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EDUCATION

HARVARD UNIVERSITY, Ph.D. in Economics, 1993, A.M. in Economics, 1989.
National Science Foundation Fellowship in Economics.
Special fields in public finance and economics, law and philosophy.
Thesis, "On Reasoned Choice," supervised by Amartya K. Sen and Thomas C. Schelling.

HARVARD LAW SCHOOL, J.D., 1992.
Harvard Graduate Fellowship in Ethics and the Professions.
Mediator, Small Claims Court, Brookline, MA.
Student Advocate, Legal Services Center, Jamaica Plain, MA.

HARVARD COLLEGE, A.B. in Economics, *summa cum laude*, 1987.
Graduated after three years. Phi Beta Kappa, early election.
John Harvard Scholarship each year for highest academic achievement.

EMPLOYMENT

UNIVERSITY OF FLORIDA, LEVIN COLLEGE OF LAW, June 1999 - current.
Professor of Law, 2005 - current; *Associate Prof.*, 2002 - 2005; *Assistant Prof.*, 1999 - 2002.
Associate Director, Institute for Dispute Resolution, 1999 - current.
Courses on negotiation, reconciliation and evidence.

HARVARD LAW SCHOOL, PROGRAM ON NEGOTIATION, August 1997 - May 1999.
Hewlett Fellow & Lecturer in Law. Research and teaching about dispute resolution.

STONEMAN, CHANDLER & MILLER, Boston, MA, September 1996 - January 1997.
Attorney. Litigated employment discrimination and public school financing cases.

MASSACHUSETTS APPEALS COURT, Boston, MA, January - August 1996.
Law Clerk to The Hon. Benjamin Kaplan. Research, analysis and opinion drafting of civil and criminal cases.

HARVARD UNIVERSITY, DEPARTMENT OF ECONOMICS, 1989, 1992 - 1993.
Teaching Fellow. Courses on microeconomics and economics, law and philosophy.

CLEARY, GOTTLIEB, STEEN & HAMILTON, New York, NY, Summer 1991.
Summer Associate. Cases concerning corporate taxation and international arbitration.

THE RAND CORPORATION, INSTITUTE FOR CIVIL JUSTICE, Santa Monica, CA, Summer 1988.
Consultant. Analyzed the tort and alternative systems for injury compensation.

HARVARD UNIVERSITY, JOHN F. KENNEDY SCHOOL OF GOVERNMENT, Summer 1986.
Research Assistant to Prof. Richard J. Zeckhauser. Edited public policy textbook.

NATIONAL BUREAU OF ECONOMIC RESEARCH, Cambridge, MA, 1985.
Research Assistant to Prof. David Bloom. Empirical research on labor arbitration.

PUBLICATIONS

CHAPTERS & ARTICLES

“Coping with Lasting Social Injustice,” 13 *Washington and Lee Journal of Civil Rights and Social Justice* 259-283 (2007).

“The Culture of Legal Denial,” in *The Affective Assistance of Counsel*, Marjorie A. Silver, ed. (Carolina Academic Press, 2007). This chapter is based upon “The Culture of Legal Denial,” 84 *Nebraska Law Review* 247-312 (2005).

“Judaism without Ordinary Law: Toward a Broader View of Sanctification,” 71 *The Reconstructionist* 50-56 (Fall 2006).

“In God’s Garden: Creation and Cloning in Jewish Thought,” in *Ethical Issues: Western Philosophical and Religious Perspectives*, Terrence Reynolds, ed., 480-486 (Belmont, CA: Thomson Wadsworth, 2006). This article originally appeared in 29 *Hastings Center Report* 4, 7-12 (1999).

“The Culture of Legal Denial,” 84 *Nebraska Law Review* 247-312 (2005).

“A Taxonomy of Dispute Resolution Ethics,” in *The Handbook of Dispute Resolution*, Michael L. Moffitt & Robert Bordone, eds., 244-253 (San Francisco: Jossey-Bass, 2005).

“The Immorality of Denial,” 79 *Tulane Law Review* 903-953 (2005).

“Toward Candor after Medical Error: The First Apology Law,” 5 *Harvard Health Policy Review* 1, 21-24 (Spring 2004). Symposium issue on medical error.

“The Ethics of Respect in Negotiation,” in *What’s Fair: Ethics for Negotiators*, Carrie Menkel-Meadow & Michael Wheeler, eds., 257-263 (San Francisco: Jossey-Bass, 2004). This article originally appeared in 18 *Negotiation Journal* 115-120 (April 2002).

“In God’s Garden: Creation and Cloning in Jewish Thought,” in *The Human Cloning Debate*, 2nd, 3rd & 4th editions, Glenn McGee and Arthur Caplan, eds., (Berkeley: Berkeley Hills Books, 2000, 2002 & 2004). This article originally appeared in 29 *Hastings Center Report* 4, 7-12 (1999).

“Let’s Put Ourselves Out of Business: On Respect, Responsibility and Dialogue in Dispute Resolution,” 108 *Penn State Law Review* 227-233 (2003). Symposium issue on the routinization of dispute resolution.

“Adversaries? Partners? How about Counterparts? On Metaphors in the Practice and Teaching of Negotiation and Dispute Resolution,” 20 *Conflict Resolution Quarterly* 433-440 (Summer 2003). Symposium issue on dispute resolution pedagogy.

“The Ethics of Respect in Negotiation,” 18 *Negotiation Journal* 115-120 (April 2002).

“Legislating Apology: The Pros and Cons,” 70 *University of Cincinnati Law Review* 819-872 (2002).

“When People are the Means: Negotiating with Respect,” 14 *Georgetown Journal of Legal Ethics* 739-802 (2001).

“Apology and Organizations: Exploring an Example from Medical Practice,” 27 *Fordham Urban Law Journal* 1447-1482 (2000). Symposium issue on forgiveness and the law.

“Introduction,” with Robert H. Mnookin, to *Negotiating on Behalf of Others*, Robert H. Mnookin & Lawrence E. Susskind, eds., 1- 20 (Thousand Oaks, CA: Sage, 1999).

“Turning the Tables: Negotiation as the Exogenous Variable,” in *Negotiating on Behalf of Others*, Robert H. Mnookin & Lawrence E. Susskind, eds., 226-233 (Thousand Oaks, CA: Sage, 1999).

“Advising Clients to Apologize,” 72 *Southern California Law Review* 1009-1069 (1999).

“In God’s Garden: Creation and Cloning in Jewish Thought,” 29 *Hastings Center Report* 4, 7-12 (1999).

“Reasoning Along Different Lines: Some Varied Roles of Rationality in Negotiation and Conflict Resolution,” 3 *Harvard Negotiation Law Review* 111-122 (1998).

“In God’s Garden: Creation and Cloning,” 10 *Journal of Progressive Judaism* 46-62 (1998).

ADDITIONAL PUBLICATIONS

Letter to the Editor concerning apology and medical mistake, *New York Times* (May 26, 2008) at A18.

Letter to the Editor concerning homosexuality and Jewish law, 59 *United Synagogue Review* 2, 6-7 (Spring/Summer 2007).

“Future Research on Disclosure of Medical Errors,” (Letter to the Editor) *Annals of Internal Medicine* (September 21, 2004).

- “Legislating Apology,” *Alternative Dispute Resolution Newsletter*, published by the ADR section of the Oregon State Bar, 7, 10, 11 (Summer 2003) (reprinted excerpt from “Legislating Apology: The Pros and Cons,” *University of Cincinnati Law Review*, *supra*).
- “DR Ethics Book Brings It All Together,” 8 *Dispute Resolution Magazine* 4, 26 (Summer 2002).
- “*Transforming Practices Advances Dialogue on Spirituality in Law Practice*,” 7 *Dispute Resolution Magazine* 3, 34 (Spring 2001).
- Remarks presented at the Ninth Annual Stein Center Symposium, “The Role of Forgiveness in the Law,” 27 *Fordham Urban Law Journal* 1414-1420 (2000).
- “Apologizing for Errors: Ethical Corporate Conduct Can also be Good for Business,” 6 *Dispute Resolution Magazine* 4, 16-18 (Summer 2000).
- “Encouraging Apology Improves Lawyering and Dispute Resolution,” 18 *Alternatives* 171-182 (October 2000).
- “Annotated Bibliography,” with Pacey Foster, to *Negotiating on Behalf of Others*, *supra*, 299-316 (Sage 1999).
- “*Difficult Conversations Made Easier*,” 4 *Harvard Negotiation Law Review* 305-312 (1999).
- “Advising the Client Who Wants to Apologize,” 5 *Dispute Resolution Magazine* 3, 19 (1999).
- “The PONS Negotiation,” revisions to exercise, Program on Negotiation, Harvard Law School (1999).
- “Clinton Apologize? Not in America,” with Robert H. Mnookin, 106 *Harvard Law Record* 4 (Feb. 20, 1998), at 7.
- “Playing God,” 27 *Reform Judaism* 1, 10 (1998).

PRESENTATIONS

- “The Benefits and Limitations of an Apology,” Office of the Judge of Compensation Claims, Statewide Webinar originating in Gainesville, FL, July 11, 2008.
- “Coping with Lasting Social Injustice,” International Conference: Justice and Policing in Diverse Societies, San Juan, Puerto Rico, June 12, 2008.
- “Negotiating Social Divisions: Lessons from ADR for Responding to Structural Injustices, and Vice Versa,” Law and Society Association Annual Meeting, Chicago, IL, May 28, 2004. Panel moderator.
- “Negotiation Effectiveness: Is it the Words We Use, the Meaning We Intend, or Who’s Speaking that Counts?” American Bar Association Section on Dispute Resolution Annual Meeting, New York, NY, April 15, 2004. Panelist.

“The Immorality of Denial,” Stetson Law School, Gulfport, FL, Feb. 26, 2004.

“Looking Inside to Reconnect with Ideals,” Conference on *Dispute Resolution and Capitulation to the Routine: Is There a Way Out?*, Penn. State Dickinson School of Law, Carlisle, PA, April 11, 2003.

“Education or Emotional Segregation,” University of Florida, Levin College of Law, Conference on “Rhyme, Rhetoric & Race,” Gainesville, FL, March 27, 2003. Panel moderator.

“The Culture of Legal Denial,” Florida State University, Tallahassee, FL, March 24, 2003.

“Ethics and ADR,” American Association of Law Schools Annual Meeting, Washington, D.C., Jan. 3, 2003. Panel chair and presenter.

“Negotiation Ethics: Some Varied Considerations,” Conference on “Strategies for Effective Mediation and Arbitration” sponsored by the Florida Bar Association, Tampa, FL, Nov. 8, 2002.

“Apologies in Law and Mediation,” at Florida Dispute Resolution Center’s 11th Annual Conference, Orlando, FL, August 22, 2002.

Interviewed about Corporate Apology, National Public Radio, “Marketplace,” April 3 & 4, 2002.

“Legal Aspects of Apology,” Marquette University Law School, Milwaukee, WI, Feb. 4, 2002.

“Apology Across the Law,” Therapeutic Jurisprudence Second International Conference, Cincinnati, OH, May 4, 2001.

“Apology and Lawsuits,” American Bar Association Section on Dispute Resolution Annual Meeting, Alexandria, VA, April 27, 2001. Panel moderator.

“Apology and Forgiveness in Mediation: A Conversation,” Quinnipiac-Yale Dispute Resolution Workshop, New Haven, CT, Feb. 12, 2001.

“The Power of Apology,” American Bar Association Section on Dispute Resolution Regional Meeting, St. Petersburg, FL, Dec. 1, 2001.

“The Role of Forgiveness in the Law,” Fordham University Law School, New York, NY, Jan. 28, 2000.

“Genetics and the Law Symposium,” University of Florida, Health Law and Policy Association, Oct. 29, 1999. Presented paper, “In God’s Garden: Creation and Cloning in Jewish Thought.”

“Measuring and Managing Ethical Risk,” Center for Ethics and Religious Values in Business, Notre Dame, IN, Sept. 23-24, 1999. Commented on papers in law, economics, and ethics.

“Issues for the Millennium: Cloning and Genetic Technologies,” Boston University, MA, June 1-2, 1999. Presented paper, “In God’s Garden: Creation and Cloning in Jewish Thought.”

SERVICE

External Reviewer, National Science Foundation, 2002, 2007.

Member, Promotion and Tenure File Committee, Levin College of Law, University of Florida, 2007.

Member, Appointments Committee, Levin College of Law, University of Florida, 2005-2006.

External Reviewer, *Journal of Legal Education*, 2005.

Member, Curriculum Committee, Levin College of Law, University of Florida, 2004-2005.

Vice Chair, Committee on Negotiation, American Bar Association Section on Dispute Resolution, 2001-2004.

Member, Faculty Development Committee, Levin College of Law, University of Florida, 2000-2004.

Member, Race and Race Relations Committee, Levin College of Law, University of Florida, 2003-2004.

Member, Adjuncts Committee, Levin College of Law, University of Florida, 2000 - 2002.

Member, Academic Standards Committee, Levin College of Law, University of Florida, 1999 - 2000.

Faculty Adviser, Jewish Law Students Association, Levin College of Law, University of Florida, 2000-2004.

Alumni Interviewer, Phillips Exeter Academy, 2000-2003.

I have been quoted and cited in a number of newspapers and magazines concerning legal aspects of apology, including *USA Today*, *The Washington Post*, *The San Francisco Chronicle*, and the *ABA Journal*.

AWARDS

“Advising Clients to Apologize,” 72 *Southern California Law Review* 4 (1999) was awarded a 1999 CPR Institute for Dispute Resolution Awards for Excellence in Dispute Resolution, 2nd prize for articles.

“When People Are the Means: Negotiating with Respect,” 14 *Georgetown Journal of Legal Ethics* 739-802 (2001) was chosen for the 2002 CPR Institute for Dispute Resolution “Highly Recommended Reading List.”

BAR MEMBERSHIPS

Massachusetts, 1992 - current.

New York, 1993 - current.