

GREGORY KLASS
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Washington, DC 20001
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<http://ssrn.com/author=363445>

PROFESSIONAL

Georgetown University Law Center Agnes N. Williams Research Professor, 2017-present Professor of Law, 2010-present Associate Dean of Research & Academic Programs, 2012-2015 John Carroll Research Professor, 2011-12 Associate Professor, 2005-2010	2005-present
The Buchmann Faculty of Law, Tel Aviv University Visiting Professor of Law	March 2017
Office of the New York State Attorney General Assistant Solicitor General	2003-2005
Hon. Guido Calabresi, U.S. Court of Appeals for the Second Circuit Law Clerk	2002-2003
Institut für Philosophie, Technische Universität Dresden Assistant Professor	1996-1998

DEGREES

J.D. Yale Law School, 2002
Ph.D. Dept. Philosophy, Graduate Faculty, New School for Social Research, 1999
B.A. (Philosophy) Carleton College, 1990

AWARDS

2006 Scribes Book Award, for *Insincere Promises: The Law of Misrepresented Intent*

LAW COURSES

Contracts; Law of Deception; Fellows Seminar & Workshop; Advertising Law;
Bargain, Exchange & Liability; Advanced Contracts; Law & Philosophy Workshop;
Contemporary Legal Scholarship; Legal Justice; Contract Theory; Philosophy of Law

PUBLICATIONS

Books and Monographs

STUDIES IN CONTRACT LAW (Foundation Press) (with Ian Ayres)
9TH EDITION (2017)
8TH EDITION (2012)

PHILOSOPHICAL FOUNDATIONS OF CONTRACT LAW (Oxford University Press, 2014;
paperback 2016) (editor, with George Letsas and Prince Saprai)

INTERNATIONAL ENCYCLOPEDIA OF LAWS, CONTRACT LAW: USA (Wolters Kluwer, 2009,
updates through 2011)
Reprinted as CONTRACT LAW IN THE UNITED STATES, 2D ED. (Wolters Kluwer, 2011)
CONTRACT LAW IN THE UNITED STATES (Wolters Kluwer, 2009)

INSINCERE PROMISES: THE LAW OF MISREPRESENTED INTENT (Yale University Press,
2005) (with Ian Ayres)

Articles, Essays and Book Chapters

Contracts, Constitutions, and Getting the Interpretation-Construction Distinction Right,
18 GEO. J. L. & PUB. POL'Y (forthcoming 2019)

Parol Evidence Rules and the Mechanics of Choice, 20 THEO. INQ. L. (forthcoming 2019)

Empiricism and Privacy Policies in the Restatement of Consumer Contract Law, 36
YALE J. ON REG. 45 (2019)

The Law of Deception: A Research Agenda, 88 COLO. L. REV. 707 (2018)

The Rules of the Game and the Morality of Efficient Breach, 29 YALE J. L. & HUM. 71
(2017)

What If Fiduciary Obligations Are Like Contractual Ones?, in CONTRACT, STATUS, AND
FIDUCIARY LAW 93 (Paul B. Miller & Andrew S. Gold, eds., 2017)

Introduction, in PHILOSOPHICAL FOUNDATIONS OF CONTRACT LAW 1 (G. Klass, G. Letsas
& P. Saprai, eds., 2014)

Efficient Breach, in PHILOSOPHICAL FOUNDATIONS OF CONTRACT LAW 362 (G. Klass,
G. Letsas & P. Saprai, eds., 2014)

Against Endowment Theory: Experimental Economics and Legal Scholarship, 61 UCLA
L. REV. 2 (2013) (with Kathryn Zeiler)

PUBLICATIONS (cont.)

Promise Etc., 45 SUFFOLK U. L. REV. 695 (2012)

To Perform or Pay Damages, 98 VA. L. REV. 143 (2012) (comment on Markovits & Schwartz, *The Myth of Efficient Breach*, 97 VA. L. REV. 1939 (2011))

Meaning, Purpose and Cause in the Law of Deception, 100 GEO. L.J. 449 (2012)

Implied Certification under the False Claims Act, 41 PUB. CONT. L.J. 1 (2011) (with Michael Holt)

Intent to Contract, 95 VA. L. REV. 1437 (2009)

Reprinted in part in PERSPECTIVES ON CONTRACT LAW, 4TH ED. 317 (R. Barnett ed. 2009)

A Conditional Intent to Perform, 15 LEGAL THEORY 107 (2009)

Three Pictures of Contract: Duty, Power and Compound Rule, 83 N.Y.U. L. REV. 1726 (2008)

Contracting for Cooperation in Recovery, 117 YALE L.J. 2 (2007)

New Rules for Promissory Fraud, 48 ARIZ. L. REV. 957 (2006) (with Ian Ayres)

The Very Idea of a First Amendment Right against Compelled Subsidization, 38 U.C. DAVIS L. REV. 1087 (2005)

Reprinted in FIRST AMENDMENT LAW HANDBOOK: 2005-2006 EDITION 726 (Rodney A. Smolla ed., 2005)

Promissory Fraud without Breach, 2004 WIS. L. REV. 507 (with Ian Ayres)

A Framework for Reading Kant on Apperception: Seven Interpretive Questions, 94 KANT-STUDIEN 80 (2003)

Other Publications

Contributor to New Private Law blog, available at: <http://blogs.law.harvard.edu/nplblog/>

S2ERC Project: Vendor Truth Serum (Sept. 22, 2016) (with Eric Burger) (white paper analyzing DeWitt clauses in software contracts, NSF Grant No. 1362046), available at: http://s2erc.georgetown.edu/sites/s2erc/files/documents/vts_technical_report.pdf

Three Pictures of Contract: Duty, Power and Compound Rule, THE LEGAL WORKSHOP, April 27, 2008

PUBLICATIONS (cont.)

Writing on Insincere Promises, THE SCRIVNER (Fall 2006)

Promissory Fraud, 78 N.Y. ST. B.J. 26 (May 2006) (with Ian Ayres)

INTERPRETATION, APPERCEPTION AND JUDGMENT: AN INQUIRY INTO KANT AND CONTEMPORARY PHILOSOPHY OF MIND (1999) (unpublished Ph.D. dissertation, Graduate Faculty of Political and Social Science of the New School for Social Research (New York))

GEIST UND WELT (1998) (translation of JOHN McDOWELL, MIND AND WORLD (1994), with Holm Bräuer and Thomas Blume)

Works in Progress

False Advertising Law, for Oxford Handbook of New Private Law (OUP)

Contract and Promise, for Research Handbook on Private Law Theories (Elgar Publishing)

Intention and Convention in Contract Boilerplate, for Law and Contemporary Problems

Two Forms of Formalism in Contract and Elsewhere

The Parol Evidence Rule: Past, Present and Future

Interpretation and Construction in Contract Law

The Compound Theory of Contract

PRESENTATIONS AND CONFERENCES

False Advertising Law

Oxford Handbook on Private Law Conference, Harvard University, Harvard University, March 15-16, 2019

Contracts, Constitutions, and Getting the Interpretation-Construction Distinction Right

2018 Salmon P. Chase Faculty Colloquium & Lecture, Center for the Constitution, Georgetown University Law Center, December 1, 2018

Empiricism and Privacy Policies in the Restatement of Consumer Contract Law

Haifa Law School Faculty Workshop, March 7, 2018

Hebrew University Private Law Workshop, March 26, 2018

Georgetown Law Faculty Workshop, August 29, 2017

The Law of Deception: A Research Agenda

Private Law Theory Workshop, Faculty of Law, Tel Aviv University, March 7, 2018

2017 Rothgerber Constitutional Law Conference, University of Colorado School of Law, April 14, 2017

PRESENTATIONS AND CONFERENCES (cont.)

The Parol Evidence Rule and the Mechanics of Choice

Freedom, Choice, and Contract, Columbia Law School, October 13-14, 2017

The Rules of the Game and the Morality of Efficient Breach

Workshop on Contract and Promise, Yale Law School, September 16, 2016

Georgetown Law Summer Workshop, June 2, 2016

Apt and Certain Words: Contract Interpretation, Construction and Theory, Chapters 2 & 3

Private Law Theory Workshop, Faculty of Law, Tel Aviv University, March 30, 2016

Legal Theory Workshop, Fordham Law School, February 3, 2016

North American Workshop on Private Law Theory, University of Toronto, October 23-24, 2015

What If Fiduciary Obligations Are Like Contractual Ones?

Contract, Status and Fiduciary Law, McGill University, November 6 & 7, 2015

Contract and Fiduciary Duty: Two Things or Just One?, University College London, July 9, 2015

10th International Conference on Contracts, Boyd School of Law, UNLV, February 27 & 28, 2015

Panelist, Roundtable on Tentative Draft No.1, Restatement of Consumer Contracts

Panelist, Roundtable on Robin Kar, *Contract as Empowerment*

Who Contracts and the Plural Functions of Contract Law, or Convergence by Design

Harvard Private Law Colloquium, February 4, 2014

Georgetown Law Faculty Workshop, January 29, 2013

Georgetown Law Summer Workshop, May 31, 2011

Apt and Certain Words: The Interpretation and Construction of Contracts

Georgetown Law Summer Workshop, June 4, 2013

Co-organizer (with Prince Saprai and George Letsas), Bentham House Annual Conference 2013: The Philosophical Foundations of Contract Law, at University College London, May 10-11, 2013

Efficient Breach

The Philosophical Foundations of Contract Law, University College London, May 11, 2013

Against Endowment Theory: Experimental Psychology and Legal Scholarship

University of North Carolina School of Law, October 4, 2012

Georgetown Faculty Workshop, January 17, 2012

PRESENTATIONS AND CONFERENCES (cont.)

The Rules of the Game: Punitive Damages in Efficient Contracts
Quinnipiac-Yale Dispute Resolution Workshop, April 13, 2012

Invited participant, ALI Law of Criminal Fraud Conference at Duke Law School,
October 29, 2011

Organizer, Contract and Promise Workshop, at Georgetown University Law Center
September 23-24, 2011; September 24-25, 2010; September 11-12, 2009; September
19-20, 2008; September 14-15, 2007

Promise Etc.

Contract as Promise at 30, Suffolk University Law School, March 24, 2011
Georgetown Law & Philosophy Workshop, February 7, 2011

Intent to Contract in Theory and Practice

AALS Contracts Section Annual Meeting, Navigating Lombard Street in a Fog:
Seeking (or Ignoring) Landmarks of Intent and Context, January 6, 2011

Implied Certification Under the False Claims Act

Georgetown Law Faculty Workshop, September 2010

Meaning, Purpose and Cause in the Private Law of Information

University of Washington School of Law Faculty Colloquium, February 2010

Co-Organizer, Endowment Effect Workshop, at Georgetown University Law Center,
November 13, 2009

Regulating Information

Contract Law: Interdisciplinary Perspectives, Hebrew University, June 2009
Georgetown Law Summer Workshop, June 2008

Powers and Duties

Oxford Jurisprudence Discussion Group, Oxford University, April 2009

Intent to Contract

Ayres Co-Author Conference, Yale Law School, February 2009
University of Georgia School of Law Faculty Workshop, October 2008
SMU Dedman School of Law Faculty Forum, October 2007
Georgetown Law Faculty Retreat, February 2007

Three Pictures of Contract

Contract Theory Seminar, William And Mary Law School, October 2008
Georgetown Law and Philosophy Workshop, November 2007
Georgetown Law Summer Workshop, May 2007

PRESENTATIONS AND CONFERENCES (cont.)

Contracting for Cooperation in Recovery

Stanford-Yale Junior Faculty Forum, Stanford Law School, June 2007

Georgetown Law Faculty Workshop, January 2007

University of Virginia Law School Faculty Workshop, October 2006

New Rules for Promissory Fraud

Dan Dobb's Economic Torts Conference, Arizona Law School, March 2006

Promissory Fraud without Breach

Freedom from Contract Conference, Univ. Wisconsin Law School, February 2004

ACADEMIC SERVICE

Peer Review

Oxford University Press

Cambridge University Press

Law and Philosophy

Legal Theory

Queens Law Journal

Committees

University Committee on Rank and Tenure, 2018-present

Faculty Senate, 2018-present

Fellows, 2018-present, 2015-16, 2011-15 (chair), 2008-11

ABA Self-Study & Faculty Handbook (chair), 2016-18

University Downtown Planning, 2016-18

University Research Integrity, 2015-17

Entry-Level Appointments, 2013-15 (ex officio), 2012-13, 2008-09, 2006-07

Lateral Appointments, 2013-15 (ex officio), 2010-11

University Research Integrity, 2013-15

Campus Art, 2013-14 (chair)

Institutes and Centers, 2012-13

Legal Research and Writing, 2012-13

Long-Range Planning, 2012-13, 2007-09

Rank & Tenure, 2011-13

Third-Year Curriculum, 2009-10

Curriculum, 2007-08

Journals, 2005-06

OTHER

Admitted: New York State, Second Circuit Court of Appeals

German (fluent); Spanish (fair)