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RESUME

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Education:

1966. B.A. Northwestern University, Evanston, Illinois
1969. J.D. Northwestern University, Chicago, Illinois
1974. Ph.D. Sociology. Northwestern University, Evanston, Illinois

Employment:

1974-1980 Assistant Professor (Sociology Department) University of Michigan, Ann Arbor, Michigan
1980-1983 Vice President, Aptech Imaging, Inc. Palo Alto, California
1983-1989 Associate Professor (Law School) University of Houston, Houston, Texas
1989-1997 Professor (Law School) University of Houston, Houston, Texas
1994 Drinko, Baker & Hostetler Visiting Professor, Ohio State University, Columbus, Ohio
1996 Visiting Research Scholar, American Bar Foundation, Chicago, Illinois
1997- A.A. White Professor (Law School) University of Houston, Houston, Texas
1998-99 Visiting Professor, University of Texas, Austin, Texas
2007 Visiting Professor, Florida State University, Tallahassee, Florida

Teaching Experience:

Undergraduate Courses: Racial and Ethnic Relations, Juvenile Delinquency, Sociology of Law.

Graduate Courses: Sociological Theory, Law and Society, Criminology.

Law Courses: Torts, Advanced Torts, Products Liability, Toxic Torts, Law and Social Science, Scientific Evidence, The Jury.

Publications:

Books and Edited Volumes:

Modern Scientific Evidence: the Law and Science of Expert Testimony (with David Faigman, Jeremy Blumenthal, Edward Cheng, Jennifer Mnookin and Erin Murphy) 2014-2015 edition. St. Paul, MN: Thompson-West. (Since 2005 this treatise is updated every year with a new publication date.)

Products Liability: Cases and Materials (5th ed.) (edited with David Fischer, William Powers, Jr., Richard Cupp, and Michael Green). St. Paul: West Academic Publishing (2014).

Teacher's Manual to Accompany Products Liability: Cases and Materials (5th ed.) (With David Fischer, William Powers Jr., Richard Cupp, and Michael Green). St. Paul: West Academic Publishing (2014).

Advanced Torts (2d ed.) (edited with George Christie) St. Paul, MN: West (2012).

Teacher's Manual to Accompany Advanced Torts (2d ed.) (edited with George Christie) St. Paul, MN: West (2012).

Cases and Materials on the Law of Torts (5th ed.) (With George Christie and Jonathan Cardin). St. Paul, MN: West (2012).

Teacher's Manual to Accompany Cases and Materials on the Law of Torts (5th ed.) (With George Christie and Jonathan Cardin). St. Paul, MN: West (2012).

Toxic and Environmental Torts: Cases and Materials (With Robin Craig, Michael Green, and Andrew Klein). St. Paul: West (2011).

Teacher's Manual to Accompany Toxic and Environmental Torts: Cases and Materials (With Robin Craig, Michael Green, and Andrew Klein) St. Paul: Thompson-West (2011).

Modern Scientific Evidence: the Law and Science of Expert Testimony (with David Faigman, Jeremy Blumenthal, Edward Cheng, Jennifer Mnookin and Erin Murphy) 2011-2012 edition. St. Paul, MN: Thompson-West. (Since 2005 this treatise is updated every year with a new publication date and varying authors.)

Products Liability: Cases and Materials (4th ed.) (edited with David Fischer, Michael Green, and William Powers, Jr.). St. Paul: Thompson-West (2006).

Teacher's Manual to Accompany Products Liability: Cases and Materials (4th ed.) (With David Fischer, Michael Green, and William Powers, Jr.). St. Paul: Thompson-West (2006).

Modern Scientific Evidence Student Edition. St. Paul MN: Thompson West (2006). (Beginning in 2008, this book is updated every other year with a new publication date.)

Cases and Materials on the Law of Torts (4th ed.) (edited with George Christie, James Meeks, and Ellen Pryor) St. Paul, MN: Thompson-West (2004).

Teacher's Manual to Accompany Cases and Materials on the Law of Torts (4th ed.) (edited with George Christie, James Meeks, and Ellen Pryor) St. Paul, MN: Thompson-West (2004).

Annotated Federal Judicial Center Reference Manual on Scientific Evidence (2d ed.) (annotated with Michael Saks, David Kaye, and David Faigman) St. Paul, MN: Thompson-West (2004).

Advanced Torts (edited with George Christie, James Meeks, and Ellen Pryor) St. Paul, MN: Thompson-West (2004).

Teacher's Manual to Accompany Advanced Torts edited with George Christie, James Meeks, and Ellen Pryor) St. Paul, MN: Thompson-West (2004).

Modern Scientific Evidence: The Law and Science of Expert Testimony (2d ed.) (edited with David Faigman, David Kaye, and Michael Saks) St. Paul: West Group. (2002)

Products Liability: Cases and Materials (3d ed.) (edited with David Fischer, Michael Green, and William Powers, Jr.). St. Paul: West Group (2002).

Teacher's Manual to Accompany Products Liability: Cases and Materials (3d ed.) (With David Fischer, Michael Green, and William Powers, Jr.). St. Paul: West Group (2002).

Handbook of Justice Research in Law (edited with Lee Hamilton) New York: Kluwer Academic/ Plenum Publishers (2001).

Teacher's Manual to Accompany Cases and Materials on the Law of Torts (3d ed.) (with George Christie, James Meeks, and Ellen Pryor) St. Paul, MN: West Pub. Co. (1998).

Modern Scientific Evidence: The Law and Science of Expert Testimony: Vol. 3. (edited with David Faigman, David Kaye, and Michael Saks.) St. Paul, MN: West Pub. Co. (1999).

Bendectin on Trial: A Study of Mass Tort Litigation. Ann Arbor, MI: University of Michigan Press. (1998).

Cases and Materials on the Law of Torts (3d ed.). (edited with George Christie, James Meeks, and Ellen Pryor) St. Paul, MN: West Pub. Co. (1997).

Modern Scientific Evidence: The Law and Science of Expert Testimony (two volumes) (edited with David Faigman, David Kaye, and Michael Saks) St. Paul, MN: West Pub. Co. (1997).

Courts, Law and Politics in Comparative Perspective (with Herbert Jacob, Erhard Blankenberg, Herbert Krtizer, and Doris Marie Provine) New Haven, CT: Yale University Press (1996).

Everyday Justice: Responsibility and the Individual in Japan and the United States. (with Lee Hamilton) New Haven, CT: Yale University Press. (1992).

Social Science in Court: Mobilizing Experts in the School Desegregation Cases. (with Mark Chesler and Debra Kalmuss) Madison, WI: University of Wisconsin Press (1988).

An Invitation to Law and Social Science: Desert, Dispute and Distribution. (with Richard Lempert) Philadelphia: University of Pennsylvania Press (1986).

Articles, book reviews, etc:

In Defense of Sufficiency: A Reply to Professor Twerski and Mr. Sapir (with Michael Green) *Widener Law Journal* 23: 663 (2014)

The “Every Exposure” Cases and the Beginning of the Asbestos Endgame, *Tulane Law Review* 88: 1153 (2014).

Must Torts Be Wrongs? An Empirical Perspective (with Lawrence Solan, Matthew Kugler and John Darley), *Wake Forest L. Rev.* 49: 1 (2014).

Milward v. Acuity Specialty Products Group: Constructing and Deconstructing Science and Law in Judicial Opinions, *Wake Forest J.L. & Pol'y* 3: 141 (2013).

The Methodology-Conclusion Paradox and the Structure of Adjudication in the United States, in Monica Maria Bustamante (ed.) *Contemporary Evidence Law: Scientific Evidence and Forensic Techniques*. Pp. 97-126. Universidad De Medellin. (2012) (in Spanish)

Risky Business: Causation in Asbestos Cancer Cases (and Beyond?), in Richard Goldberg (ed.) *Perspectives on Causation*. Pp. 11-40. Oxford: Hart Publishing (2011).

“Utterly Ineffective”: Do Courts Have a Role in Improving the Quality of Forensic Expert Testimony? *Fordham Urban Law Journal* 38: 547 (2010).

Applying *Daubert* Inconsistently?: Proof of Individual Causation in Toxic Tort and Forensic Cases, *Brooklyn Law Review* 75: 1367 (2010)

Doing Wrong Without Creating Harm (with John Darley, Lawrence Solan and Matthew Kugler), *Journal of Empirical Legal Studies* 7: 30 (2010).

The Controversial Comment C: Factual Causation in Toxic-Substance and Disease Cases, *Wake Forest Law Review* 44: 1029 (2009).

Science, Law, and the Expert Witness, *Law and Contemporary Problems* 72(1): 63 (2009).

Medical Criteria Acts: State Statutory Attempts to Control the Asbestos Litigation, *Southwestern Law Review* 37: 671 (2008).

The Insubstantiality of the Substantial Factor Test For Causation (with Michael Green and William Powers Jr.), *Missouri Law Review* 73: 399 (2008).

Reforming General Damages: A Good Tort Reform, *Roger Williams University Law Review* 13: 115 (2008).

A Norms Approach To Jury “Nullification:” Interests, Values, and Scripts, *Law and Policy*. 30: 12 (2008).

Expert Witness Ethics, *Fordham Law Review*: 76: 1539 (2007).

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Why Do Proposals Designed to Control Variability in General Damages (Generally) Fall on Deaf Ears? (And Why This is Too Bad). *DePaul Law Review* 55:489 (2006).

Law, Norms, and Lay Tribunals. In Michael Freeman (ed.) *Law and Sociology: Current Legal Issues.* Vol. 8. Pp. 303-324. Oxford: Oxford University Press (2006).

Modern Scientific Evidence: The Law and Science of Expert Testimony. (edited with David Faigman, David Kaye, and Michael Saks) Pocket Part. (2004).

Book Review, *Journal of Forensic Sciences* 49: 881 (2004) (reviewing, Loue, S. Case Studies in Forensic Epidemiology (2002).

Juries, Experts and the American Legal Culture, *Japanese Sociology of Law Journal* (2004).

Punitive Damages in Consumer Actions, *Journal of Texas Consumer Law* 8: 22 (2004).

Modern Scientific Evidence: The Law and Science of Expert Testimony. (edited with David Faigman, David Kaye, and Michael Saks) Pocket Part. (2003).

Adversarial Legalism and Civil Litigation: Prospects for Change (reviewing Robert A. Kagan, *Adversarial legalism: The American Way of Law* (2001) *Law and Social Inquiry* 28: 719 (2003).

The Merits of the Paternalistic Justification for Restrictions on the Admissibility of Expert Evidence. *Seton Hall Law Review* 33: 881 (2003).

Book Review, *Contemporary Sociology: A Journal of Reviews* 31: 340 (2002) (reviewing Eric A. Feldman, *The Ritual of Rights in Japan: Law, Society and Health Policy* (2000) .

Legal Perceptions of Science and Expert Knowledge (with Shari Diamond and Neil Vidmar) *Psychology, Public Policy & Law* 8: 139 (2002).

Kumho and How We Know, *Law and Contemporary Problems* 64-SUM: 373 (2001).

The Admissibility of Differential Diagnosis Testimony to Prove Causation in Toxic Tort Cases: The Interplay of Adjective and Substantive Law (with Julie Machal-Fulks) *Law and Contemporary Problems* 64-AUT: 107 (2001).

Modern Scientific Evidence: The Law and Science of Expert Testimony. (edited with David Faigman, David Kaye, and Michael Saks) Pocket Part. (2000).

How Good is Good Enough?: Expert Evidence Under Daubert and *Kumho*. (with David Faigman, David Kaye, and Michael Saks) *Case Western Reserve Law Review* 50: 645 (2000).

Distributive and Procedural Justice in Seven Nations (with Ellen Cohn and Susan White) *Law and Human Behavior* 24: 553 (2000).

Comment: Duty, Sufficiency, and Underlying Rhythms in Law, *Southern Methodist University Law Review* 53: 1547 (2000).

Modern Scientific Evidence: The Law and Science of Expert Testimony. (edited with David Faigman, David Kaye, and Michael Saks) Pocket Part. (1999).

The Second Face of Evil: Wrongdoing in and by the Corporation (with Lee Hamilton) *Personality and Social Psychology Review* 3: 222 (1999).

Stories From the Front: Negotiating Cross-Cultural Research Projects (with Lee Hamilton) in Austin Sarat, et al. (eds). *Crossing Boundaries*. Pp. 101-126. Evanston, IL: Northwestern University Press (1998).

Scientifically Complex Cases Trial by Jury, and the Erosion of Adversarial Processes, *DePaul Law Review* 48: 355 (1998).

The Institutionalization of Sanctions for Wrongdoing Inside Organizations: Public Judgments in Japan, Russia, and the United States. (with Lee Hamilton and Toshiyuki Yuasa) *Law and Society Review* 32: 871 (1998).

Expert Advice on Silicone Implants: *Hall v. Baxter Healthcare Corp.* (with D.H. Kaye) *Jurimetrics* 37: 113 (1997).

Corporate Crime Through Citizens' Eyes: Stratification and Responsibility in the United States, Russia, and Japan (with Lee Hamilton). *Law and Society Review* 30: 701 (1996).

Distributing Responsibility for Wrongdoing Inside Corporate Hierarchies: Public Judgments in Three Societies (with Lee Hamilton). *Law and Social Inquiry* 21: 815 (1996).

Orientations Toward Authority in an Authoritarian State: Moscow in 1990. (with Lee Hamilton and Scott McKearney) *Personality and Social Psychology Bulletin* 21: 358 (1995).

Crimes of Obedience and Conformity in the Workplace: Surveys of Americans, Russians, and Japanese (with Lee Hamilton) *Journal of Social Issues* 51: 67 (1995).

Scientific Validity, Admissibility, and Mass Torts After Daubert. *Minnesota Law Review* 78: 1387 (1994).

The Jury Deliberation in a "Complex Case": *Havner v. Merrell Dow Pharmaceuticals*. *Justice System Journal* 16: 45 (1993).

From Science to Evidence: The Testimony on Causation in the Bendectin Cases. *Stanford Law Review* 46: 1 (1993).

The Bendectin Litigation: A Case Study in the Life Cycle of Mass Torts. *Hastings Law Journal* 43: 301 (1992).

Responsibility and Risk in Organizational Crimes of Obedience. (with Lee Hamilton) in B. Staw and L.L. Cummings (eds.), *Research in Organizational Behavior*. Vol. 14. pp. 49-90 Greenwich, CT: JAI Press. (1992).

Legal Culture and Punishment Repertoires in Japan, Russia and the United States. (with Lee Hamilton) *Law and Society Review* 26: 601 (1992).

Law and Legal Systems. in E. Borgatta and M. Borgatta (eds.) *Encyclopedia of Sociology*. New York: Macmillan. (1992). Updated for Edgar Borgatta and Rhonda Montgomery (eds.) *Encyclopedia of Sociology: Second Edition*. New York: Macmillan (2000).

"Off to the Races": The 1980s Tort Crisis and the Law Reform Process. (with Craig Joyce) *Houston Law Review* 27: 207 (1990).

The Interplay of Micro and Macro Processes in the Longitudinal Study of Courts: Beyond the Durkheimian Tradition. *Law and Society Review* 24: 241 (1990).

Firm Risk Management in the Face of Product Liability Rules. *Law and Policy* 11: 253 (1989). Reprinted in James F. Short Jr. and Lee Clarke (eds.), *Organizations, Uncertainties, and Risk*. pp. 57-81. Boulder, CO: Westview Press (1992).

Punishment and the Individual in the U.S. and Japan. (with Lee Hamilton, et al.) *Law and Society Review* 22: 301 (1988).

The Normative Dominance of Consensus. (Book Review), *Journal of Legal Education* 38: 457 (1988). (reviewing Frank Upham, *Law and Social Change in Postwar Japan* (1987)).

Road Signs and the Goals of Justice. (Book Review), *Michigan Law Review* 85: 1297 (1987). (reviewing Guido Calabresi, *Ideals, Beliefs, Attitudes and the Law* (1985)).

The Meaning of the Law Explosion. (Book Review), *American Bar Foundation Research Journal* 1987: 601 (1987). (reviewing Lawrence Friedman, *Total Justice* (1985)).

Is There a "Common Law" of Responsibility?: The Effect of Demographic Variables on Judgments of Wrongdoing. (with Lee Hamilton) *Law and Human Behavior* 11: 277 (1987).

Book Review, *Social Science Quarterly* 69: 228 (1988). (reviewing Ellen Paul, *Property Rights and Eminent Domain* (1987)).

Expert Witnesses in Eyewitness Facial Identification Cases. *Texas Tech Law Review* 17: 1409 (1986).

Universals in Judging Wrongdoing: Japanese and Americans Compared. (with Lee Hamilton, et al.) *American Sociological Review* 48: 199 (1983).

Methodological Issues in Presenting Scientific Evidence in Court: Panels v. Party Witnessing in the School Desegregation Cases. (with Debra Kalmuss and Mark Chesler) *Sociological Methods and Research* 11: 443 (1983).

The Impact of the School Desegregation Cases on the Relation Between Scientific Evidence and Legal Theory. (with Debra Kalmuss and Mark Chesler) in Daniel Monti (ed.) *New Directions in Testing and Measurement: Impact of Desegregation*, 14. San Francisco: Jossey-Bass (1982).

Political Conflicts in Applied Social Science: The Case of School Desegregation Litigation. (with Debra Kalmuss and Mark Chesler) *Social Problems* 30: 168 (1982).

The Relevance of "Irrelevant" Testimony: Why Lawyers Use Social Science Experts in School Desegregation Cases. (with Betty Rankin-Widgeon, Debra Kalmuss and Mark Chesler) *Law and Society Review* 16: 402 (1981-82).

Roles and Deeds as Determinants of Responsibility Attribution. (with Lee Hamilton) *Social Psychology Quarterly* 44: 237 (1981).

Book Review, *Contemporary Sociology: A Journal of Reviews* 8:527 (1979) (reviewing Marshall Shapo, *Duty to Act: Tort Law, Power, and Public Policy* (1977)).

Beauty and Charisma: A Comment on A. Schweitzer's "Theory of Political Charisma." *Comparative Studies in Society and History* 16: 182 (1974).

The Reasonable Man: Responsibility and Excuse in the Adjudication of Automobile Accidents (1974) (Ph.D. dissertation).

Book Review, *Southern California Law Review*. 43: 128 (1970) (with Robert Childres) (reviewing Stephen Schafer, *The Victim and His Criminal: A Study in Functional Responsibility*. (1968)).

Euthanasia: None Dare Call it Murder. *Journal of Criminal Law, Criminology, and Police Science*. 60: 351 (1969).

**Research
Experience:**

Principal Investigator of laboratory study on the effect of deliberations and subjects (recent jurors vs. students) on jury deliberations and outcomes. (Sponsored by Rackham Graduate School, University of Michigan and the National Institute of Mental Health.)

Co-principal Investigator of probability survey in Detroit (part of Detroit Area Study), Yokohama and Kanazawa, comparing Japanese and American attitudes concerning responsibility and punishment for various types of wrongdoing. (Sponsored by the Detroit Area Study, Social Science Research Council and National Science Foundation.)

Co-principal Investigator of study that interviewed lawyers, experts and judges involved in school desegregation cases to determine the role of social science evidence and testimony in these cases. (Sponsored by National Institute of Education.)

Principal Investigator of study examining the development of legal strategies and expert testimony in the Bendectin cases. (Sponsored by University of Houston Environmental Liability Law Program)

Co-principal Investigator of survey of legal and political values of residents in the Moscow area. (Sponsored by the National Science Foundation)

Co-principal Investigator of survey in Washington, D.C., Tokyo, and Moscow comparing attitudes concerning responsibility and punishment for wrongdoing in organizational hierarchies. (Sponsored by the National Science Foundation.)

Participating investigator on a transnational survey of legal socialization processes in Bulgaria, Hungary, Poland, Spain, France and the United States. (Sponsored by the National Science Foundation.)

Service:

Editorial Board, *Law and Society Review*. 1983-1990; 1995-1997

Member, Advisory Panel, Law and Social Science Program, National Science Foundation. 1983-1986, 1987.

Member and chair of various committees of the Law and Society Association.

Occasional reviewer of research proposals for the National Science Foundation and other funding organizations.

Occasional reviewer of manuscripts for several journals.

Occasional participant at National Science Foundation conferences and workshops.

Book Review Editor, Law and Society Review. 1990-1992.

Chair, Committee of Visitors, Law and Social Science Program, National Science Foundation, 1991.

Board of Trustees. Law and Society Association. 1993-1995.

Chair, Law and Social Science Section, American Association of Law Schools. 1994.

Member, American Law Institute, 1997-

Editor, Law and Society Review, 2001-2003.