EUROPEAN ASSOCIATION OF LAW & ECONOMICS
38TH ANNUAL CONFERENCE

SEPTEMBER 9-10, 2021
HOSTED BY:
UNIVERSITAT POMPEU FABRA LAW SCHOOL &
BARCELONA SCHOOL OF ECONOMICS

CONFERENCE INFORMATION AND PROGRAM
CONFERENCE GUIDELINES

Parallel Sessions

- Parallel sessions are run through Zoom. The links to connect to each session are published in this program and on the website.

- There are three papers in each session. Each paper is allocated 30 minutes (20-minute presentation + 10-minute Q&A). During the presentation only a limited number of urgent clarification questions will be admitted).

- All participants are muted by default. Questions are asked by using the chat function (and are publicly visible to other participants). The chair manages the queue. For clarification questions during the presentation, participants can use the “hand” function.

- Chairs are kindly requested to manage the timing of their sessions strictly so as to allow a smooth transition between and across sessions. The 30-minute-per-paper rules applies also to the few 2-paper sessions, so as to allow participants to switch sessions.

- Speakers may use the screen-sharing function to show the slides of their presentation.

Meeting point – Coffee Breaks, Lunch and Farewell Gathering

- There will be “open spaces” to allow participants to “meet” informally as in a real-life conference. During coffee breaks, all the zoom links will remain open to permit the continuation of the discussions. Also, the zoom link corresponding to Session A will be open during the lunch breaks. Finally, at the end of the conference there will also be an online farewell gathering.
# PROGRAM OVERVIEW

[*Please click [here](#) for the most updated version of the program*]

***The schedule is in Central European Summer Time (Barcelona time, UTC+2)***

## DAY 1  
**THURSDAY, SEPTEMBER 9, 2021**

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<tr>
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<td>Parallel Sessions 1</td>
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<td>10:30-10:40</td>
<td>Break</td>
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<td>10:40-12:10</td>
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<td>12:10-12:50</td>
<td>Lunch Break</td>
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<td>12:50-14:15</td>
<td>Keynote: Cani Fernández, President, Spanish National Commission for Markets and Competition</td>
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<td>14:15-14:20</td>
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<td>14:20-15:50</td>
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<td>15:50-16:00</td>
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<td>Parallel Sessions 5</td>
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## DAY 2  
**FRIDAY, SEPTEMBER 10, 2021**

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<td>12:50-14:00</td>
<td>Keynote: Prof Edward Morrison, Columbia Law School</td>
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<td>14:00-14:45</td>
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<td>15:00-16:30</td>
<td>Parallel Sessions 8</td>
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<td>16:30-17:15</td>
<td>FAREWELL AND NETWORKING VIRTUAL GATHERING</td>
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# DETAILED PROGRAM - The schedule is in Central European Summer Time (Barcelona time, UTC+2)

## DAY 1

**THURSDAY, SEPTEMBER 9, 2021**

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<tr>
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<tr>
<td>09:00-10:30</td>
<td>PARALLEL SESSION 1</td>
<td><strong>Link A</strong> 1A TORT LAW AND ECONOMICS</td>
<td>Tim Friehe</td>
<td>Francisco Poggi, Bruno Strulovici Liability Design with Information Acquisition, Tim Friehe, Cat Lam Pham, Thomas Miceli Product Liability and Strategic Delegation</td>
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<td><strong>Link B</strong> 1B ANTITRUST, COMPETITION LAW, REGULATED INDUSTRIES – “NEW POLICIES”</td>
<td>Isac Antonio Olave</td>
<td>Noga Blickstein Shchory, Michal Gal, Market Power Parasites – Abusing the Power of Digital Intermediaries to Harm Competition, Anna Tzanaki Varieties and Mechanisms of Common Ownership: A Calibration Exercise for Competition Policy, Isac Antonio Olave Cruz, Carine Staropoli Boosting the uptake of Green Public Procurement through simplified auction rule: Evidence from Colombia</td>
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<td><strong>Link C</strong> 1C INTERNATIONAL LAW AND ECONOMICS</td>
<td>Johannes Ungerer</td>
<td>Evangelia Nissioti, It Takes Three to Tango: A Behavioral Analysis of the Use of a Mediator in International Disputes, Michael Waibel A Theory of Boilerplate in International Agreements, Johannes Ungerer Nudging Across Borders: Private International Law in the Light of Behavioural Economics</td>
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<td><strong>Link D</strong> 1D CONTRACTS; COMMERCIAL LAW; SECURED TRANSACTIONS; BANKRUPTCY</td>
<td>Yotam Kaplan</td>
<td>Eyal Zamir, Ori Katz Do People Like Mandatory Rules? The Choice between Disclosures, Defaults, and Mandatory Rules in Supplier-Customer Relationships, Omer Pelled, Ohad Somech The Value of Accuracy in the Interpretation of Contracts, Yotam Kaplan, Yebonatan Givati A New Theory of Impossibility, Impracticability, and Frustration</td>
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**10:30-10:40** COFFEE BREAK
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</table>
| Link A | 2A | LAW AND ECONOMICS OF CORPORATE AND BANKRUPTCY LAW | Dov Solomon | Barak Yarkoni
Skewed Voting: How Shareholders’ Heterogeneity Distorts Corporate Voting |
|       |       |       | Noam Sher   | Reorganization without Bankruptcy: Untying the Gordian Knot That Destroys Firm Value |
|       |       |       | Dov Solomon, Ido Baum | The Least Uncomfortable Choice: Why Delaware and England Win the Global Corporate Law Race |
| Link B | 2B | ANTITRUST IN THE DIGITAL ECONOMY | Oscar Borgogno | Laurens Vander Cruyssen, Caroline Buts, Michaël Dooms
Public Procurement of Smart City Services: The Anticompetitive Effect of the GDPR |
|       |       |       | Oscar Borgogno and Giuseppe Colangelo | SEP’s licensing across the supply chain: an antitrust perspective |
| Link C | 2C | CIVIL AND CRIMINAL PROCEDURE | Peter Neis | Benito Arrunada, Marco Fabbri, Michael Faure
Land Titling and Litigation |
|       |       |       | Peter Neis | Determinants of Court Productivity... India |
| Link D | 2D | CRIMINAL LAW AND ECONOMICS/SENTENCING | Michael Šoltés | Libor Dušek, Jakub Drápal
Law or Policy? The Role of Authority in Criminal Sentencing |
|       |       |       | Benjamin Monnery | “Do prosecutors’ decisions explain sentencing disparities between courts? Evidence from traffic offenses in France” |
|       |       |       | Michal Šoltés | Sentencing Decisions Around Quantity Thresholds: Theory and Experiment |
| Link E | 2E | LAW AND ECONOMICS OF INTELLECTUAL PROPERTY | Adrián Segura | Bransilav Hazucha
Copyright Users and Non-Transformative Use: A Cross-Cultural Empirical Study |
|       |       |       | Elena Kantorowicz-Reznichenko | The Price of Creativity: A Conjoint Experiment in Copyrights |
|       |       |       | Alessandro De Chiara, Ester Manna, Antoni Rubí, Adrián Segura Moreiras | Efficient copyright filters for online hosting platforms |
Chair: Rosa Ferrer (UPF and BSE)
Introduction by: Antonio Robles (U. Carlos III de Madrid) and Juanjo Ganuza (UPF and BSE).

14:15-14:20  SHORT BREAK

14:20-15:50  PARALLEL SESSIONS 3

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<tr>
<td>Link A</td>
<td>3A</td>
<td>LAW AND ECONOMICS OF CONSUMER ISSUES</td>
<td>Omar Vasquez Duque</td>
<td>Georg von Wangenheim How electricity tariffs optimally induce consumption behavior and the selection of incentive contracts</td>
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<td>Florian Baumann, Tim Friehe, Tobias Wenzel (Mis)perception of Consumer Rights: Implications for Efficiency and Distribution</td>
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<tr>
<td>Link B</td>
<td>3B</td>
<td>JUDICIAL BEHAVIOR (I)</td>
<td>Umberto Nizza</td>
<td>Frank Fagan Publication Rules and Judicial Candor</td>
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<td>Chang-Ching Lin and Yun-Chien Chang Learning or Networking? The Causal Effect of Judges Sitting by Designation</td>
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<td>Umberto Nizza Are international crimes qualified by legal origins? Evidence from International Courts</td>
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<tr>
<td>Link C</td>
<td>3C</td>
<td>INTELLECTUAL PROPERTY</td>
<td>Ido Baum</td>
<td>Luigi Franzoni, Arun Kaushik Lost Profits and Unjust Enrichment damages for the misappropriation of trade secrets</td>
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<td>Pengfei Zhang The Human Side of Cyber Property Rights: Theory and Evidence from Github</td>
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<td>Ido Baum; Lachman Messer Can the Next Amazon or Facebook be controlled before it becomes too powerful?</td>
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<tr>
<td>Link D</td>
<td>3D</td>
<td>EFFECTIVE ANTITRUST</td>
<td>Winand Emons</td>
<td>Severin Lenhard Cartel Stability in Times of Low Interest Rates</td>
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<td>Catarina Marvao; Chloe Le Coq Tove Forsbacka Karlsson Cartels’ birth and death dynamics: empirical evidence</td>
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<td>Winand Emons Rebating Antitrust Fines to Encourage Private Damages Negotiations</td>
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### 15:50-16:00  BREAK

### 16:00-17:30  PARALLEL SESSIONS 4

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| Link A | 4A | TECHNOLOGY AND DATA PROTECTION | Filippo Lancieri | **Alleen Nielsen**  
The je ne sais quoi of human observation: An experimental matchup of algorithmic and human surveillance programs  
**Filippo Lancieri**  
Narrowing Data Protection’s Enforcement Gap  
**Yuliya Guseva**  
When the Means Undermine the End: The Leviathan of Securities Law and Enforcement in Digital-Asset Markets |
| Link B | 4B | COURTS AND LEGAL NORMS | Anthony Sebok | **Naci Mocan, Ozkan Eren**  
Judge Peer Effects in the Courthouse  
**Daphna Lewinsohn-Zamir, Eyal Zamir & Ori Katz**  
Giving Reasons as a Means to Enhance Compliance with Legal Norms  
**Ronen Avraham and Anthony Sebok**  
The mysterious market for post-settlement litigation finance |
| Link C | 4C | ADMINISTRATIVE LAW; REGULATION; TAXATION; PUBLIC FINANCE | Liam Wells | **Juan-Jose Ganzua, Fernando Gomez, Makoto Hanazono**  
Pay for Performance in Procurement  
**Spruk Rok, Lela Melon, Thomas J. Emery**  
Does E-Procurement Improve Institutional Quality? Subnational Evidence from Spain  
**Liam Wells**  
Pharmaceutical Product Sale Classification and Generic Substitution: exploring economic and cultural explanations |
| Link D | 4D | CORPORATE LAW: THEORY - CONTROLLING SHAREHOLDERS | Valentin Jentsch | **Barak Yarkoni, Avraham Tabbach**  
Shareholders’ Loans and Agency Costs  
**Tom Vos**  
**Valentin Jentsch**  
Blockholder Governance in Europe: A Story about Power and Responsibility |
| Link E | 4E | CONSTITUTIONAL LAW AND ECONOMICS | Abishek Choutaugnta | **Katarzyna Metelska-Szaniawska**  
The comparative constitutional compliance dataset  
**Jerg Gutmann**  
Culture and constitutional compliance  
**Abishek Choutaugnta**  
Shocking Noncompliance? Effects of Extreme Events on Constitutional Compliance |
# Program

### 17:30-17:45  BREAK

### 17:45-19:15  PARALLEL SESSIONS 5

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| **Link A** | 5A | NEW MARKETS AND ANTITRUST | Ramsi Woodcock | Aurelien Portuese  
* (Ir)Relevance of relevant markets  
Javier Elizalde  
* Pricing the premium version of a streaming version  
Ramsi Woodcock  
* The Fourth’s Estate: Using Advertising Rights to Save Newspapers |
| **Link B** | 5B | EMPIRICAL ANALYSIS OF INSTITUTIONS | Marco Fabbri | Yann Lecorps, Benjamin Monnery,  
* Does the International Criminal Court Reduce Violence against Civilians  
Jeffrey Meli, James C. Spindler  
* The effect of salary history bans on wages, learning, and the gender pay gap  
Marco Fabbri, Giuseppe Dari Mattiacci, Matteo Rizzoli  
* The Double Dividend of Property Institutions |
| **Link C** | 5C | CONSTITUTIONAL AND INTERNATIONAL LAW AND ECONOMICS | Mitja Kovac | Pasquale Accardo, Giuseppe De Feo  
With a Little Help from My Friends. Political competition with interest groups  
Vincy Fon  
* Space debris removal: an international coordination problem  
Mitja Kovac, Shai Dothan, Rok Spruk  
* Long-Run Effects of Radical Institutional Overhauls: Evidence from Mexican-American War |
| **Link D** | 5D | TORT LAW AND ECONOMICS | Ronen Perry | Yonatan Arbel  
* A Status Theory of Defamation Law  
Urs Schweizer  
* Negligence Rules Coping with Hidden Precaution  
Ronen Perry  
* The Unidentified Wrongdoer |
| **Link E** | 5E | LAW AND ETHICS | Monika Leszcynska | Pascal Langenbach, Yoan Hermstrüwer  
* Fair Governance with Humans and Machines  
Alexander Stremitzer  
* Having your Day in Robot Court  
Monika Leszcynska  
* Does it matter what people lie about? |
## PARALLEL SESSIONS 6

### Link A 6A
**Title:** Artificial Intelligence and the Law

- **Chair:** Miriam Buiten
- **Papers:**
  - Antonella Zarra, *Ask the Data. A Machine Learning Analysis of the Legal Scholarship on Artificial Intelligence*
  - Arnold Vialfont, *Information Extraction from the French Competition Authority’s Decisions: Proposing an End-to-End Methodology for Machine Learning Support*
  - Miriam Buiten, Alexandre de Streel, Martin Peitz, *EU Liability Rules for the Age of Artificial Intelligence*

### Link B 6B
**Title:** Civil and Criminal Procedure

- **Chair:** Henrik Lando
- **Papers:**
  - Alessandro Ispano, *Designing Interrogations*
  - Danisz Okulicz, *Dynamics of Collective Litigation*
  - Henrik Lando2021, *Understanding mediation*

### Link C 6C
**Title:** Administrative Law; Regulation; Taxation; Public Finance

- **Chair:** Josef Montag
- **Papers:**
  - Omer Kimhi, Itai Berru, Yaniv Reingwerts, *The political Economy of Overriding Central fiscal limitations*
  - Yan Xu, *Distributive Justice and Income Taxation: Is Hong Kong Special?*
  - Štěpán Mikula, Josef Montag, *Roma and Bureaucrats: A Field Experiment in the Czech Republic*

### Link D 6D
**Title:** Law and Economics of Gender and Labor

- **Chair:** Emre Ekinci
- **Papers:**
  - Rafael González-Val, Miriam Marcén, *Did unilateral divorce raise house prices in Europe?*
  - Emre Ekinci, David Wehrheim, *The Effect of Firing Costs on Worker Productivity and Turnover: Theory and Evidence*

### Link E 6E
**Title:** Corporate Law and Economics – Corporate Governance

- **Chair:** Maribel Sáez
- **Papers:**
  - Kobi Kastiel, *The Corporate Governance Gap*
  - Maribel Sáez, María Gutierrez, *Corporate Groups Ownership and Contracts*
### PARALLEL SESSIONS 7

**Title: Legal Procedure and Related Issues**
- **Chair:** Thomas Guzik
- **Papers:**
  - Ronen Avraham: Civil Procedure as the Regulation of Externalities: Toward a New Theory of Civil Litigation
  - Sophie Bienenstock: The extensive reach of the FCPA... Applications of the homo oeconomicus concept. Some perspectives on tax law, consumer law and anti-smog policy

**Title: Economics of Law Enforcement**
- **Chair:** Adi Leibovitch
- **Papers:**
  - Stefano Castriota, Mirco Tonin: "Stay or Flee? The Effect of Probability of Punishment in Hit-and-Run Accidents"
  - Ehud Guttel, Adi Leibovitch: "Sanctions and Restitutions"

**Title: Contracts and Consumer Law**
- **Chair:** Massimiliano Vattiero
- **Papers:**
  - Marta Troya Martínez, Elena Paltseva, Gerhard Toews: Relational Dynamics to improve Government’s Commitment in Resource Extraction
  - Haggai Porat: Consumer Protection in the Time of Algorithmic Behavior-Based Pricing
  - Massimiliano Vattiero: Smart Contracts, transactions costs and adaptation

**Title: Law and Economics of Property**
- **Chair:** Marco Giraudo
- **Papers:**
  - Valentin Lignau: Strategic Interactions Between Firms in the European Wind Power Industry: Evidence from Patent Oppositions
  - Yun-Chien Chang: Law and Economics of Specificatio
  - Marco Giraudo: The Legal Bubble of The Data Driven Economy

**Title: Corporate Law and Economics – Law and Finance**
- **Chair:** Nitzan Shilon
- **Papers:**
  - Barak Yarkoni, Beni Lauterbach, Evgeny Lyandres, Evgeny Mugerman: The Choice Between Various Freeze-out Procedures and its Consequences
  - Nitzan Shilon: Pay for Destruction: The Executive Compensation Arrangements That Encourage Value-Decreasing Stock Buybacks

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12:10-12:50  **LUNCH**

12:50-14:00  **KEYNOTE:** Prof. EDWARD MORRISON, Columbia Law School, “Bugs and Features in Corporate Reorganization,” [zoom link]

Chair: Fernando Gómez (EALE President and UPF Law School)
14:00-14:45  GENERAL ASSEMBLY, [zoom link](#) (same as for keynote presentation)

14:45-15:00  BREAK

15:00-16:30  PARALLEL SESSIONS 8

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<td>Kamil Jonski</td>
<td>Adrián Segura-Moreiras, Fernando Gómez-Pomar, <strong>Nuno Garoupa</strong>&lt;br&gt;Ideology and Career Judges: Reviewing Labor Law in Spanish Supreme Court</td>
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<td><strong>Jacek Lewkowicz</strong>, Jan Falkowski&lt;br&gt;In practice or just on the paper? Some insights on the internal judicial independence</td>
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<td>Kamil Jonski&lt;br&gt;Judicial Independence and its Legal Safeguards; beyond de iure/de facto indicators</td>
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<td>LAW AND ECONOMICS OF CREDIT AND FINANCIAL MARKETS</td>
<td>Rok Spruk</td>
<td><strong>Moran Ofir</strong>, Yevgeny Mugerman&lt;br&gt;(Un)intended Consequences of Macroprudential Regulation</td>
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<td><strong>Jeffery Traczynski</strong>&lt;br&gt;Judicial Efficiency and Mortgage Credit Supply</td>
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<td>Fernando Gómez-Pomar, Adrián Segura-Moreiras, <strong>Rok Spruk</strong>&lt;br&gt;Litigation and the Mortgage Market: Evidence from Spain</td>
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<td>SOCIAL NORMS AND CULTURE</td>
<td>Gerd Muchhleusser</td>
<td><strong>Marion Payen</strong>, Patrick Rondé&lt;br&gt;Culture, Institutions and Economic Growth</td>
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<td><strong>Sergio Mittlaender</strong>, Lisa Lenz&lt;br&gt;The Effect of Inclusive Policies on Economic Types of Discrimination</td>
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<td>Eberhard Feess, Florian Kerzenmache, <strong>Gerd Muchhleusser</strong>&lt;br&gt;Moral Transgressions in Groups: What Drives Individual Behavior</td>
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<td>Link D</td>
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<td>BEHAVIORAL THEORY AND LEGAL IMPLICATIONS</td>
<td>Peter Grajzl</td>
<td><strong>Eyal Zamir</strong>, Doron Teichman&lt;br&gt;Mathematics, Psychology, and Law: The Legal Ramifications of the Exponential Growth Bias</td>
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<td><strong>John Shahar Dillbary</strong>, Thomas Miceli&lt;br&gt;Group Punishment as a Law Enforcement Policy: Is it Ever Justified?</td>
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<td>Peter Grajzl, Peter Murrell&lt;br&gt;A Macrohistory of Legal Evolution and Coevolution: Property, Procedure, and Contract in Pre-Industrial English Caselaw</td>
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16:30-17:15  FAREWELL AND NETWORKING VIRTUAL GATHERING, [zoom link](#)
ACKNOWLEDGMENTS AND COMMITTEES

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  European University Institute
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  University of Namur
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  Georgetown University
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  Georgetown University
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- Gabriel Doménech
  University of Valencia
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- Luigi Franzoni
  University of Bologna
- Juanjo Ganuza
  U. Pompeu Fabra and Barcelona School of Economics
- Nuno Garoupa
  George Mason University
- Susanne Goldlücke
  Konstanz University
European Association of Law & Economics

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  U. Pompeu Fabra - Law School
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  University of Pavia
- Claudine Desrieux (Secretary)
  University of Paris II
- Rosa Ferrer
  U. Pompeu Fabra and Barcelona School of Economics
- Tim Friehe
  University of Marburg
- Avraham Tabbach
  University of Tel Aviv

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  The Hebrew University of Jerusalem

EALE support

- Bart De Moor (Legal support)
  University of Leuven
- Alice Guerra (Managing Director)
  University of Bologna
LIST OF PARTICIPANTS (SPEAKERS)

- Pasquale Accardo
  University of Leicester
- Yonatan Arbel
  University of Alabama, School of Law
- Ronen Avraham
  University of Texas Law School and Faculty of Law and Tel Aviv University
- Ido Baum
  Striks Law School - College of Management Israel
- Florian Baumann
  ZEW Mannheim
- Pietro Battiston
  University of Parma
- Sophie Bienenstock
  Université Paris 1
- Noga Blickstein Shchory
  University of Haifa
- Oscar Borgogno
  Bank of Italy
- Miriam Buiten
  University of Mannheim
- Yun-Chien Chang
  Academia Sinica, Taiwan
- Abishek Choutaugnta
  Institute for Law and Economics, University of Hamburg
- Claudine Desriux
  CRED - University of Paris 2
- Jakub Drápal
  Charles University
- Libor Dušek
  Charles University
- Emre Ekinci
  Koç University
- Javier Elizalde
  University of Navarra
- Winand Emons
  University of Bern
- Marco Fabbri
  University Pompeu Fabra and Barcelona School of Economics
- Frank Fagan
  EDHEC Business School, France
- Michael Faure
  Maasracht University
- Vincy Fon
  George Washington
- Luigi Franzoni
  University of Bologna
- Tim Frieh
  University of Marburg
- Nuno Garoupa
  George Mason University
- Carsten Gerner-Beuerle
  University College London
- Marco Giraudo
  Collegio Carlo Alberto, University of Turin
- Fernando Gómez
  Universitat Pompeu Fabra, Barcelona
- Rafael González-Val
  Universidad de Zaragoza & IEB
- Peter Grajzl
  Washington and Lee University
- Jerg Gutmann
  University of Hamburg
- Tomasz Guzik
  Jagiellonian University
- Branislav Hazucha
  Hokkaido University Graduate School of Law
- Alessandro Ispano
  CY Cergy Paris Université
- Valentin Jentsch
  University of Zurich
- Kamil Jonski
  University of Lodz
- Elena Kantorowicz-Reznichenko
  Erasmus University Rotterdam
Yotam Kaplan  
Bar Ilan University

Kobi Kastiel  
Tel Aviv University

Ori Katz  
The Hebrew University of Jerusalem

Omer Kimhi  
University of Haifa Faculty of Law

Mitja Kovac  
School of Economics and Business  
University of Ljubljana

Filippo Lancieri  
Stigler Center at UChicago Booth;  
UChicago Law School

Henrik Lando  
Copenhagen Business School

Pascal Langenbach  
Max-Planck-Institute for Research on  
Collective Goods

Beni Lauterbach  
Bar-Ilan University

Yann Lecorps  
University Paris 1 Panthéon Sorbonne - Centre d’Économie de la Sorbonne (CNRS)

Adi Leibovitch  
The Hebrew University of Jerusalem

Severin Lenhard  
University of Bern

Monika Leszczyńska  
Maastricht University Faculty of Law

Daphna Lewinsohn-Zamir  
Hebrew University of Jerusalem

Jacek Lewkowicz  
University of Warsaw

Valentin Lignau  
Paris Nanterre University - Climate Economics Chair

Chang-Ching Lin  
National Cheng Kung University

Catarina Marvao  
SITE (Stockholm School of Economics) and TU Dublin - City Campus

Lela Mélon  
Pompeu Fabra University

Katarzyna Metelska-Szaniawska  
University of Warsaw

Sergio Mittlaender  
Max Planck Institute for Social Law and Social Policy

Naci Mocan  
Louisiana State University and NBER

Benjamin Monnery  
Université Paris Nanterre

Josef Montag  
Charles University

Gerd Muehlheusser  
University of Hamburg

Peter Neis  
Toulouse School of Economics

Evangelia Nissioti  
EDLE University of Hamburg

Aileen Nielsen  
ETH Zurich

Umberto Nizza  
Collegio Carlo Alberto & Università degli Studi di Torino

Moran Ofir  
The Interdisciplinary Center (IDC) Herzliya

Danisz Okulicz  
HSE University

Isac Antonio Olave Cruz  
University Paris Dauphine

Marion Payen  
Université de Strasbourg

Omer Pelled  
Bar-Ilan University

Ronen Perry  
University of Haifa

Francisco Poggi  
Northwestern University

Haggai Porat  
Harvard Law School

Aurelien Portuese  
ITIF / VUB
• Georg Ringe
  University of Hamburg
• Maribel Sáez
  Universidad Autónoma de Madrid
• Margherita Saraceno
  University of Pavia
• Urs Schweizer
  University of Bonn
• Anthony Sebok
  Benjamin N. Cardozo School of Law
• Adrián Segura-Moreiras
  Universitat Pompeu Fabra, Barcelona
• Noam Sher
  Ono Academic College - Faculty of Law
• Nitzan Shilon
  Peking University School of Transnational Law
• James C. Spindler
  University of Texas
• Dov Solomon
  College of Law and Business
• Michal Šoltés
  Charles University, Faculty of Law
• Rok Spruk
  University of Ljubljana
• Alexander Stremitzer
  ETH Zurich
• Avraham Tabbach
  Tel Aviv University, Faculty of Law
• Micro Tonin
  Free University of Bozen-Bolzano
• Jeffery Traczynski
  FDIC

• Marta Troya Martínez
  New Economic School
• Anna Tzanaki
  Lund University
• Johannes Ungerer
  University of Oxford
• Laurens Vandercruysse
  Vrije Universiteit Brussel
• Omar Vasquez Duque
  Stanford Law School
• Massimiliano Vatiero
  University of Trento, & Università della Svizzera
• Arnold Vialfont
  ERUDITE
• Tom Vos
  KU Leuven
• Michael Waibel
  University of Vienna
• Georg von Wangenheim
  University of Kassel
• Liam Wells
  Erasmus University Rotterdam, EDLE
• Ramsi Woodcock
  University of Kentucky College of Law
• Yan Xu
  University of New South Wales
APPENDIX

Using zoom: General information for all participants

Below is the standard zoom screen you have when you log to a session on zoom.

- By clicking on “mute”, you mute and unmute. All participants are muted by default. Unmute your microphone only when it is your turn to speak.
- “Start video” allows to have your video on or off. During the presentation, we suggest that only the speaker and the chair keep their video on.
- “Participants”: shows the number of participants in the session.
- The “Chat” button allows to write messages that will be seen by all participants. Use this function if you want to ask a question during the presentation (and it will be asked to the speaker during the Q&A)
- At the lower right corner of the screen, you have a red button to leave the session.

How to “raise your hands” (for clarification questions)

- Click on the “participants” button to open the participants window

- Then click on the “raise hand” button
To lower “your hand”, click on the button again

**How to change your name (only if needed)**

Your name should appear when you join the meeting. However, if it is badly written, you can rewrite it.

- Click on participants.
- Then click on your name
- Click on “more” and “rename”.
Using zoom: information for speakers.

*How to share your screen*

- Open your presentation (PDF or PPT) on your own screen (not shared yet). Then, go back to zoom.

- Click the green button labelled “share screen”

- You will see a list of options (screen, whiteboard, …)
• Pick the window you want to share with the other participants and click the “share” button

• The participants start seeing your presentation on their own screen. You can stop sharing your screen using the red colored “stop share” button at the top of your screen (see the image below)
Using zoom: information for the chairs:

How to see if someone has risen his/her hand

- To see if someone has risen his hand, click on “participants”. You will see the image below and the symbol of the hand near the name of the participants.
How to mute/unmute participants (if needed)

Click on the “participants” button. Then, select in the window the participant and click on “mute/unmute”.

Help/assistance

If you want to try zoom before the meeting, you can do that on September 21st or September 23rd between 2pm and 3 pm (we will communicate a link on the website).