

2005

Second Annual Brigham-Kanner Property Rights Conference Brochure

William & Mary Law School

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**Second Annual
Brigham-Kanner
Property Rights Conference**
and

**Presentation of the 2005
Brigham-Kanner Prize**
to

Professor Richard A. Epstein
James Parker Hall Distinguished Service
Professor of Law
University of Chicago Law School



Sponsored by the
William & Mary Law School

Presented by the
William & Mary Property
Rights Project and the
Institute of Bill of Rights Law

October 28 - 29, 2005
William & Mary Law School
Williamsburg, Virginia



**The Second Annual Brigham-Kanner Property Rights Conference
and Presentation of the 2005 Brigham-Kanner Prize to
Professor Richard A. Epstein
October 28-29, 2005**

The Brigham-Kanner Property Rights Conference and Brigham-Kanner Property Rights Prize are named in recognition of Toby Prince Brigham and Gideon Kanner for their lifetime contributions to private property rights, their efforts to advance the constitutional protections thereof, and their accomplishments in preserving the protections and dignity of the individual and civil rights to private property. Mr. Brigham is an attorney who has specialized in eminent domain and property rights law for more than 40 years and is a founding partner of Brigham Moore, LLP, in Florida. Professor Kanner is Professor of Law Emeritus at the Loyola Law School and is currently Of Counsel at Manatt, Phelps & Phillips, LLP, in California.



Professor Richard A. Epstein is the recipient of the 2005 Brigham-Kanner Prize. Professor Epstein is the James Parker Hall Distinguished Service Professor of Law at the University of Chicago where he also serves as director of the John M. Olin Program in Law and Economics. He has written on a wide range of legal and interdisciplinary topics and is the author of numerous works including *Skepticism and Freedom: A Modern Case for Classical Liberalism* (University of Chicago Press, 2003), *Simple Rules for a Complex World* (Harvard University Press, 1995), *Bargaining with the State* (Princeton University Press, 1993)

and *Takings: Private Property and the Power of Eminent Domain* (Harvard University Press, 1985). Professor Epstein is a senior fellow at the Hoover Institution and at the University of Chicago Medical School's Center for Clinical Medical Ethics. He was inducted into the American Academy of Arts and Sciences in 1985. Harvard Law School Professor Frank I. Michelman was the Prize's inaugural recipient in 2004.

In addition to commentary on the impact of Professor Epstein's work, the conference will include a discussion of public use in the aftermath of *Kelo* and recent developments in due process protection of property rights. Following the academic panels, attendees are welcome at a luncheon round table that will address the press and public awareness of the use of eminent domain.



Wren Building, College of William & Mary

Agenda

Friday, October 28

6:30 p.m. **Reception**
Great Hall, Wren Building, College of William & Mary

7:30 **Dinner and Presentation of the 2005 Brigham-Kanner Prize
to Professor Richard A. Epstein**

Saturday, October 29

8:45 a.m. **Continental Breakfast and Registration**
William & Mary Law School

9:30 **Academic Reflections on Professor Epstein's Work
and its Impact**

Yicki L. Been

Elihu Root Professor of Law
Director, Furman Center for Real Estate and Urban Policy
New York University Law School

Eric R. Claeys

Assistant Professor of Law
St. Louis University Law School

James W. Ely, Jr.

Milton R. Underwood Chair in Free Enterprise
Professor of Law, Professor of History
Vanderbilt University

Eduardo M. Peñalver

Associate Professor of Law
Fordham Law School

10:30 **Public Use in the Aftermath of Kelo**

Dana Berliner

Senior Attorney, Institute for Justice
Washington, DC

M. Timothy Iglesias

Associate Professor
University of San Francisco Law School

Bradley C. Karkkainen

Julius E. Davis Chair in Law
University of Minnesota Law School

Joseph T. Waldo

Attorney at Law
Waldo & Lyle, Norfolk, Virginia

11:30

Recent Developments in Due Process Protection of Property Rights

Robert W. Ashbrook

Associate
Dechert, LLP, Philadelphia, Pennsylvania

S. William Moore

Partner
Brigham Moore, LLP, Sarasota, Florida

Mark Tunick

Professor of Political Science
Florida Atlantic University

Media Round Table

Following the academic panels, attendees are invited to a round table discussion of the role of the press in making the public aware of the use of eminent domain. Journalists participating include Greg Edwards (*Richmond-Times Dispatch*), Dennis Hartig (*Virginian Pilot*), Laura Mansnerus (*New York Times*), and Dean Starkman (freelance journalist, formerly with the *Wall Street Journal*).

*Statues, William & Mary Law School.
George Wythe, at right, was William & Mary's
– and the nation's – first Professor of Law.
Chief Justice John Marshall, at left, was among
the earliest law students at William & Mary.*

The William & Mary Property Rights Project

The William & Mary Property Rights Project has two primary goals. First, it encourages legal scholarship on the role that property rights play in society. Second, it facilitates the exchange of ideas between the academy and the practicing property rights bar. In addition to awarding the Brigham-Kanner Property Rights Prize and hosting the allied conference each year, the Project will develop web-based materials that serve its ends.

Institute of Bill of Rights Law

The Institute of Bill of Rights Law is a teaching, research and public education unit of the William & Mary School of Law. For more information on its programs, symposia and scholarly endeavors, please visit www.wm.edu/law/ibrll/.

Speakers & Participants at a Glance

Robert W. Ashbrook, Associate, Dechert, LLP, Philadelphia, Pennsylvania

Vicki L. Been, Elihu Root Professor of Law and Director, Furman Center for Real Estate and Urban Policy, New York University Law School

Dana Berliner, Senior Attorney, Institute for Justice, Washington, DC

Eric R. Claeys, Assistant Professor of Law, St. Louis University Law School

James W. Ely, Jr., Milton R. Underwood Chair in Free Enterprise, Professor of Law, Professor of History, Vanderbilt University

M. Timothy Iglesias, Associate Professor, University of San Francisco Law School

Eric Kades, Conference Chairman, Professor of Law and Director, Property Rights Project, William & Mary Law School

Bradley C. Karkkainen, Julius E. Davis Chair in Law, University of Minnesota Law School

S. William Moore, Partner, Brigham Moore, LLP, Sarasota, Florida

Eduardo M. Peñalver, Associate Professor of Law, Fordham Law School

Mark Tunick, Professor of Political Science, Florida Atlantic University

Joseph T. Waldo, Attorney at Law, Waldo & Lyle, Norfolk, Virginia

William & Mary Conference Coordinating Committee

Eric Kades, Conference Chairman; Professor of Law and Director, Property Rights Project

Lynda L. Butler, Vice Dean and Chancellor Professor of Law

Joseph T. Waldo, Attorney at Law, Waldo & Lyle, Norfolk, Virginia

Credit

Three hours of CLE credit are pending.

Registration and Fees

Friday evening's dinner is \$75 per person. There is no admission fee to attend Saturday's panels and round table. Saturday's meals (continental breakfast and luncheon) are \$15 per person.

The registration deadline is October 21, 2005. Please call William & Mary Law School to register after this date (757/921-3796).

Fees

\$75	Friday evening's reception and dinner
no fee	Registration for Saturday's conference and round table
\$15	Saturday's continental breakfast and luncheon

Early registration is encouraged. Your registration form will be acknowledged.

Air Transportation

Newport News/Williamsburg International Airport is approximately 30 minutes from the William & Mary campus. Williamsburg is also served by Richmond International and Norfolk International airports, each one hour away.

Accommodations

Friday evening's dinner will be held at the College of William & Mary's historic Wren Building, the oldest academic building in continuous use in America.

A block of rooms has been reserved at the Williamsburg Lodge at Colonial Williamsburg (310 South England Street) at a special room rate of \$129 per night (double occupancy) for symposium attendees. Please call 1/800-261-9530 to make your reservations and remember to mention the Property Rights Conference booking code (PROJO5A). Reservations must be made by September 30 to receive the special room rate.

Refunds

Requests for refunds of meal fees must be made in writing and received no later than October 21, 2005. Refund requests received after that date will be handled on a reasonable justification basis.

Local Attractions

Colonial Williamsburg

Located less than a mile from the William & Mary Law School, Colonial Williamsburg is the world's largest living history museum – the restored 18th-century capital city of Britain's New World empire.

Jamestown

Jamestown is the site of the first permanent English colony in America. Both the historic site and the museum are within a fifteen-minute drive from the Law School.

Yorktown

Yorktown battlefield is the site of the last major battle of the Revolutionary War. The museum and battlefield are within a twenty-minute drive from the Law School.



Colonial Williamsburg

Links to these and other attractions may be found on the web at

www.visitwilliamsburg.com.

Registration

The Second Annual Brigham-Kanner Property Rights Conference October 28-29, 2005

Please print or type and use a separate form for each person registering

Registration deadline: October 21, 2005

Name _____

Firm/affiliation _____

Title _____

Address _____

City _____ State _____ Zip Code _____

Phone number _____ Fax number _____

Email _____

Please let us know of any special needs you may have for participation in/or access to the conference. Also, please inform us of any special dietary requests.

Method of Payment

Check enclosed. Please make your check payable to **William & Mary Law School**.

Charge to my VISA MasterCard

Name as it appears on your credit card _____

Credit Card # _____

Expiration Date (month/year) _____

Signature of Cardholder _____

Yes, I will attend the Friday, October 28 dinner

Please reserve _____ additional dinner tickets for accompanying person(s)

Yes, I will attend the Saturday, October 29 conference and round table

Yes, I will attend the Saturday, October 29 continental breakfast and luncheon

_____ Friday evening's dinner (\$75 per person)

_____ Guest name(s) to list on name tag(s) for dinner: _____

_____ Saturday's conference and round table (no fee)

_____ Saturday's continental breakfast and luncheon (\$15 per person)

\$ _____ Total enclosed

Mail or fax to:

William & Mary School of Law
Att: Kathy Pond, Property Rights Conference
POB 8795
Williamsburg, VA 23187-8795
Fax: 757/221-6329

Questions?

Please call Kathy Pond at
757/221-3796 or email
ktpond@wm.edu.