

EDWARD J. BRUNET

Lewis & Clark Law School
10015 SW Terwilliger Blvd.
Portland, OR 97219

Telephone: 503-768-6658 Email: brunet@lclark.edu

PRESENT EMPLOYMENT

Henry J. Casey Professor of Law, Lewis and Clark Law School (1972-Present), Portland, Oregon

Courses: Civil Procedure, Complex Litigation, Antitrust, Administrative Law, ADR

Honors: Leo Levinson Award for Outstanding Classroom Teaching: 1989, 1988, 1979

Burlington Northern Award (college-wide award for excellence in research): 1987

SELECTED PUBLICATIONS

BOOKS:

ARBITRATION LAW IN AMERICA: A CRITICAL APPRAISAL (2006 Cambridge U. Press with Speidel, Sternlight, Ware).

ADR: THE ADVOCATE'S PERSPECTIVE (4th ed. 2011) (casebook [LEXIS] with C.Craver & .E.Deason).

SUMMARY JUDGMENT: FEDERAL LAW & PRACTICE (2015) (book [West] with M. Redish and J. Parry).

MOORE'S FEDERAL PRACTICE (3d ed. 1997), Chapters 24, 25 (Intervention, Substitution).

ARTICLES AND ESSAYS:

The Civil Rules Committee and Amending Rule 56, 18 Lewis & Clark L. Rev. 627 (2014)

The Efficiency of Summary Judgment, 43 Loy. U. Chi. L.J. (2012).

Reevaluating Complex Mediation Generalizations, 18 Conn. Ins. L. J. 279 (2011).

The Substantive Origins of "Plausible Pleadings" – An Introduction to the Symposium on Ashcroft v. Iqbal, 14 Lewis & Clark L. Rev. 1 (2010) (Symposium).

Six Summary Judgment Safeguards, 43 Akron L. Rev. 1165 (2010) (AALS Symposium).

Antitrust Summary Judgment and the Quick Look Approach, 61 SMU L. Rev. 493 (2009).

Critiquing Arbitration of Shareholder Claims, 28 Sec. Reg. L.J. 181 (2008) (co-author J. Johnson).

Summary Judgment Is Constitutional, 93 IOWA L. REV. 1625 (2008).

Substantive Fairness in Securities Arbitration, 76 U. CIN. L. REV. 459 (2008) (co-author J. Johnson).

The Minimal Role of Federalism and State Law in Arbitration, 8 NEV. L. J. 326 (2007).

Markman Hearings, Summary Judgment, and Judicial Discretion, 9 LEWIS & CLARK L. Rev. 93 (2005)

Class Action Objectors, 2003 U. CHI. L. FORUM 403 (Fall, 2003) (symposium).

Judicial Mediation and Signaling, 3 NEV. L.J. 232 (2003) (symposium).

Defending Commerce's Contract Delegation of Power to ICANN, 6 J.S. EMERG. BUS. L. 1 (2002) (symposium).

Seeking Optimal Dispute Resolution Clauses In High Stakes Employment Contracts, 23 BERK. J. EMPL. L. 107 (2002).

The Timing of Summary Judgment, 198 F.R.D. 679 (2001).

Improving Class Action Efficiency By Expanded Use of Parens Patriae Suits, 74 TULANE L. REV. 1919 (2000).

Replacing Folklore Arbitration With a Contract Model of Arbitration, 74 TULANE L. REV. 39 (1999).

Toward Changing Models of Securities Arbitration, 62 BROOK. L. REV. 1459 (1997).

Drafting the Effective ADR Clause for National Resources and Energy Contracts, 11 NAT. R. & ENV. 7 (1996) (co-authored with Walter E. Stern).

Summary Judgment Materials, 147 F. R. D. 647 (1993).

Arbitration and Constitutional Rights, 71 NORTH CAROLINA L. REV. 81 (1992).

Debunking Wholesale Private Enforcement of Environmental Rights, 15 HARV. J. LAW & PUB. POL. 311 (1992).

The Triumph of Efficiency and Discretion Over Competing Complex Litigation Policies, 10 REV. OF LITIG. 273 (1991).

Blending State and Federal Administrative Law, 75 CORNELL L. REV. 366 (1990).

Tactics Regarding the Use of Experts in Summary Judgment, 16 LITIGATION 36 (No. 3, Spring 1990).

The Use and Misuse of Expert Testimony in Summary Judgment, 22 U. CALIFORNIA DAVIS L. REV. 93 (1988).

The Costs of Environmental Alternative Dispute Resolution, 18 ENVIRONMENTAL LAW REPORTER 10515 (1988).

Questioning the Quality of Alternative Dispute Resolution, 62 TULANE L. REV. 1 (1987).

The Need For Legal Theory at All Stages of Legal Education, in LEGAL EDUCATION 2000 (J. Grant, R. Jagtenberg & K. Nijerk, eds. 1987).

Integrating Antitrust Procedure and Substance After Northwest Wholesale Stationers: Evolving Approaches to Pleadings, Burden of Proof and Boycotts, 72 VIRGINIA L. REV. 1015 (1986) (with David J. Sweeney).

Measuring the Costs of Civil Justice, 83 MICH. L. REV. 916 (1985).

A New Breed of Law Book?, 1985 DUKE L. J. 523 (1985).

Streamlining Antitrust Litigation By "Facial Examination" of Restraints: The Burger Court and the Per Se Rule of Reason Distinction, 60 WASH. L. REV. 1 (1984).

Local Rules, Multnomah County (Oregon) District Court, (1982) [National Highway Traffic Administration Grant] (Co-authored with B. Williamson).

Limiting Long Arm Jurisdiction: The Burger Court and the Minimum Contact Test, 56 CAL. ST. B. J. 318 (1981).

A Study in the Allocation of Scarce Judicial Resources: The Efficiency of Federal Rule 24, 12 GEORGIA L. REV. 701 (1978).

Economic and Legal Implications of the U.S. Proposed Draft United Nations Convention on the International Seabed, 1974 U. ILL. L. REV. 251.

LEGAL EDUCATION

Degrees: LL.M., University of Virginia School of Law (1972);
J.D., University of Illinois College of Law (1969)

J.D. Honors and Activities: Dean's Lists; Winner—Frederick Green Moot Court Competition (one of 14 in class); Research Assistant for Professor Ralph Reisner (primarily in constitutional law)

UNDERGRADUATE EDUCATION

School: Northwestern University (graduated June, 1966), major in Political Science and History

Honors: Graduated with Department Honors in Political Science (one of 12); Dean's Lists, Evans Scholar

PREVIOUS EMPLOYMENT

Visiting Professor of Law, U. San Diego Law School, Summer 2007 (Oxford).
Visiting Professor of Law, Emory University School of Law, Fall 2002.
Visiting Scholar, University of Adelaide (Australia) (first semester, 1992).
Visiting Professor, University of Newcastle (Australia) (second semester, 1991).
Visiting Scholar, Edinburgh University, Faculty of Law, Dept. of Constitutional and Administrative Law, 1984.
Associate, McDermott, Will & Emery (1969-71), Chicago, Illinois.

ADMISSIONS

Admitted to practice before the Supreme Court of Illinois.
Admitted to practice before the United States District Court for the Northern District of Illinois, Eastern Division.
Admitted to practice before the Supreme Court of Oregon.

REFERENCES

Robert Klonoff, Professor, Lewis and Clark Law School, Portland, Oregon 97219.
Martin Redish, Professor, Northwestern University School of Law, Chicago, Illinois 60611
Larry Zelenak, Professor, Duke University School of Law, Durham, North Carolina 27708