

YAIR J. LISTOKIN

Associate Professor of Law, Yale Law School
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EMPLOYMENT

Yale Law School, 2006-present

Associate Professor of Law.

The Honorable Richard A. Posner, 2005-2006

Law Clerk, United States Court of Appeals for the Seventh Circuit.

EDUCATION

Yale Law School, J.D., 2005

John M. Olin Prize Winner (best student paper in law and economics) 2003, 2004, 2005.

Princeton University, Ph.D. (Economics), 2002; M.A. (Economics), 2000

Harold Willis Dodds Fellowship.

NSF Graduate Fellowship Honorable Mention.

Harvard University, A.B. *magna cum laude* (Economics), 1998

John Harvard Scholarship.

Harvard College Scholarship.

National Merit Scholar.

PUBLICATIONS

Learning Through Policy Variation, YALE LAW JOURNAL (2009) (forthcoming).

Management Always Wins the Close Ones, AMERICAN LAW AND ECONOMICS REVIEW (2008) (forthcoming) (featured in *Fortune*, *The Deal*, and *cnn.com*).

What do Corporate Default Rules and Menus Do? An Empirical Analysis, JOURNAL OF EMPIRICAL LEGAL STUDIES (2008) (forthcoming).

Interpreting Empirical Estimates of the Effect of Corporate Governance, 10 AMERICAN LAW AND ECONOMICS REVIEW 90 (2008).

Is Secured Debt Used to Redistribute Value from Tort Claimants in Bankruptcy? An Empirical Analysis, 57 DUKE LAW JOURNAL 1037 (2008).

Paying for Performance in Bankruptcy: Why CEOs Should be Compensated with Debt, 155 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 777 (2007).

Crime and (with a lag) Punishment: Equitable Sentencing and the Implications of Discounting, 44 AMERICAN CRIMINAL LAW REVIEW 115 (2007).

The Empirical Case for Specific Performance: Evidence from the IBP-Tyson Litigation, 2 JOURNAL OF EMPIRICAL LEGAL STUDIES 469 (2005).

Optimal Trust Design in Mass Tort Bankruptcies, 7 AMERICAN LAW AND ECONOMICS REVIEW 403 (2005) (with Kenneth Ayotte).

Future Oriented Gang Members? Gang Finances and the Theory of Present Oriented Criminals, 64 AMERICAN JOURNAL OF ECONOMICS AND SOCIOLOGY 1073 (2005).

Protecting Future Claimants in Mass Tort Bankruptcies, 98 NORTHWESTERN UNIVERSITY LAW REVIEW 1435 (2004) (with Kenneth Ayotte).

Does More Crime Mean More Prisoners? An Instrumental Variables Approach, 46 JOURNAL OF LAW AND ECONOMICS 181 (2003).

Efficient Time Bars? A New Rationale for the Existence of Statutes of Limitations in Criminal Law, 31 JOURNAL OF LEGAL STUDIES 99 (2002).

Mortgage Lending under Tribal Sovereignty: Efforts to Expand Mortgage Lending on the Navajo Nation, 33 URBAN LAWYER 433 (2001).

WORKING PAPERS

“Corporate Voting vs. Market Price Setting” (2008) (featured on Harvard Law School’s Corporate Governance Blog).

“The Pivotal Mechanism and Organizational Control,” (2008).

“Randomizing Law,” (with Ian Ayres) (2008).

WORKS IN PROGRESS

“Corporate Governance and the Charter Amendment Process: Evidence from State Antitakeover Statutes,” 2007.

OTHER PROFESSIONAL EXPERIENCE

Davis, Polk & Wardwell, New York, NY
Summer Associate, 2004.

United States Bankruptcy Court, Southern District of New York, New York, NY
Intern for the Honorable Allan L. Gropper, Spring 2004.

Friedman, Kaplan, Seiler & Adelman, New York, NY
Summer Associate, 2003.

PROFESSIONAL ACTIVITIES

Member: Connecticut Bar, American Law and Economics Association, American Economic Association, American Finance Association.

Referee: American Law and Economics Review, Journal of Law and Economics, Journal of Law, Economics & Organization, Journal of Legal Studies, Harvard Law Review, Yale Law Journal.

PRESENTATIONS

2008: University of Virginia Law School, Stanford Law School, Conference on Empirical Legal Studies, Northwestern University Law School, Columbia Law School.

2007: Harvard Law School, Vanderbilt Law School, Florida State University Law School, NBER Summer Institute, Conference on Empirical Legal Studies University of California-Berkeley Law School.

2006: Conference on Empirical Legal Studies.

2005: University of Miami Law School, Northwestern University Law School, University of Pennsylvania Law School, Yale Law School, Stanford Law School, University of Chicago Law School, Harvard Law School.