LAW STUDIES
BOSTON UNIVERSITY SCHOOL OF LAW**

765 Commonwealth Avenue, Boston, Massachusetts 02215

(1986-1990)

Lecturer on Law: Teaching responsibilities with respect to courses in *International Banking* and *Public International Financial Institutions* offered in the LL.M. program at the Morin Center.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

2120 L Street, NW, Washington, DC 20037 (1986-1987)

Consultant: Research study of the formal enforcement adjudication practices and procedures of the federal bank regulatory agencies (*i.e.*, the Comptroller of the Currency, Federal Reserve Board, FDIC, Federal Home Loan Bank Board and the FSLIC, and the National Credit Union Administration). Study recommendations adopted by the Conference and later incorporated by the Congress into the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

SETON HALL UNIVERSITY SCHOOL OF LAW

1111 Raymond Boulevard, Newark, New Jersey 07102 (1983-1987)

Associate Dean for Academic Affairs (1986-1987): Supervision of academic policy, course assignments and scheduling for day and evening programs of the law school. Assisted the Dean in all aspects of policy and administration.

Professor of Law (1986-1987),

Associate Professor of Law (1983-86): Teaching responsibilities in such areas as bank regulatory law, business associations, public international law, international organizations, securities regulation and related areas. Introduced Banking Law and *International Banking* into the curriculum.

**OFFICE OF THE ASSISTANT GENERAL COUNSEL (INTERNATIONAL AFFAIRS)
U.S. DEPARTMENT OF THE TREASURY**

15th & Pennsylvania Avenue, NW, Washington, D.C. 20220

Special Assistant for Foreign Assets Control (May-August 1985): At the request of Treasury, assumed duties for a limited time to assist in the implementation of embargo controls imposed pursuant to the President's declaration of a national emergency with respect to Nicaragua. Rendered legal advice and assistance to the Assistant General Counsel (International Affairs), the Director of the Office of Foreign Assets Control, and other Treasury officials on issues concerning embargo and blocking programs.

NEW YORK LAW SCHOOL

57 Worth Street, New York, New York 10013 (1982-1983)

Assistant Professor of Law: Introduced *Banking Law* into the curriculum. Also offered courses in *Corporations* and *Multinational Corporations and Foreign Ventures*.

OFFICE OF THE GENERAL COUNSEL, SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

(1981-1982)

Special Counsel (Enforcement & Disclosure Policy): Supervision of four staff attorneys, under the general guidance of an assistant general counsel, in researching and advising on legal issues concerning enforcement of the federal securities laws. Appointed special counsel after four months as a senior staff attorney with primary responsibility for researching and advising on legal issues involving depository institutions and their holding companies.

OFFICE OF THE CHIEF COUNSEL**OFFICE OF THE COMPTROLLER OF THE CURRENCY****U.S. DEPARTMENT OF THE TREASURY**

490 L'Enfant Plaza East, SW, Washington, D.C. 20219 (1981)

Attorney-Adviser, Securities & Corporate Practices Division: Drafting answers to inquiries from banks, attorneys, and other federal agencies on securities, corporate and disclosure matters; drafting banking circulars and letters on securities matters; coordination with other federal agencies (principally FDIC, FRB and SEC) on significant legal and disclosure matters affecting national banks; drafting congressional testimony, speeches, regulations and rulings for the Comptroller and staff. Received rating of "Outstanding" upon annual review.

OFFICE OF THE CHIEF COUNSEL, FOREIGN ASSETS CONTROL**U.S. DEPARTMENT OF THE TREASURY**

1331 G Street, NW, Washington, D.C. 20220 (1977-1980)

Attorney-Adviser: Legal issues concerning the Iranian Assets Control Regulations; embargoes against, and blocked assets of, Cambodia, Cuba, North Korea, and Vietnam; blocked assets of East European states; China normalization. Office contact for Justice Department concerning litigation involving Iran. Action officer for interagency emergency study. Special assignments of limited duration reporting directly to the General Counsel and/or the Assistant Secretary (Enforcement and Operations). Received Treasury Department Special Achievement Award in recognition of efforts during the Iran crisis.

INSTITUTE OF INTERNATIONAL LAW & ECONOMIC DEVELOPMENT

1511 K Street, NW, Washington, D.C. 20005 (1976-1977)

Research Associate: Legal research, drafting and editing on constitutional law, international law, and federal-territorial relations. Projects funded by private and government sources, including Commerce Department and the Governments of the Northern Mariana Islands, Guam, and the Virgin Islands.

Editorial Positions

Editor, PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (1987-1989)

Chair, Editorial Advisory Board, BANKING LAW ANTHOLOGY, International Library (1995-1997)

Member, Board of Editors, FRONTIERS OF LEGAL RESEARCH (Canadian Academy of Oriental and Occidental Culture) (appointed 2012)

Member, Editorial Advisory Board, UNIVERSITY OF WESTERN SYDNEY LAW REVIEW (appointed 2012)

Contributing Editor, ContractsProf Blog, available at http://lawprofesors.typepad.com/contractsprof_blog/ (2014-2015)

Member, Editorial Board, ATHENS JOURNAL OF BUSINESS & ECONOMICS (appointed 2014).

Co-Editor, ATHENS JOURNAL OF LAW (appointed 2014)

Membership

Member, Athens Institute for Education and Research ("ATINER"), Athens, Greece (2006-)

Executive Member, ATINER (2012-present)

Member, Strategic and Advisory Council, Πανελλήνια Ένωσης Επιχειρηματιών & Εμπειρογνομόνων της Διασποράς (Pan-Hellenic Enosis of Entrepreneurs & Experts of the Diaspora) (2013-present)

Director, Business, Economics and Law Division, ATINER (2013-present)

Member, Editorial Board, ATHENS JOURNAL OF BUSINESS & ECONOMICS (appointed 2014)

Co-Editor, ATHENS JOURNAL OF LAW (appointed 2014).

Member, Steering Committee, International Contracts Conference (2018-)

Association of American Law Schools

Section on Financial Institutions and Consumer Financial Services

Member, Executive Committee (2017-)

Chair, Executive Committee (2002-2003)

Chair-Elect & Program Chair (2001-2002)

Secretary-Treasurer (2000-2001)

Member, Executive Committee (1998-2000)

Section on Business Associations

Member, Executive Committee (2021-)

AALS Section on Socio-Economics

Treasurer, Executive Committee (2021-)

Assistant Secretary/Treasurer, Executive Committee (2019-2020)

Member, Planning Committee (2018)

Chair, Nominations Committee (2018)

Member, Executive Committee (2017-)

AALS Section on Contracts

Member, Executive Committee (2022-)

Chair, Committee on Economic Sanctions, International Law Association (American Branch) (1995-1997)

U.S. Supreme Court Bar (admitted 1991)

American Bar Association (admitted 1988)

U.S. District Court for the District of New Jersey (admitted 1984)

Association of Former Professors and Participants of the Institute of International Public Law and International Relations (admitted 1984)

L'Association des Auditeurs et Anciens Auditeurs de l'Academie de Droit International de la Haye (admitted 1981)

The Hegel Society of America (admitted 1979)

New Jersey Bar (admitted 1976)

American Society of International Law (admitted 1975)

Member, Executive Council (1986-1989)

Moot Court Judge (National Memorial Awards) (1978-1980, 1982)

Member, ad hoc Editorial Committee for the Jessup Moot Court Competition Problem (1977-1980)

Member, Moot Court Panel, International Division Final Round (1978)

References

Available upon request.

Publications

See ANNOTATED BIBLIOGRAPHY, attached.

Sausage

[Faculty Webpage](#)
[News from Nusquam](#)

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ANNOTATED BIBLIOGRAPHY*

Books

CIVIL AUTHORITY IN MEDIEVAL PHILOSOPHY: LOMBARD, AQUINAS AND BONAVENTURE (University Press of America: 1985).¹

THE CORPORATE LAW OF BANKS: REGULATION OF CORPORATE AND SECURITIES ACTIVITIES OF DEPOSITORY INSTITUTIONS, 2 vols. (Little, Brown and Company:1988).²

* Annotations do not include citations contained in other works authored by Michael P. Malloy.

¹ This work is cited in Shannon K. Brincat, »Death to Tyrants': *The Political Philosophy of Tyrannicide – Part I*, 4 J. of Int'l Political Theory 212, 221, 235 (2008) (quoting book in text).

² This work was cited in *Omnibank of Manatee v. United Southern Bank*, 607 So.2d 76, 84 (Miss. 1992). It has been quoted and cited throughout Jonathan R. Macey & Geoffrey P. Miller, *Bank Failures, Risk Monitoring, and the Market for Bank Control*, 88 Colum. L. Rev. 1153 (1988), and was cited in Lawrence G. Baxter, *Life in the Administrative Track: Administrative Adjudication of Claims against Savings Institution Receivers*, 1988 Duke L.J. 422, 430 n.27, 431 nn.31, 34 (1988); D. Franklin Arey, III, *Bank Directors' Duties Under the Common Law of Arkansas*, 11 U. Ark. Little Rock L.J. 629, 629 n.1, 630 nn.8-10, 12, 633-634 nn.30, 44, 640 n.93, 643 n.122, 649 n.175 (1988-89); Lissa Lamkin Broome, *The Influence of Enhanced Thrift Institution Powers on Commercial Bank Market Expansion*, 67 N. Car. L. Rev. 795, 796 nn. 5, 8, 820 n.152, 838 n.294 (1989); William A. Lovett, *Moral Hazard, Bank Supervision and Risk-Based Capital Requirements*, 49 Ohio St. L.J. 1365, 1365 n.1, 1369 n.13, 1373 n.21, 1380-1382 nn.48, 50, 56, 1392 n.86 (1989); Lawrence G. Baxter, *Judicial Responses to the Recent Enforcement Activities of the Federal Banking Regulators*, 59 Fordham L. Rev. S193, S202 n. 51, S211 n. 108 (Annual Survey Issue 1991); Note, *Unsecured Creditors of Failed Banks: It's not a Wonderful Life*, 104 Harv. L. Rev. 1052, 1069 nn. 98-99 (1991); James F. Groth, Comment, *Can Regulators Force Bank Holding Companies to Bail Out Their Failing Subsidiaries? – An Analysis of the Federal Reserve Board's Source-of-Strength Doctrine*, 86 Nw. U.L. Rev. 112, 122 n.74, 123 n.81 (1991); Daniel M. Laifer, Note, *Putting the Super Back in the Supervision of International Banking, Post-BCCI*, 60 Fordham L. Rev. S467, S472-S474 nn.34-36, 38, 40, 46 (Survey Issue 1992); Lawrence G. Baxter, *Equitable Doctrines and Remedies in Contemporary Regulatory Settings*, 56 L. & Contemp. Prob. 7, 11 n.17, 13-14, nn. 37, 40 (1993); Carl Felsenfeld, *The Bank Holding Company Act: Has It Lived its Life?* 38 Vill. L. Rev. 1, 92 n.474 (1993); R. K. BHALA, FOREIGN BANK REGULATION AFTER BCCI 75 n.109, 189 n.41 (1994); Lori J. Carlson, *The Case Against Cash-Outs in National Bank Mergers: A Critical Analysis of NoDak Bancorporation v. Clarke*, 79 Minn. L. Rev. 173, 178 n.21, 180 n.32, 186 n.68 (1994); Matthew G. Dore, *Presumed Innocent? Financial Institutions, Professional Malpractice Claims, and Defenses based on Management Misconduct*, 1995 Colum. Bus. L. Rev. 127, 175 nn.179-180, 176 n.181, 180 n.192; Elise Staffenberg, Note, *Treacherous Terrain for In-House Bank Attorneys*, 14

THE CORPORATE LAW OF BANKS, 1988 Cum. Supp. No. 1.
 THE CORPORATE LAW OF BANKS, 1988 Cum. Supp. No. 2.
 THE CORPORATE LAW OF BANKS, 1989 Cum. Supp. No. 1.
 THE CORPORATE LAW OF BANKS, 1989 Cum. Supp. No. 2.
 THE CORPORATE LAW OF BANKS, 1990 Cum. Supp.
 THE CORPORATE LAW OF BANKS, 1991 Cum. Supp. No. 1.
 THE CORPORATE LAW OF BANKS, 1991 Cum. Supp. No. 2.
 THE CORPORATE LAW OF BANKS, 1992 Cum. Supp. No. 1.
 THE CORPORATE LAW OF BANKS, 1992 Cum. Supp. No. 2.
 THE CORPORATE LAW OF BANKS, 1993 Cum. Supp.
 ECONOMIC SANCTIONS AND U.S. TRADE (Little, Brown and Company: 1990).³

Ann. Rev. Banking L. 405, 406 n.12, 410 n.30 (1995); Christopher J. Nelson, *Director Liability and the Insolvent, Federally Chartered Financial Institution: A Standard Emerges*, 73 Wash. U. L.Q. 1477, 1480 n.24, 1497 n.136 (1995); Patricia A. McCoy, *The Notional Business Judgment Rule in Banking*, 44 Cath. U. L. Rev. 1031, 1031 n.1 (1995); Hwa-Jin Kim, *Markets, Financial Institutions, and Corporate Governance: Perspectives from Germany*, 26 Law & Pol'y Int'l Bus. 371, 376 n.18 (1995); Jeffrey M. Cooper, Note, *Out on a Limb: FIRREA's Cross-Guarantee Provision "Takes" Root in Branch v. United States*, 33 Houston L. Rev. 299, 321 n.200 (1996); Patricia A. McCoy, *A Political Economy of the Business Judgment Rule in Banking: Implications for Corporate Law*, 47 Case W. Res. L. Rev. 1, 63 n.203 (1996); Lawrence L. C. Lee, *Adoption and Application of a "Soft Law" Banking Supervisory Framework Based on the Current Basle Accords to the Chinese Economic Area*, 16 Wis. Int'l L.J. 687, 718 n.165 (1998); Edward L. Rubin, *The Inevitability of Rehabilitation*, 19 Law & Ineq. 343, 352 n.39 (2001); Eric J. Gouvin, *Bank Mergers in North America: Comparing the Approaches in the United States and Canada*, 18 Transnat'l Law. 245, 247 nn.13, 16 (2005); Robert F. Weber, *The Comprehensive Capital Analysis and Review and the New Contingency of Bank Dividends*, 46 Seton Hall L. Rev. 43, 64 n.75 (2015) (citing and quoting treatise in note).

³ This book has been reviewed at 14 Fordham Int'l L.J. 867 (1991); 86 Am. J. Int'l L. 234 (1992); 26 Int'l Law. 252 (1992). It is cited in *Footwear Distrib. & Retailers of America v. United States*, 852 F.Supp. 1078, 1096 (Ct. Int'l Tr. 1994). The book has also been cited in Burns H. Weston, *Security Council Resolution 678 and Persian Gulf Decision Making: Precarious Legitimacy*, 85 Am. J. Int'l L. 516, 529 n.74 (1991); Catherine Tinker, *"Environmental Security" in the United Nations: Not a Matter for the Security Council*, 59 Tenn. L. Rev. 787, 794 n.33 (1992); Robert N. Capucci, *Amending the Treatment of Defense Production Enterprises under the U.S. Exon-Florio Provision: A Move toward Protectionism or Globalism?* 16 Fordham Int'l L.J. 652, 657 n.21 (1993); Stephen Zamora, *The Americanization of Mexican Law: Non-Trade Issues in the North American Free Trade Agreement*, 24 L. & Pol'y Int'l Bus. 391, 404 n.35 (1993); James F. Smith, *NAFTA and Human Rights: A Necessary Linkage*, 27 U.C. Davis L. Rev. 793, 798 n.16, 799-800 nn.18, 20, 22, 802-803 nn.25, 27-28, 804 n.29 (1994); Patrick H. Hu, *The China 301 on Market Access: A Prelude to GATT Membership?* 3 Minn. J. Global Trade 131, 132 n.3 (1994); JOHN H. JACKSON, WILLIAM J. DAVEY & ALAN O. SYKES, JR., *LEGAL PROBLEMS OF INTERNATIONAL ECONOMIC RELATIONS* 989 n.17 (1995); Jeffrey J. Steinle, Note, *The Problem Child of World Trade: Reform School for Agriculture*, 4 Minn. J. Global Trade 333, 336 nn.11, 14 (1995); Jim Chen, *Of Agriculture's First Disobedience and Its Fruit*, 48 Vand. L. Rev. 1261, 1265 n.19 (1995); Richard D. Porotsky, Note, *Economic Coercion and the General Assembly: A Post-Cold War Assessment of the Legality and Utility of the Thirty-Five-Year Old Embargo Against Cuba*, 28 Vand. J. Transnat'l L. 901, 906 n.15 (1995); Susie A. Malloy, Note, *The Inter-American Convention on the Law Applicable to International Contracts: Another Piece of*

the Puzzle of the Law Applicable to International Contracts, 19 Fordham Int'l L.J. 662, 731 n.412 (1995); M. Jennifer MacKay, Comment, *Economic Sanctions: Are They Actually Enforcing International Law in Serbia-Montenegro?*, 3 Tul. J. Int'l & Comp. L. 203, 212-216 nn.61, 66-67, 69-70, 72, 80-82, 86 (1995); Amy E. Belanger, Note, *Internationally Recognized Worker Rights and the Efficacy of the Generalized System of Preferences: A Guatemalan Case Study*, 11 Am. U. J. Int'l L. & Pol'y 101, 130 n.144 (1996); Derek Devgun, *International Fiscal Wars for the Twenty-First Century: An Assessment of Tax-Based Trade Retaliation*, 27 L. & Pol'y Int'l Bus. 353, 381 n.151 (1996); Jeannette M.E. Tramhel, *Helms-Burton Invites a Closer Look at Counter-Measures*, 30 Geo. Wash. J. Int'l L. & Econ. 317, 330 n. 84, 333 n. 100 (1996-1997); Bret A. Sumner, Comment, *Due Process and True Conflicts: The Constitutional Limits on Extraterritorial Federal Legislation and the Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996*, 46 Cath. U. L. Rev. 907, 908 n.3 (1997); Meghan McCurdy, Note & Comment, *Unilateral Sanctions With a Twist: The Iran and Libya Sanctions Act of 1996*, 13 Am. U. Int'l L. Rev. 397, 399 nn. 6-7, 400 nn. 9-13, 401 nn. 14, 16, 19, 405 nn. 47-48 (1997); Felicia Swindells, Note, *U.N. Sanctions in Haiti: A Contradiction Under Articles 41 and 55 of the U.N. Charter*, 20 Fordham Int'l L.J. 1878, 1896 nn. 108, 110, 1897 n. 113, 1905-1906 n. 166, 1929 n. 338 (1997); Raj Bhala, *Hegelian Reflections on Unilateral Action in the World Trading System*, 15 Berkeley J. Int'l L. 159, 163 n. 5, 191 & n. 128 (1997); Stephen V. Iglesias, *The Legality of the Helms-Burton Act under NAFTA: An Analysis of the Arguments the United States, Canada, and Mexico May Present to a Chapter 20 Dispute Resolution Panel*, 3-Spg NAFTA: L. & Bus. Rev. Am. 116, 128 n. 114 (1997); Matthew W. Cheney, *Trading With the Dragon: A Critique of the Use of Sanctions by the United States Against China*, 6 J. Int'l L. & Prac. 1, 2 n.10, 4 nn.16- 21, 5 nn.24-25, 28, 6 nn.32, 37, 41, 7 nn.42, 45, 47-48, 50, 8 n.53, 9 nn. 59-63, 10 nn. 64, 66-67, 70, 75 (1997); David Seligman, *Between Iraq and a Hard Place: Letter of Credit Litigation Following the Gulf War*, 6 U. Miami Bus. L.J. 143, 145 nn.4, 8, 12, 146 n.14 (1997); Peter L. Fitzgerald, *Pierre Goes Online: Blacklisting and Secondary Boycotts in U.S. Trade*, 31 Vand. J. Transnat'l L. 1, 15 n. 52, 20 n. 76 (1998); Laura Bowersett, Note, *Doe v. Unocal: Torturous Decision for Multinationals Doing Business in Politically Unstable Environments*, 11 Transnat'l Law. 361, 364 n.14, 380 n.173 (1998); S. Kern Alexander, *Trafficking in Confiscated Cuban Property: Lender Liability under the Helms-Burton Act and Customary International Law*, 16 Dick. J. Int'l L. 523, 531 n.43 (1998); David J. Santeusano, *Extraterritoriality and Secondary Boycotts: A Critical and Legal Analysis of United States Foreign Policy*, 21 Suffolk Transnat'l L. Rev. 367, 368 n. 12 (1998); Susan S. Gibson, *International Economic Sanctions: The Importance of Government Structures*, 13 Emory Int'l L. Rev. 161, 167 n.20 (1999); Peter L. Fitzgerald, "If Property Rights were Treated like Human Rights, They Could Never Get Away with This": *Blacklisting and Due Process in U.S. Economic Sanctions Programs*, 51 Hastings L.J. 73, 83 n.40, 88 n.62, 94 n.88, 112 n.202, 121 n.272 (1999) (citing and quoting book); Cindy G. Buys, *United States Economic Sanctions: The Fairness of Targeting Persons from Third Countries*, 17 B.U. Int'l L.J. 241, 242 nn.1-2, 244 n.14, 264 n.122, 265 n.130 (1999) (citing and quoting book); Jason Luong, Note, *Forcing Constraint: The Case for Amending the International Emergency Economic Powers Act*, 78 Tex. L. Rev. 1181, 1187 nn. 42, 44, 1188 n.48, 1197 n.115, 1201 n.137 (2000) (citing and quoting book); Sarah H. Cleveland, *Norm Internationalization and U.S. Economic Sanctions*, 26 Yale J. Int'l L. 1, 41 n.227, 42 n.244, 49 n.295 (2001); Thomas W. Walde, *Managing the Risk of Sanctions in the Global Oil & Gas Industry: Corporate Response under Political, Legal and Commercial Pressures*, 36 Tex. Int'l L.J. 183, 185 n.5, 186 n.7, 188 n.12, 189 n.20, 195 n.35, 199 n.49, 213 n.109, 220 n. 134 (2001) (citing and quoting book); Peter L. Fitzgerald, *Hidden Dangers in the E-Commerce Data Mine: Governmental Customer and Trading Partner Screening Requirements*, 35 Int'l Law. 47, 58 n.84 (2001); Manuel Vazquez, *W(h)ither Zschernig?*, 46 Vill. L. Rev. 1259, 1293 n.192 (2001); Deborah Senz & Hilary Charlesworth, *Building Blocks: Australia's Response to Foreign Extraterritorial Legislation*, 2 Melb. J. Int'l L. 69, 74 n.21, 75 n.25 (2001). Justin D. Stalls, *Economic Sanctions*, 11 U. Miami Int'l & Comp. L. Rev. 115, 147 n.132, 148

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 ECONOMIC SANCTIONS AND U.S. TRADE, 1992 Cum. Supp.
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 ECONOMIC SANCTIONS AND U.S. TRADE, 1994 Cum. Supp.
 ECONOMIC SANCTIONS AND U.S. TRADE, 1996 Cum. Supp.
 [Editor] 1987 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (1990).⁴
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 THE REGULATION OF BANKING: CASES AND MATERIALS ON DEPOSITORY INSTITUTIONS AND THEIR REGULATORS (Anderson Publishing Co.: 1992), with Statutory Appendix.⁵

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Jurisprudence of the International Court of Justice in Cases concerning Boundaries, Institute of International Public Law and International Relations, Thessaloniki, Greece (September 1985).

Remarks: Expanding Uses of Presidential Economic Emergency Power, Annual Meeting, American Society of International Law, Washington, DC (April 1986).

Remarks: Internationalization of the Securities Markets, Annual Meeting, American Society of International Law, Washington, DC (April 1988).

Remarks: Global Trading in Financial Instruments, Annual Meeting, American Society of International Law, Chicago, IL (April 1989).

Remarks: Effects and Effectiveness of Economic Sanctions, Annual Meeting, American Society of International Law, Washington, DC (March 1990).

The Iraqi Sanctions: Something Old, Something New, Southern Illinois University School of Law (1991).

Bumper Cars: Convergence in International Financial Regulation, Graduate Colloqui-

um, Fordham University School of Law, New York, NY (Fall 1991).

Lecture Series: Banking and Commercial Law Systems, Law Department, Council of Ministers, Republic of Belarus, Minsk, Belarus (June 1992).

Can 10b-5 for the Banks?, Graduate Colloquium, Fordham University School of Law, New York, NY (Fall 1992).

Shifting Paradigms: Bretton Woods in a Changing World, Graduate Colloquium, Fordham University School of Law, New York, NY (Fall 1993).

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U.S. International Banking Regulation: Recent Changes and Challenges, Eberhard-Karls-Universität Tübingen, Tübingen, Germany (May 1995).

Legal Framework of Economic Sanctions, Nicosia, Cyprus (June 1996).

Legal and Political Issues of Unilateral Sanctions: Emerging Trends and Challenges in U.S. Practice, Institute for Global Leadership, Geneva, Switzerland (November 1996).

Economic Sanctions and International Trade, International Law Section, Sacramento County Bar Association, Sacramento, CA (March 1997).

Introductory Remarks: Biotechnology and International Law, 19th International Law Symposium, University of the Pacific-McGeorge School of Law, Sacramento, CA (March 2000).

Current Issues in International Arbitration, Rechtsakademie Tagung, Universität Salzburg, Salzburg, Austria (May 2000).

Current Issues in Financial Services (Lecture, 20th International Law Symposium, University of the Pacific-McGeorge School of Law, March 2001).

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Unfunding Terror (Panel Introduction, International Law Symposium, University of the Pacific-McGeorge School of Law, February 2003)

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National Favoritism: The Historical Underpinnings of the Current OCC Preemption Strategy, Testimony Before a Joint Hearing of the Committee on Banking, Commerce and International Trade of the California State Senate and the Banking and Finance Committee of the California State Assembly (May 21, 2003).

Financial Services Regulation after NAFTA (Presentation and submitted paper, *NAFTA's First Decade: The Future of Free Trade in North America*, Michigan State University-Detroit College of Law, 16-17 October 2003).

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Legal Issues in e-Commerce (Lecture series, International Law Institute-Uganda, Kampala, Uganda, October 2004).

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The Corporate Law of Banks and the Dog in the Night-Time (Distinguished Speakers Series, University of the Pacific McGeorge School of Law, February 2005).

Development Law and Policy and the New Ireland (Panel presentation and submitted paper, Annual Conference, Irish Association of Law Teachers, Letterkenny, Ireland, March 2005).

Teaching International Arbitration in U.S. Law Schools (Presentation at 20th Anniversary Conference, School of International Arbitration, Queen Mary University London, April 2005).

International e-Commerce (Course Lectures, Pacific McGeorge Summer Program, Salzburg, Austria, July 2005).

Securities Regulation (Lecture Series, Orientation in USA Law Program, UC Davis, August 2005).

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Development, Banking, and Judicial Independence (Presentation, International Law Symposium, University of the Pacific McGeorge School of Law, October 2005).

Transnational Business Transactions (Lecture series, Salzburg University, Faculty of Law, November 2005).

Towards a National Community: The CRA and the Contemporary Market (Panel Remarks, Annual Conference Law and Business Center for Advancing Entrepreneurship,

Western New England College School of Law, March 2006).

Globalizing Contract Law (Panel Presentation, Annual Meeting, American Society of International Law, March 2006).

Transfer Pricing Principles and Economic Development: The Tax Man and a Changing Ireland (Irish Association of Law Teachers Annual Conference, April 2006).

Keynote Address (8th International Reunion, European Chapter, Pacific McGeorge Alumni Association, May 2006).

Capital Regulation and International Banking: A Questionable Strategy (Athens Institute for Education and Research, Panel Presentation, 2006 International Conference on Industrial Organization, Economics and Law, June 2006).

Interview, *NPR Weekend Edition Sunday* (25 June 2006) (discussing legal implications of CIA/Treasury data mining of financial transactions and transfers effected through SWIFT).

Written Evidence: Memorandum to the Select Committee on Economic Affairs of the House of Lords of the United Kingdom on the Impact of International Economic Sanctions (30 Sept. 2006).

Re-Thoughts on International Corruption (Presentation, International Law Symposium, University of the Pacific McGeorge School of Law, October 2006).

I Think I Can, I Think ICANN: Introduction to the Symposium on Regulating the Internet (Presentation, International Law Symposium, University of the Pacific McGeorge School of Law, February 2007).

The Priestly Caste: Lessons From Differences in Legal and Medical Education (Presentation, Advances and Controversies in Medical Education Symposium in Honor of Dr. Robert Goldstein, Uniformed Services University of Health Sciences, April 2007).

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The Subprime Mortgage Crisis: An International and Regional Threat in Need of a Solution (Athens Inst. for Education & Research: Panel Presentation, 2008 International Conference on Industrial Organization, Economics and Law, July 2008).

Cyber Crime, (Lecture series, International Law Institute-African Centre for Legal Excellence, Kampala, Uganda, September 2008).

Coordination, Cooperation and Harmonization: Utility and International Regulation (Presentation, Hot Topic Panel on the Financial Crisis, AALS Annual Meeting, January 2009).

Commentary on Erik F. Gerding, *The Subprime Mortgage Crisis: Code, Crash, and Open Source* (Section on Financial Institutions and Consumer Financial Services Panel, AALS Annual Meeting, January 2009).

The International Financial Crisis and Nation-Based "Prudential Regulation" (Athens Inst. for Education & Research: Panel Presentation, 2009 International Conference on Law, July 2009).

Global Issues in Contract Law (Lecture Series, Orientation in USA Law, UC Davis

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Participant & Commentator, 70th Session of the UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, September 2009).

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Anatomy of a Meltdown: Lessons from the Sub-Prime Mortgage Crisis (Gonzaga University School of Law, November 2009).

Caught in the Cross-Currents: International Economic Sanctions in Contemporary Practice (Presentation, Joint Session, Section on National Security Law, Section on International Human Rights, and Section on International Law, AALS Annual Meeting, January 2010).

After the Meltdown: Peanuts, Popcorn, and Banking Practice (Federal Bar Association Panel Presentation, Meltdown 101: Lessons Learned from the Great Recession, February 2010).

Assessing Professional Competence: Lessons from Med Ed (Lecture, Duquesne University School of Law, February 2010).

The Elephant in the Dark: Assessing Lawyer Competence, Keynote Address, 14th Ottawa International Conference on Clinical Competence (May 2010).

Introduction to International Contract Law (Lecture Series, International Law Program, UC Davis School of Law, June 2010).

Securities Law and Regulation (Lecture Series, International Law Program, UC Davis School of Law, July 2010).

Encountering Antigone: Personal and Civic Duties and the Art of the Advocate (Athens Inst. for Education & Research: Panel Presentation, 2010 International Conference on Law, July 2010).

The Anatomy Lesson of Dr. Michael Malloy: The Meltdown (Speakers Series, McGeorge School of Law, November 2010).

Wounded Tigers: Responses to Financial Crisis in a Permeable World (Irish Association of Law Teachers, Annual Conference, November 2010).

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Socio-Economics and Academic Freedom: Anatomy of the Meltdown: Where are You When We Need You? (Society of Socio-Economists Annual Conference, January 2011).

Anatomy of the Meltdown: A Behavioral Look at Regulation (AALS Annual Meeting, Section on Socio-Economics, January 2011).

Contracts in Times of Crisis (6th International Conference on Contracts, Stetson University, February 2011).

International Contract Law (Lecture Series, International Law Program, UC Davis School of Law, March-April 2011).

Zone Defense: The Euro Zone and the Crisis in Financial Services Markets (Athens Inst. for Education & Research: Panel Presentation, 2011 International Conference on Law, July 2011).

Global Influences on US Contracts (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2011).

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of Law, July 2011).

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Participant & Commentator, 72d Session, UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, October 2011).

Reform of US Financial Regulation and Supervision (Centre for Commercial Law Studies, Queen Mary University of London, December 2011).

Permeable Economies, Not Globalized Economy: The Situation and Performance of Financial Services Markets (Presentation, Society of Socio-Economists Annual Meeting, January 2012).

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Introduction to Bankruptcy (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2013).

Commentator, Sergio Puig, *Enforcement in a ›Regime Complex‹* (Meeting, Northern California International Law Scholars, Santa Clara University School of Law, September 2013).

Participant & Commentator, 74th Session, UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, October 2013).

Institutional Organization of Supervision: Reform in the US (Centre for Commercial Law Studies, Queen Mary University of London, December 2013).

Chair, *Socio-Economic Perspectives on Current Legal Issues* (Concurrent Session, Society of Socio-Economists Annual Meeting, January 2014).

There are no Bitcoins, Only Bit Payers: Law, Policy and Socio-Economics of Virtual Currencies (Presentation, AALS Annual Meeting, Section on Socio-Economics, January 2014).

Organizer & Host, First Annual Conference on Business, Law, and Economics (Business and Law Research Division, Athens Inst. for Education & Research Conference, Athens, May 2014).

There are no Bitcoins, Only Bit Payers: Law, Policy and Socio-Economics of Virtual Currencies (Athens Inst. for Education & Research: Panel Presentation, Eleventh Annual International Conference on Law, July 2014).

Participant & Commentator, 75th Session, UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, October 2014).

Participant & Commentator, American Society of Comparative Law, Younger Comparativists Committee, Workshop on Comparative Business and Financial Law (UC Davis School of Law, November 2014).

Institutional Organization of Supervision: Reform in the US (Centre for Commercial Law Studies, Queen Mary University of London, December 2014).

Chair & Panelist, *Teaching Financial Services Law in Times of Crisis* (Concurrent Session, AALS Annual Meeting, Section on Socio-Economics, January 2015).

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- Chair & Speaker, *Roundtable on Financial Services Regulation* (Concurrent Session, Society of Socio-Economists Annual Meeting, January 2017).
- Chair & Speaker, *Narrative Arcs and Simulations* (Concurrent Session, AALS Annual Meeting, Section on Socio-Economics, January 2017).
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- Contracts in a Digital Age: My Teenaged Tech Advisors Rescue Dad* (Presentation, Twelfth Annual International Conference on Contracts (KCON XII), Southwestern Law School, February 2017).
- Chair & presenter (Athens Inst. for Education & Research: Panel Presentations, Fourteenth Annual International Conference on Law, July 2017).
- Commentator, *Works-in-Progress* (AALS Annual Meeting, Section on Securities Regulation, January 2018).
- Moderator & presenter, *Current Issues in Financial Services Regulation* (AALS Annual Meeting, Section on Socio-Economics, January 2018).
- Moderator & presenter, *Judge Posner and Contract Law* (Thirteenth Annual International Conference on Contracts (KCON XIII), Barry University School of Law, February 2018).
- Economic Sanctions and Election Interference* (McGeorge Global Center Annual Symposium: Foreign Interference with Elections, March 2018).
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- Panel moderator & presenter (Athens Inst. for Education & Research: multiple panel presentations, Fifteenth Annual International Conference on Law, July 2018).
- Commentator, *Works-in-Progress* (AALS Annual Meeting, Section on Financial Institutions and Consumer Financial Services, January 2019).
- Panel chair & presenter, Fourteenth Annual International Conference on Contracts (KCON XIV), Tulane University School of Law (March 2019).
- Co-host, panel chair & presenter, *Global Rules for Bank Capital*, Sixth Annual Inter-

national Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2019).

Panel moderator & presenter, Sixteenth Annual International Conference on Law (Athens Inst. for Education & Research: multiple panel presentations, July 2019).

Principal presentation, 80th Plenary Session of the Committee on Urban Development, Housing and Land Management, UN Economic Commission for Europe, during the official launch of the newly revised Policy Framework for Sustainable Real Estate Markets (Geneva, October 2019).

Co-organizer & co-host, Fifteenth Annual International Conference on Contracts (KCON XV), University of the Pacific McGeorge School of Law (February 2020).

Co-organizer & co-host (participating online), Seventh Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2020).

Co-host & presenter (participating online), Seventeenth Annual International Conference on Law (Athens Inst. for Education & Research, July 2020).

Participant, 81st Plenary Session of the Committee on Urban Development, Housing and Land Management, UN Economic Commission for Europe (Geneva, via Interprefy online participation, October 2020).

Moderator, Networking Session, Section on Socio-Economics, Association of American Law Schools Annual Meeting (January 2021).

Commenter, *Perspectives on Shareholder and Stakeholder Primacy*, Section on Socio-Economics, Association of American Law Schools Annual Meeting (January 2021).

Speaker, *The Community Reinvestment Act and the Unbanked: No Stake to Hold Onto*, Annual Meeting of Society of Socio-Economists, (January 2021).

Co-organizer & co-host (participating online), Eighth Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2021).

Presenter (participating online), *Promises for the Future*, Eighth Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2021).

Co-host & presenter (participating online), *Encountering Charles Dickens: The Lawyer's Muse*, Eighteenth Annual International Conference on Law (Athens Inst. for Education & Research, July 2021).

Host & presenter, *Contracts and Economic Sanctions*, Zoom Panel of the International Contracts Conference (KCON Zoom 1), *Contracts in the Twenty-First Century*, University of the Pacific McGeorge School of Law (August 2021).

Moderator & Presenter (participating online), *The Socio-Economics of Contract Law*, Section on Socio-Economics, Association of American Law Schools Annual Meeting (January 2022).

Commenter (participating online), *Transnational Suppliers in Global Value Chains*, Section on Business Associations, Association of American Law Schools Annual Meeting (January 2022).

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Featured speaker (participating online), *The Impact of Energy Prices on Finance and Bank Regulation*, 83rd Session of the U.N. Economic Commission for Europe, Committee on Urban Development, Housing and Land Management, (San Marino, October 2022).

[22 December 2022 (7:40 am)]