

## WILLIAM & MARY LAW SCHOOL

### SIXTH ANNUAL BRIGHAM - KANNER PROPERTY RIGHTS CONFERENCE



AND PRESENTATION OF THE  
2009 BRIGHAM-KANNER PRIZE TO  
RICHARD E. PIPES  
HARVARD UNIVERSITY

## OCTOBER 16-17

Sponsored by  
William & Mary Law School

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

### FRIDAY: OCTOBER 16, 2009

- 1:00 pm **Registration and Welcome Desk Open**  
William & Mary Law School
- 2-3:15 ***The Psychology of Property Rights***  
Carol M. Rose, Lohse Chair in Water and Natural Resources,  
James E. Rogers College of Law, University of Arizona  
Stephanie M. Stern, Associate Professor of Law, Norman and Edna  
Freehling Scholar, Chicago-Kent College of Law  
Janice Nadler, Professor of Law, Northwestern University School of Law  
Jeremy A. Blumenthal, Associate Professor of Law, Syracuse University  
College of Law  
Andrew Prince Brigham, Partner, Brigham Moore, LLP
- 3:30-4:45 ***The Contract Clause Reconsidered***  
James W. Ely, Jr., Milton R. Underwood Chair in Free Enterprise,  
Vanderbilt University  
John V. Orth, William Rand Kenan Jr., Professor of Law,  
University of North Carolina at Chapel Hill School of Law  
Additional Speaker, TBA
- 4:45-5:30 **Student Networking Event**
- 6:30 **Reception**  
Wren Building, College of William & Mary
- 7:30 **Dinner and Presentation of the 2009 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 17, 2009

- All Saturday events are at William & Mary Law School
- 8:30 am **Networking Continental Breakfast**
- 9:30-10:30 **Panel Discussion: Richard E. Pipes's Property Rights Scholarship**  
James W. Ely, Jr., Milton R. Underwood Chair in Free Enterprise,  
Vanderbilt University  
Alfred L. Brophy, Professor of Law, University of North Carolina at  
Chapel Hill School of Law  
Scott Nelson, Legum Professor of History, College of William & Mary
- 10:45-Noon **Response and Comments from Richard E. Pipes**
- Noon-1:30 **Luncheon Roundtable Discussion:**  
*Inverse Condemnation Comparing Regulatory Takings with  
Condemnation Blight*  
Toby Prince Brigham, Founding Partner, Brigham Moore, LLP  
*Does the Kelo Backlash have Legs?*  
Gideon Kanner, Counsel, Manatt, Phelps & Phillips, LLP; Professor of  
Law, Emeritus, Loyola Law School Los Angeles

#### THE WILLIAM & MARY PROPERTY RIGHTS PROJECT

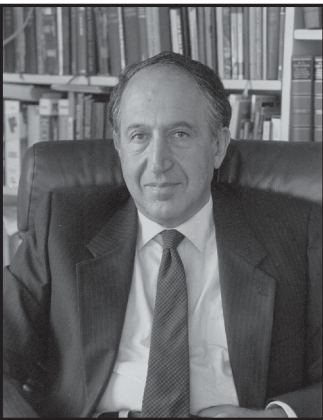
The William & Mary Property Rights Project has two primary goals. First, it encourages legal scholarship on the role that property rights play in society. Second, it facilitates the exchange of ideas between the academy and the practicing property rights bar. In addition to awarding the Brigham-Kanner 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 [law.wm.edu/ibrll](http://law.wm.edu/ibrll).



THE SIXTH ANNUAL  
BRIGHAM-KANNER PROPERTY RIGHTS CONFERENCE  
AND PRESENTATION OF THE 2009 BRIGHAM-KANNER PRIZE TO  
**RICHARD E. PIPES**  
OCTOBER 16 - 17, 2009



Professor Richard E. Pipes is the 2009 recipient of the Brigham-Kanner Property Rights Prize. He is the Frank B. Baird, Jr., Professor of History, Emeritus, at Harvard University. Among his appointments, he served as Director of Harvard University’s Russian Research Center from 1968-1973, as Chairman of the CIA’s “Team B” to review Strategic Intelligence Estimates in 1976, and as Director of East European and Soviet Affairs in President Ronald Regan’s National Security Council from 1981-1982.

Professor Pipes’s books include *Formation of the Soviet Union* (1954, 1964, 1998), *Struve*, 2 vols. (1970, 1980), *Russia under the Old Regime* (1974), *The Russian Revolution* (1990), *Russia under the Bolshevik Regime* (1994), *Property and Freedom* (1999), *Communism: A History* (2001), *Vixi: The Memoirs of a Non-Belonger* (2003), and *Conservatism and its Critics* (2006).

Professor Pipes was the 2007 recipient of the National Humanities Medal.

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 Los Angeles 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), Professor Margaret Jane Radin, University of Michigan Law School (2007), and Professor Robert C. Ellickson, Yale Law School (2008).

SPEAKERS & PARTICIPANTS AT A GLANCE

JEREMY A. BLUMENTHAL, Associate Professor of Law, Syracuse University College of Law

ANDREW PRINCE BRIGHAM, Partner, Brigham Moore, LLP, Jacksonville, Florida

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

ALFRED L. BROPHY, Professor of Law, University of North Carolina at Chapel Hill School of Law

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

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

JANICE NADLER, Professor of Law, Northwestern University School of Law

SCOTT NELSON, Legum Professor of History, College of William & Mary

JOHN V. ORTH, William Rand Kenan Jr., Professor of Law, University of North Carolina at Chapel Hill School of Law

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

STEPHANIE M. STERN, Associate Professor of Law, Norman and Edna Freehling Scholar, Chicago-Kent College of Law

WILLIAM & MARY CONFERENCE COORDINATING COMMITTEE

Eric A. Kades, Conference Chairman, Vice Dean and Professor of Law  
Lynda L. Butler, Chancellor Professor of Law and Director, Property Rights Project  
Joseph T. Waldo, Attorney at Law, Waldo & Lyle, Norfolk, Virginia  
Kathy Pond, Assistant Director, Brigham-Kanner Property Rights Conference

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 students with advance registration. The registration deadline is October 9, 2009. 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, 2009, to receive the special room rate.

REFUNDS

Requests for refunds must be made in writing and received no later than October 5, 2009. 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](http://www.visitwilliamsburg.com).

REGISTRATION

THE SIXTH ANNUAL BRIGHAM-KANNER PROPERTY RIGHTS CONFERENCE  
OCTOBER 16 - 17, 2009

Please print or type and use a separate form for each person registering.  
Registration deadline: October 9, 2009

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 16 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 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](mailto:ktpond@wm.edu)