

## **Works in Progress**

*Judicial Confidence and the Limits of Empirical Study* (work in progress)

*The (Crooked) Road to Reforming the Federal Officer Removal Statute* (future work)

## **Publications**

*The Case Against the Lawsuit Abuse Reduction Act of 2011*, *Houston Law Review* (forthcoming 2011)

*The Ongoing Milberg Weiss Controversy*, 30 *REV. OF LITIG.* (Univ. of Texas) 183 (2010) (with Alan Steinberg).

*Multidistrict Litigation* in *LITIGATION MANAGEMENT* (Law Journal Press, 2010) (chapter in book).

*The Peculiar Case of James Vasilas*, 13 *JOURNAL OF CONS. & COMM. LAW* 5 (2009) (solicited)

*Burn Up the Chaff With Unquenchable Fire: What Two Doctrinal Intersections Can Teach Us About Access and Efficiency*, 88 *B.U. L. REV.* 1217 (2008), full text available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1097895](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1097895)

*Burdens of Jurisdictional Proof*, 59 *ALA. L. REV.* 409 (2008), full text available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1005477](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1005477)

*Harmar and the Ever-Expanding Scope of Legal Sufficiency Review*, 49 *S. TEX. L. REV.* 611 (2008) (solicited)

*Using Presuit Discovery to Overcome Barriers to the Courthouse*, 34 *LITIGATION* 31 (2008) (solicited)

*The Effect of Martin v. Franklin on Recovery of Attorney's Fees after Remand as Illustrated by Lott v. Pfizer*, *LexisNexis Expert Commentary* (2008) (solicited)

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*Problems in Federal Forum Selection and Concurrent Federal State Jurisdiction* (2007 Update), SN009 ALI-ABA 1283 (July 2007)

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*Intersections of State and Federal Power: State Judges, Federal Law and the “Reliance Principle,”* 81 TUL. L. REV. 283 (2006), full text available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=886725](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=886725)

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*The Lawsuit Abuse Reduction Act: The Legislative Bid to Regulate Lawyer Conduct,* 25 THE REV. OF LIT. 719 (2006) solicited for symposium, “The Future of Litigation”, full text available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=906044](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=906044)

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