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Education: A.B., 1968, J.D., 1971, Yale University

Current appointment:

Professor of Law, Singapore Management University and Professor of Law Emeritus, Emory University

Previous appointments:

- President, Singapore Management University, 2004-2010
- Interim Provost and Executive Vice President for Academic Affairs, Emory University, 2001-2003
- Dean, School of Law, Emory University, 1989-2001
- Member of the Faculty of Law Emory University, 1976-2004 (Assistant Professor, 1976-79; Associate Professor 1979-82, Professor 1982-2004, Professor Emeritus since 2004)

Visiting Academic Appointments:

- Recurrent Visiting Professor of Law, Central European University, Budapest (annually since 1999)
- Visiting McWilliam Professor of Commercial law, Sydney University Law School (2003-04)
- Co-Director, American Law Center in Moscow (1991-97)
- Visiting Mills E. Godwin Professor of Law, Marshall-Wythe School of Law, College of William & Mary, spring semester 1989

- Fulbright Senior Scholar, Sydney University Law School (Trinity Term 1988)
- Honorary Professor of Law, Hong Kong University (January 1986)
- Visiting Professor of Law, University of Virginia (1982-83)

Professional Practice:

- Associate attorney, Hogan & Hartson, Washington, D.C. 1971-72
- Associate attorney, Hansell, Post, Brandon & Dorsey (now Jones, Day:Atlanta), Atlanta, Georgia 1972-76
- Counsel to various law firms on selected matters 1976-present. Firms include: Wildman, Harrold, Allen, Dixon & Masinter; Holland & Knight; TroutmanSanders; E. Michael Masinter, Esq.; Bird & Scherffius, all with offices in Atlanta. Provided limited advice on domestic contract law to an Australian firm in 1990.
- Witness with respect to contract law in NASD arbitration hearing in 1988 (proceedings confidential to the parties)
- Deposition testimony in various cases
- Member of panel of three in commercial arbitration under ICC rules, venue in London with parties from multiple jurisdictions, completed December 2010 (proceedings confidential to parties)
- Admitted to practice in all courts of the State of Georgia; the United States Supreme Court; the United States Courts of Appeal for the Fifth and Eleventh Circuits; the United States District Court for the Northern District of Georgia
- United States Army Reserves (1968-76), honorably discharged with the rank of Captain

Selected Professional Activities:

- State Bar of Georgia – admitted December 23, 1971; Editorial Board, Georgia State Bar Journal (1977-82); Bar and Media Award (1980); Board of Trustees, Institute of Continuing Legal Education (1989-2001); Board of Trustees, Institute of Continuing Judicial Education (1989-2001); Committee on Standards for Admission to the Bar (1996-2002); Committee on Indigent Defense (1999-2004)
- *Amicus Curiae* award for service to the profession, Supreme Court of Georgia (1998)
- Chief Justice's Commission on Professionalism (1990-2004)
- Georgia Supreme Court Commission on Indigent Defense (2000-2004)
- Board of Directors, Federal Defender Program, Northern District of Georgia (1991-97)
- American Law Institute, elected to membership 1980; Membr of several consultative committees, Life Member since 2005
- Atlanta Bar Association, Project on representation of illegal Cuban immigrants (1985-88); Board, International Transactions Section (1995-98)
- American Bar Association, member since 1972, various section memberships, Section on Legal Education Committee on Curriculum (1998-2002)

- Association of American Law Schools, member since 1976, Executive Committee, Section of Law School Deans (1997-2001)
- Executive Committee, Lamar Inn of Court (1991-2004)
- Editorial Board, Journal of Contract Law (1988- present)
- Associate member, Law Society of Singapore (2009-present)
- Non-resident member, New York State Bar Association (2011- present)
- Georgia Volunteer Lawyers for the Arts, Inc., Board of Directors (1975-89); President (1985-87); Board of Advisors (1997-2004)
- Board of Directors, American Arbitration Association (2006-present)
- Board of Directors, Singapore International Chamber of Commerce (2005-2010), Member Committee on the Legal Profession (2011-present)
- Board of Governors, American Chamber of Commerce of Singapore (2006-09)
- Board of Directors. The Enterprise Challenge of Singapore (2005-07)
- Board of Directors, Workforce Development Authority of Singapore (2005-07)
- Member, Appeals Board, Competition Commission of Singapore (2006-09)
- Board of Directors, The National Research Foundation of Singapore (2006-10)
- Board of Directors, Building and Construction Authority of Singapore (2009-2011)
- International Academic Advisory Board, Alliance University, Bangalore, India (2013 – present)

Selected Publications:

Books and Chapters in Books:

- Modern Law of Contracts, two volumes, West Law (Thomson Reuters) 2014, previous annual editions 2011, 2012, 2013; second revised edition 1999 with annual supplements 1999-2010; first revised edition 1993 with semi-annual supplements 1994-1999; first edition 1986 with semi-annual supplements 1987-93
- Law in Perspective: The Integrative Jurisprudence of Harold J. Berman, editor, Westview Press, Boulder, Colorado (1996)
- Recent Reforms in Swedish Higher Education, with Mogens Pedersen, Ratio Press, Stockholm (1980)
- *Comparative Contract Law* (Chapter 19) and *Competition Law* (Chapter 25) in Principles of Singapore Business Law, Cengage Learning, Singapore, second edition (2013)
- *Singapore Contract Law in an Interdependent World of Commerce: The Example of the Convention on the International Sale of Goods*, Singapore Academy of Law Proceedings, pp 57-77 (2011)
- *Comparative Law of Contracts* (chapter 19) in Principles of Singapore Business Law, Cengage Learning, Singapore, first edition (2008)

Articles and Book Reviews:

- *Has the Achilleas Sunk?*, 31 Journal of Contract Law (forthcoming 2014)
- Book Review, Remedies for Breach of Contract by Solene Rowan, 30 Journal of Contract Law 259 (2013)
- *Discovery of Social Media in Arbitration and Litigation*, Practicum, NYSBA (Winter 2012)
- *Reflections on the Past Twenty Years in Budapest*, Hungarian Review (January 2012)
- *From Coronations to Sand Bans: Frustration and Force Majeure in the Twenty-first Century*, 28 Journal of Contract law 61 (2011)
- *Good Faith and the Construction of Terms in Commercial Contracts: The American Perspective*, 25 Journal of Contract Law 39 (2009)
- *The Growing Uncertainty about Good Faith in American Contract Law*, 20 Journal of Contract Law 1 (2004)
- *Introduction: Randolph W. Thrower Symposium: Foreign Policy Issues Facing the New Administration*, 50 Emory Law Journal 695 (2001)
- *Regulation of Religious Proselytism in the United States*, with P. J. Price, 2001 Brigham Young University Law Review 537 (2001)
- *Foreword: Domestic and International Commercial Transactions*, 14 Journal of Contract Law, nos. 1 and 2 (1999)
- *Commentary on "The Re-Negotiation of Contracts"*, 13 Journal of Contract Law 205 (1998)
- *Commentary on "Assignment of Contractual Burdens,"* 13 Journal of Contract Law 51 (1998)
- *Comment on Profits Derived from Breach of Contract or Restitution*, 11 Journal of Contract Law 127 (1997)
- *Is Commercial Law Becoming a World Law?*, with J.W. Carter, 2 New Zealand Business Law Quarterly 161 (1996)
- Book Review, Taming the Storm, by Jack bass, Judicature (March 1994)
- *Sales of Goods Issues: Introduction*, 6 Journal of Contract Law 91 (1993)
- *The Duty of Good Faith and the Security of Performance*, 6 Journal of Contract Law 19 (1993)
- Book review, Good Faith in English Law, by J. F. O'Connor, 5 Journal of Contract law 172 (1992)
- *Commentary on Pitfalls of Force Majeure Clauses*, 3 Journal of Contract law 214 (1991)
- *A Commentary on Professor Fisher's Thesis: Ideology, Religion, Private Property and the Supreme Court 1987-88*, 39 Emory Law Journal 135 (1990)
- *Quantum Meruit and Building Contracts*, Parts I and II, with J. W. Carter, 2 Journal of Contract Law 95 (1989) and 2 Journal of Contract Law 189 (1990)
- *Measuring the Unjust Enrichment*, 12 Sydney Law Review 76 (1989)
- *The Recovery of Extracontractual Damages in a Common Law Contract Action: The American Experience*, The Corporate and Business Law Centre, University of Adelaide (1988)

- *Georgia and the Development of Constitutional Principles: An Essay in Honor of the Bicentennial*, 24 Georgia State Bar Journal 6 (1987)
- *Creativity and Responsibility – Covenant, Contract and the Resolution of Disputes: Introductory Notes*, 36 Emory Law Journal 533 (1987)
- *Problems in Search of Principles: The First Amendment in the Supreme Court from 1791-1930*, 35 Emory Law Journal 159 (1986)
- *Academic Self Government in the United States*, 23 Minerva 19 (1985)
- *Federalism and State Taxation of Multistate Enterprises*, 32 Emory Law Journal 89 (1983)
- *Curriculum, Pedagogy and the Constitutional Rights of Secondary School Teachers*, 25 William & Mary Law Review 1 (1983)
- *A Reprise on Herbert v. Lando and the Law of Defamation*, 71 Kentucky Law Journal 569 (1982-83)
- *Toward a Better Understanding of the Prior Restraint Doctrine: A Reply to Professor Mayton*, 67 Cornell Law Review 283 (1982)
- *The Constitutional Status of Academic Freedom in the United States*, 19 Minerva 519 (1981)
- *Universities and the Needs of Local and Regional Communities*, 18 Minerva 624 (1980)
- *Universities and Community Service: Concepts and Problems*, OECD, Paris (1980)
- *The Continuing Debate over Tuition Tax Credits*, 7 Hastings Constitutional Law Quarterly 523 (1980)
- *Editorial Privilege and the Scope of Discovery in Sullivan Rule Libel Actions*, 67 Kentucky Law Journal 789 (1979)
- *Statutory and Judicial responses to the Problem of Access to Government Information*, with C. Y. Singleton, 1979 Detroit College of Law Review 51 (1979)
- *An Essay on Contract and Status: Race, Marriage and the Meretricious Spouse*, 64 Virginia Law Review 1039 (1978)
- *Federal Antibias Legislation and Academic Freedom: Some Problems with Enforcement Procedures*, 27 Emory Law Journal 609 (1978)
- *Prescription Drugs and Open Housing: More on Commercial Speech*, 25 Emory Law Journal 815 (1976)
- *The Abandonment Defense in Private Antitrust Conspiracy Cases*, 26 Mercer Law Review 591 (1975)
- *Report on Antitrust Implications of Joint Industry Activities Under Price Controls*, (with W. W. Sadd, J. C. Cortesio, Jr., and W. E. Huth), 44 Antitrust Law Journal 423 (1975)
- *Georgia Investment Company v. Norman – The Supreme Court Creates a New Form of Class Action for Georgia*, 24 Mercer Law Review 447 (1973)
- Book Review, *The Ethical Investor*, by J. Simon, C. Powers, and J. Gunneman, 21 Journal of Public Law 407 (1972)

Selected Lectures and Conferences:

- Paper Presenter at conference entitled “Future Developments of Contract Law and the Relationship between the Contract Laws of the Commonwealth,” Journal of Contract Law, Singapore, May 2013
- Speaker on social media and discovery, NYSBA, International Law Section, Panama, September 2011
- Keynote Speaker at Conference entitled “Frustration and Force Majeure,” Commercial Law Association of New South Wales, Sydney, July 2011
- Keynote speaker at conference entitled “Developments in Contract Law”, Malaysian Law Society, Commercial Law Association of New South Wales, and Journal of Contract Law, Kota Kinabalu, Sabah, May 2011
- Speaker on Contract and Sales Law in Singapore (2005-2010), Singapore Law Academy, February 2011
- Summarizing Speaker, Journal of Contract Law Conference, Sydney July 2010
- Lecture on “Higher Education and the Development of Singapore “ to American EMBA students in Hong Kong, April 2010
- Presenter on higher education and development, “In the Zone Conference”, University of Western Australia, Perth, November 2009
- Rapporteur for one afternoon session, Science and Technology in Society Conference, Kyoto, October 2009
- Address on freedom of religion and tolerance to recent law graduates in “Edu-dine” series, Law Society of Singapore, September 2009
- Discussant at Conference on international arbitration, University of Pecs, Hungary, April 2009
- Panelist at OECD Conference on EU/ASEAN Higher Education connections, Paris, November 2008
- Keynote Speaker at 25th Anniversary Conference of Law and Religion Program, Emory University, Atlanta, October 2007
- Keynote Speaker, Conference on the Future of Higher Education, Curtin University of Technology, Perth, June 2007
- Keynote Speaker, APAIE Conference, Singapore, March 2007
- Opening speaker, “Building Science and Technology Capability”, A*STAR and British High Commission, Singapore, July 2006
- Speaker, Conference on Sustainability, University of Tokyo, October 2006
- Panelist, Conference of EU and ASEAN Rectors, Leuven University, Belgium, November 2005
- McWilliams Lecture on Commercial Law, University of Sydney, April 2004
- Presentation on American Higher Education, Warsaw, May 2002
- Lectures on comparative sales law and other topics, Sarajevo University, Bosnia-Herzegovina, June 1999 and June 2000
- Lecture on “Good Faith in the Performance of Contracts”, Sydney University, August 1997
- Panelist on comparative sales law, University of Auckland, August 1997
- Discussant on comparative contract law issues in common law countries, Cambridge University, September 1996

- Lectures on various aspects of American Constitutional law, Central European University, Budapest, 1992, 1994, 1999, 2000
- Lectures on American Constitutional Law and the Common Law of Contracts, American Law Center, Moscow, 1991, 1992, 1993, 1996
- Discussant, Conference of the Journal of Contract Law, Toronto, October 1992
- Lecturer on extra-contractual damages in contract cases, University of Adelaide, July 1988
- Lecturer on comparative constitutional law, Monash University, July 1988
- Lecturer on law of defamation, Melbourne University, July 1988
- Lecturer on restitution, Sydney University, June and July 1988
- Lecturer on the proposed Basic Law of Hong Kong, University of Hong Kong, January 1986
- Rapporteur, International Conference on Universities and the State, Lisbon, April 1981
- Presenter, Universities and the Community, OECD, Paris, February 1980
- Rapporteur, University reforms in Sweden, Stockholm, October 1979'
- Numerous presentations in continuing legal education seminars 1978-2013