

WILLIAM & MARY LAW SCHOOL

FIFTH ANNUAL BRIGHAM - KANNER PROPERTY RIGHTS CONFERENCE



AND PRESENTATION OF THE

2008 BRIGHAM-KANNER PRIZE TO ROBERT C. ELLICKSON

YALE LAW SCHOOL

OCTOBER 17-18

Sponsored by
William & Mary Law School

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

FRIDAY: OCTOBER 17, 2008

- 1:00 pm **Registration and Welcome Desk Open**
William & Mary Law School
- 2-3:15 ***The Role of the Judiciary in the Checks and Balances Affecting Property Rights***
James W. Ely, Jr., Milton R. Underwood Chair in Free Enterprise,
Vanderbilt University
The Honorable Wilford Taylor, Jr., 8th Judicial Circuit Court of Virginia
The Honorable Maureen O'Connor, Supreme Court of Ohio
- 3:30-4:45 ***Norms & Decentralization of Property Rights***
Nicole Stelle Garnett, Professor of Law, University of Notre Dame
Law School
Roderick M. Hills, Jr., Professor of Law, New York University Law School
Stewart E. Sterk, H. Bert and Ruth Mack Professor of Real Estate Law,
Cardozo Law School
- 6:30 **Reception**
Wren Building, College of William & Mary
- 7:30 **Dinner and Presentation of the 2008 Brigham-Kanner Prize**
Great Hall, Wren Building
(please note the Wren Building has limited accessibility for people with physical disabilities)



Statues in front of 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.

SATURDAY: OCTOBER 18, 2008

All Saturday events are at William & Mary Law School

8:45 am

Continental Breakfast

9:15-10:30

Panel Discussion: Robert C. Ellickson's Property Scholarship

Lee Fennell, Professor of Law, University of Chicago Law School
Eduardo M. Peñalver, Professor of Law, Cornell University Law School
Carol M. Rose, Lohse Chair in Water and Natural Resources,
James E. Rogers College of Law, University of Arizona
Henry E. Smith, Fred A. Johnston Professor of Property and
Environmental Law, Yale Law School

10:45-Noon

How will Global Warming Change the Climate for Property Rights?

Michael M. Berger, Partner, Manatt, Phelps & Phillips, LLP,
Los Angeles, California

Noon-1:30

Luncheon Roundtable Discussion:

*Juxtaposition of Judicial Rhetoric and Judge-Made
Compensability Rules -- Indemnity or Kleptocracy?*

Gideon Kanner, Counsel, Manatt, Phelps & Phillips, LLP, Los Angeles,
California; Professor of Law, Emeritus, Loyola Law School

Human Nature & Property Rights

Toby Prince Brigham, Founding Partner, Brigham Moore, LLP, Miami,
Florida

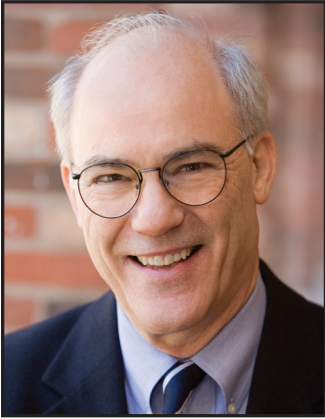
THE WILLIAM & MARY PROPERTY RIGHTS PROJECT

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 an annual conference, the Project develops web-based materials that serve its ends.

INSTITUTE OF BILL OF RIGHTS LAW

The Institute of Bill of Rights Law of William & Mary Law School contributes to the ongoing national dialog about issues relating to the Constitution and the Bill of Rights through programs and events, such as the annual Supreme Court Preview conference. For more information on its programs, symposia, and scholarly endeavors, please visit www.wm.edu/law/ibrll/.

THE FIFTH ANNUAL
BRIGHAM-KANNER PROPERTY RIGHTS CONFERENCE
AND PRESENTATION OF THE 2008 BRIGHAM-KANNER PRIZE TO
ROBERT C. ELICKSON
OCTOBER 17 - 18, 2008



Professor Robert C. Ellickson is the 2008 recipient of the Brigham-Kanner Prize. He is the Walter E. Meyer Professor of Property and Urban Law at Yale Law School. Prior to joining the Yale faculty in 1988, he was a member of the law faculties at the University of Southern California and Stanford University.

Professor Ellickson's books include *The Household: Informal Order Around the Hearth* (Princeton University Press, 2008), *Order Without Law: How Neighbors Settle Disputes* (Harvard University Press, 1991, awarded the Order of the Coif Triennial Book

Award), *Land Use Controls* (with Vicki L. Been) (Aspen Law and Business, 3d ed 2005), and *Perspectives on Property Law* (with Carol M. Rose and Bruce A. Ackerman)(Aspen Law and Business, 3d ed 2002).

He is a fellow of the American Academy of Arts and Sciences and was President of the American Law and Economics Association in 2001.

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 protection of property, and their accomplishments in preserving the important role that private property plays in protecting individual and civil rights.

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.

The Brigham-Kanner Prize has previously been awarded to Professor Frank I. Michelman, Harvard Law School (2004), Professor Richard A. Epstein, University of Chicago Law School (2005), Professor James W. Ely, Jr., Vanderbilt Law School (2006), and Professor Margaret Jane Radin, University of Michigan Law School (2007).

SPEAKERS & PARTICIPANTS AT A GLANCE

MICHAEL M. BERGER, Partner, Manatt, Phelps & Phillips, LLP, Los Angeles, California

TOBY PRINCE BRIGHAM, Founding Partner, Brigham Moore, LLP, Miami, Florida

JAMES W. ELY, JR., Milton R. Underwood Chair in Free Enterprise, Vanderbilt University

LEE FENNELL, Professor of Law, University of Chicago Law School

NICOLE STELLE GARNETT, Professor of Law, University of Notre Dame Law School

RODERICK M. HILLS, JR., Professor of Law, New York University Law School

GIDEON KANNER, Counsel, Manatt, Phelps & Phillips, LLP, Los Angeles, California; Professor of Law, Emeritus, Loyola Law School

THE HONORABLE MAUREEN O'CONNOR, Supreme Court of Ohio

EDUARDO M. PEÑALVER, Professor of Law, Cornell University Law School

CAROL M. ROSE, Lohse Chair in Water and Natural Resources, James E. Rogers College of Law, University of Arizona

HENRY E. SMITH, Fred A. Johnston Professor of Property and Environmental Law, Yale Law School

STEWART E. STERK, H. Bert and Ruth Mack Professor of Real Estate Law, Cardozo Law School

THE HONORABLE WILFORD TAYLOR, JR., 8th Judicial Circuit Court of Virginia

WILLIAM & MARY CONFERENCE COORDINATING COMMITTEE

Eric A. Kades, Conference Chairman, Vice Dean, Professor of Law and Director of the Property Rights Project

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

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

CREDIT

CLE credit pending.

REGISTRATION AND FEES

The cost to attend Friday evening's reception and dinner is \$100 per person.

The registration fee of \$50 includes admission to all conference panels, breakfast on Saturday, and Saturday afternoon's luncheon roundtable discussion.

Registration fee is waived for Law School students with advance registration.

The registration deadline is October 10, 2008. Please call William & Mary Law School to register after this date at (757) 221-3796.

FEES

\$100 Friday evening's reception and dinner

\$50 Registration for conference panels, breakfast on Saturday, and Saturday afternoon's luncheon roundtable discussion.

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

A block of rooms has been reserved at the Williamsburg Hospitality House (415 Richmond Road) at a special room rate of \$119 per night (double occupancy) for attendees. Please call (800) 932-9192 to make your reservations and remember to mention the Property Rights Conference. Reservations must be made by September 17, 2008, to receive the special room rate.

REFUNDS

Requests for refunds must be made in writing and received no later than October 3, 2008. 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 NATIONAL BATTLEFIELD

Yorktown National 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.

Links to these and other attractions may be found on the web at www.visitwilliamsburg.com.

REGISTRATION

THE FIFTH ANNUAL BRIGHAM-KANNER PROPERTY RIGHTS CONFERENCE OCTOBER 17 - 18, 2008

Please print or type and use a separate form for each person registering.
Registration deadline: October 10, 2008

Name _____

Firm/affiliation _____

Title _____

Address _____

City _____ State _____ Zip _____

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 Day (month/year) _____

Signature of Cardholder _____

- Yes, I will attend the Friday, October 17 dinner
- Please reserve _____ additional dinner tickets for accompanying person(s)
- Guest name(s) to list on name tag(s) for dinner: _____
- Please check if you are a student and wish to request a waiver of the registration fee

_____ Friday evening's reception and dinner (\$100 per person)
_____ Registration fee (\$50), includes admission to all panels, breakfast, and the luncheon roundtable discussion. Fee waived for current Law School students with advance registration.

\$ _____ Total enclosed

Mail or fax to:

William & Mary Law School
Attn: Kathy Pond, Property Rights Conference
Post Office Box 8795, Williamsburg, VA 23187-8795
(757) 221-6329

Questions?
Please contact Kathy Pond
(757) 221-3796
ktpond@wm.edu