

Lynn M. LoPucki
Resume

Current position Security Pacific Bank Professor of Law, UCLA Law School (since 1999)

Address 405 Hilgard Avenue
Los Angeles, CA 90095

Telephone Direct dial (310) 794-5722

Fax Direct fax (310) 267-0350

E-mail lopucki@law.ucla.edu

Prior Teaching positions Cornell Law School, A. Robert Noll Professor of Law, 1996-99

Washington University School of Law, William R. Orthwein Professor of Law, 1993-96

University of Wisconsin Law School, Professor of Law, 1988-93; Associate Professor of Law, 1984-88

University of Missouri Law School (Kansas City), Associate Professor of Law, 1980-84

Temporary positions Bruce W. Nichols Visiting Professor of Law, Harvard Law School (each fall semester on a continuing basis)

Scholar in residence at the law firm of Heller, Ehrman, White & McAuliffe, 333 Bush Street, San Francisco, CA 94104, January to April, 1992, and January to April, 1993

Consultant to the People's Republic of China regarding the drafting of legislation governing the liquidation of foreign invested companies (1993-95)

Law review articles and essays

Court System Transparency (unpublished manuscript 2008)

The Future of Court System Transparency, book chapter
forthcoming in Court Transparency, Rand Corporation 2008

The Determinants of Professional Fees In Large Bankruptcy
Reorganization Cases Revisited, accepted for publication in the
JOURNAL OF EMPIRICAL LEGAL STUDIES (with Joseph W. Doherty)
(unpublished manuscript 2008)

Rise of the Financial Advisors: An Empirical Study of the Division
of Professional Fees in Large Bankruptcies, 82 AMERICAN
BANKRUPTCY LAW JOURNAL 141 (2008) (with Joseph W. Doherty)

Bankruptcy Vérité, 106 MICHIGAN LAW REVIEW. 721 (2008) (with
Joseph W. Doherty)

Bankruptcy Fire Sales, 106 MICHIGAN LAW REVIEW 1 (2007)
(with Joseph W. Doherty)

The Spearing Tool Filing System Disaster, 68 OHIO STATE LAW
JOURNAL 281 (symposium 2007)

Delaware Bankruptcy: Failure in the Ascendancy, 73 UNIVERSITY
OF CHICAGO LAW REVIEW 1387 (2006) (with Joseph W. Doherty)

Courting Failure, 54 BUFFALO LAW REVIEW 325 (2006)
(symposium on COURTING FAILURE)

Where Do You Get Off: A Reply to *Courting Failure's* Critics, 54
Buffalo Law Review 511 (2006) (symposium on COURTING
FAILURE)

Universalism Unravels, 79 AMERICAN BANKRUPTCY LAW
JOURNAL 143 (2005).

Global and Out of Control?, 79 AMERICAN BANKRUPTCY LAW
JOURNAL 79 (2005).

The Myth of the Residual Owner: An Empirical Study, 82
WASHINGTON UNIVERSITY LAW QUARTERLY 1341 (Symposium
issue) (2004).

A Team Production Theory of Bankruptcy Reorganization 57
VANDERBILT LAW REVIEW 741 (2004).

The Determinants of Professional Fees In Large Bankruptcy Reorganization Cases, 1 JOURNAL OF EMPIRICAL LEGAL STUDIES 111 (2004) (with Joseph W. Doherty).

The Nature of the Bankrupt Firm: A Reply to Baird and Rasmussen's *The End of Bankruptcy*, 55 STANFORD LAW REVIEW 645 (2003).

Did Privacy Cause Identity Theft? 54 HASTINGS LAW JOURNAL 1277 (Symposium issue) (2003).

Why Are Delaware and New York Bankruptcy Reorganizations Failing?, 55 VANDERBILT LAW REVIEW 1933 (Symposium issue) (2002) (with Joseph W. Doherty).

The Politics of Research Access to Federal Court Data, 81 TEXAS LAW REVIEW 2161 (Symposium issue) (2002).

Toward a Trademark-Based Liability System, 49 UCLA LAW REVIEW 1099 (2002).

Human Identification Theory and the Identity Theft Problem, 80 TEXAS LAW REVIEW 89 (2001).

Can the Market Evaluate Legal Regimes? A Response to Professors Rasmussen, Thomas, and Skeel, 54 VANDERBILT LAW REVIEW 331 (2001).

The Failure of Public Company Bankruptcies in Delaware and New York: Empirical Evidence of a "Race to the Bottom," 54 VANDERBILT LAW REVIEW 231 (2001) (with Sara D. Kalin).

The Case for Cooperative Territoriality in International Bankruptcy, 98 MICHIGAN LAW REVIEW 2216 (Symposium issue) (2000).

A Theory of Legal Strategy, 49 DUKE LAW JOURNAL 1405 (2000) (with Walter O. Weyrauch).

The Irrefutable Logic of Judgment Proofing: A Reply to Professor Schwarcz, 52 STANFORD LAW REVIEW 55 (1999).

Bankruptcy Contracting Revised: A Reply to Alan Schwartz's New Model, 109 YALE LAW JOURNAL 365 (1999).

Contract Bankruptcy: A Reply to Alan Schwartz, 109 YALE LAW JOURNAL 317 (1999).

Twerski and Cohen's Second Revolution: A Systems/Strategic Perspective, 94 NORTHWESTERN LAW REVIEW 55 (1999).

Shopping for Judges: An Empirical Analysis of Venue Choice in Large Chapter 11 Reorganizations, 84 CORNELL LAW REVIEW 967 (1999) (with Theodore Eisenberg).

Cooperation in International Bankruptcy: A Post-Universalist Approach, 84 CORNELL LAW REVIEW 696 (1999).

Commentary on Financial Privacy, 77 WASHINGTON UNIVERSITY LAW QUARTERLY 513 (1999)

The Essential Structure of Judgment Proofing, 51 STANFORD LAW REVIEW 147 (1998).

Virtual Judgment Proofing: A Rejoinder, 107 YALE LAW JOURNAL 1413 (1998).

Should the Secured Credit Carve-Out Apply Only in Bankruptcy? A Systems/Strategic Analysis, 82 CORNELL LAW REVIEW 1483 (1997).

Common Sense Consumer Bankruptcy, 71 AMERICAN BANKRUPTCY LAW JOURNAL 461 (1997).

The Systems Approach to Law, 82 CORNELL LAW REVIEW 479 (1997).

The Death of Liability, 106 YALE LAW JOURNAL 1 (1996).

Legal Culture, Legal Strategy, and the Law in Lawyers' Heads, 90 NORTHWESTERN LAW REVIEW 1498 (1996).

Why the Debtor's State of Incorporation Should Be the Proper Place for Article 9 Filing: A Systems Analysis, 79 MINNESOTA LAW REVIEW 577 (1995).

Comment: Chapter 11: An Agenda for Basic Reform, 69 AMERICAN BANKRUPTCY LAW JOURNAL 573 (1995).

The Unsecured Creditors' Bargain, 80 VIRGINIA LAW REVIEW 1887 (1994).

Reorganization Realities, Methodological Realities, and the Paradigm Dominance Game, 72 WASHINGTON UNIVERSITY LAW QUARTERLY 1307 (1994).

Compensating Unsecured Creditors for Extraordinary Reorganization Risks, 72 WASHINGTON UNIVERSITY LAW QUARTERLY 1133 (1994) (with William C. Whitford).

A Systems Approach to Comparing U.S. and Canadian Reorganization of Financially Distressed Companies, 35 HARVARD INTERNATIONAL LAW JOURNAL 267 (1994) (with George G. Triantis), reprinted in CURRENT DEVELOPMENTS IN INTERNATIONAL AND COMPARATIVE CORPORATE INSOLVENCY LAW (Jacob S. Ziegel ed. 1994).

Patterns in the Bankruptcy Reorganization of Large, Publicly Held Companies, 78 CORNELL LAW REVIEW 597 (1993) (with William C. Whitford).

The Trouble With Chapter 11, 1993 WISCONSIN LAW REVIEW 729 (1993).

Stakeholders in Bankruptcy: Some Comments, 43 UNIVERSITY OF TORONTO LAW JOURNAL 711 (1993).

Corporate Governance in the Bankruptcy Reorganization of Large, Publicly Held Companies, 141 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 669 (1993) (with William Whitford).

Strange Visions in a Strange World, A Reply to Professors Bradley and Rosenzweig, 91 MICHIGAN LAW REVIEW 79 (1992).

Computerization of the Article 9 Filing System: Thoughts on Building the Electronic Highway, 55 LAW AND CONTEMPORARY PROBLEMS 5 (1992) (symposium).

Preemptive Cram Down, 65 AMERICAN BANKRUPTCY LAW JOURNAL 625 (1991) (with William C. Whitford).

Venue Choice and Forum Shopping in the Bankruptcy Reorganization of Large, Publicly Held Companies, 1991

WISCONSIN LAW REVIEW 11 (1991) (with William C. Whitford).

Bargaining Over Equity's Share in the Bankruptcy Reorganization of Large, Publicly Held Companies, 139 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 125 (1990) (with William C. Whitford).

The Demographics of Bankruptcy Practice, 63 AMERICAN BANKRUPTCY LAW JOURNAL 289 (1989).

Bringing Realism to the Classroom -- A Review of Warren and Westbrook's The Law of Debtors and Creditors, 1987 WISCONSIN LAW REVIEW 641 (1987).

The Debtor in Full Control--Systems Failure Under Chapter 11 of the Bankruptcy Code? 57 AMERICAN BANKRUPTCY LAW JOURNAL 99 (first installment), 57 AMERICAN BANKRUPTCY LAW JOURNAL 247 (second installment) (1983).

A General Theory of the Dynamics of the State Remedies/Bankruptcy System, 1982 WISCONSIN LAW REVIEW 311 (1982).

"Encouraging" Repayment Under Chapter 13 of the Bankruptcy Code, 18 HARVARD JOURNAL ON LEGISLATION 347 (1981).

Books

SECURED CREDIT: A SYSTEMS APPROACH (Aspen Publishing 1st edition 1995, 2nd edition 1998, 3rd edition 2000, 4th edition 2003, 5th edition 2006) 690 pages (with Elizabeth Warren) with teacher's manuals.

COMMERCIAL TRANSACTIONS: A SYSTEMS APPROACH (Aspen Publishing, 1st edition 1998, 2nd edition 2003), 3rd edition 2006 (with Elizabeth Warren, Daniel Keating, and Ronald J. Mann) with teacher's manuals.

COURTING FAILURE: HOW COMPETITION FOR BIG CASES IS CORRUPTING THE BANKRUPTCY COURTS (University of Michigan Press 2005, paperback 2006).

STRATEGIES FOR CREDITORS IN BANKRUPTCY PROCEEDINGS, (Little Brown and Company, 1st edition, 1985, 2nd edition, 1991, Aspen Publishing, 3rd edition 1997, 4th edition (with Mirick) 2003, 5th edition (with Mirick) 2007) 955 pages with annual supplements.

PLAYER'S MANUAL FOR THE DEBTOR CREDITOR GAME, (West Publishing Company 1984) 123 pages, Teacher's Manual for the Debtor Creditor Game, 75 pages (Center for Computer Assisted Legal Instruction 1985), and a computer program published by them.

Op-eds

The Delaware Court Wins!, National Law Journal, February 11, 2008 (op-ed reporting Delaware's victory in the competition for big bankruptcy cases)

Courting the Big Bankrupts, LEGAL TIMES, July 18, 2005 (op-ed responding to Senator Joseph Biden's attack on my research)

Corruption is the Right Word, BANKRUPTCY COURT DECISIONS, July 19, 2005 (op-ed on my use of the word "corruption" as applied to the United States Bankruptcy Courts)

Bankruptcy Bingo, FORBES, July 4, 2005 (opinion column on the corruption of the bankruptcy courts by competition)

Corporate Perk: Repairing a bankrupt system, HOUSTON CHRONICLE, February 26, 2005 (op-ed on bankruptcy forum shopping)

Court shopping bankrupts U.S. system, SAN FRANCISCO CHRONICLE, February 20, 2005, at C3 (op-ed on the Yukos bankruptcy filing).

End costly game-playing in bankruptcy courts, HOUSTON CHRONICLE, September 17, 2002, at 23A (op-ed on bankruptcy court competition).

Better Way to Stop a Thief , LOS ANGELES TIMES, August 28, 2001, Pt.2, at 13 (op-ed on identity theft).

Some Settlement, WASHINGTON POST, January 20, 1998, at A15 (op-ed on the tobacco settlement).

No Credit Where Credit Was Due, NEW YORK TIMES, September 20, 1997 (op-ed on consumer credit reporting).

Database

I own, maintain, and continuously update the Bankruptcy Research

Database, and make it available without charge to scholars throughout the world. The database contains information on every large, public company bankruptcy filed in the United States since 1980. An abbreviated version is available for on-line research at <http://lopucki.law.ucla.edu>.

Law practice

Partner in LoPucki and LoPucki; Schwartz, Schwartz, LoPucki & Dearing, Gainesville, Florida, 1972-80, practicing in the areas of bankruptcy, commercial and corporate law, including a substantial amount of litigation.

Bar membership

Florida and California

Professional associations

Senior Advisor to the National Bankruptcy Review Commission (Data Study Project 1997-98)

Member, American College of Bankruptcy

Member, International Insolvency Institute

Member, National Bankruptcy Review Commission, Small Business & Single Asset Real Estate Working Group, 1996

Member, American Law Institute

Member, Board of Advisers, ALI Transnational Insolvency Project (1995-99)

Member, Editorial Advisory Board, Journal of Bankruptcy Law and Practice, published by Warren, Gorham and Lamont

Member American Bankruptcy Institute

Member, American Law & Economics Association

Member, Editorial Board, Journal of Restructuring Finance

Education

Harvard Law School, LL.M. 1970

University of Michigan Law School, J.D. with honors, 1967

University of Michigan, Honors College, A.B. 1965 in economics

Teaching subjects

Secured Transactions, Empirical Analysis of Law, Bankruptcy, Business Associations, Information Law.