



Entrepreneurial Business Law Journal

ANNUAL SYMPOSIUM MARCH 11-12, 2010

The Relationship Between American Government and American Business

In 2008 and 2009, Washington strove to save the economy. In 2010, Americans will get a clearer picture of how Washington has changed the economy. Only as the recession recedes will it become fully evident how permanently the state's role has expanded and whether, as a consequence, a new [and] hybrid strain of American capitalism is emerging.

– *The Wall Street Journal*, Dec. 28, 2009



The Relationship Between American Government and American Business

The *Entrepreneurial Business Law Journal* will take on those issues at its 2010 symposium: “The Relationship Between American Government and American Business.” Panels will address how the government historically has interacted with business; the effect on individual businesses of that interaction; and the relationship between government, business and the law. Among the panelists are practicing attorneys, businesspeople, economists and law professors.

Special speakers include John Fund, the columnist for *The Wall Street Journal*; Richard Pildes, the law professor at the New York University School of Law; and Nomi Prins, the bestselling author and former managing director of Goldman Sachs. Each will draw on his or her experience and expertise to comment on how Washington has changed American business and whether the changes are good or bad.

The keynote address, meanwhile, is left to David Bonior. He was elected in 1976 to the United States House of Representatives and served there for 26 years, holding the position of Democratic Whip for 10 of them. He has been an adviser to many public officials, including President Barack Obama, and today he is chairman of the board of directors for American Rights at Work.

The symposium is March 11 and 12 at The Ohio State University Moritz College of Law. For more information, or to register online, please visit moritzlaw.osu.edu/eblj/symposium/registration. If you have any questions, send an e-mail to Jon Peters, executive editor of the *Entrepreneurial Business Law Journal*: jonathan.w.peters@gmail.com.

Distinguished Speakers

DAVID BONIOR is the chairman of the board of directors for American Rights at Work, an advocacy group that focuses on unions and collective bargaining. He was elected in 1976 to the United States House of Representatives and served there for 26 years, holding the position of Democratic Whip for 10 of those years. He has been an adviser to many public officials, including President Barack Obama. Bonior is the author of two books: *Walking to Mackinac* and *The Vietnam Veteran: A History of Neglect*.

JOHN FUND is a columnist for *The Wall Street Journal* and senior editor of *The American Spectator*. He has written essays for *Esquire*, *The New Republic* and *National Review*, and he appears regularly on CNBC, MSNBC and Fox News to comment on political issues. A winner of the “Warren Brookes Award for Journalistic Excellence,” Fund is the author of *Stealing Elections: How Voter Fraud Threatens Our Democracy*.

RICHARD PILDES is the Sudler Family Professor of Constitutional Law at the New York University School of Law. He is a member of the American Academy of Arts and Sciences and has been recognized as a Guggenheim Fellow and a Carnegie Scholar. His writing has appeared in dozens of law journals and in *The New York Times* and *The Wall Street Journal*. He was nominated, with the NBC News team, for an Emmy Award for coverage of the 2000 presidential election. Pildes is the author of three books, including *The Law of Democracy: Legal Structure of the Political Process*.

NOMI PRINS is a writer and senior fellow at Demos. She is the author of four books, including *It Takes a Pillage: Behind the Bonuses, Bailouts, and Backroom Deals from Washington to Wall Street* and *Other People's Money: The Corporate Mugging of America*, chosen as a “Best Book of 2004” by *The Economist* and *Barron's*. She has written for *The New York Times*, *Fortune*, *Newsday*, *The Nation* and *The Guardian UK*, and she appears regularly on CNN, CNBC, MSNBC and Fox Business News. Before her writing career, Prins worked on Wall Street as a managing director at Goldman Sachs and in London as an analyst at Bear Stearns.

FOR MORE INFORMATION ABOUT THIS SYMPOSIUM OR TO REGISTER ONLINE, PLEASE VISIT: MORITZLAW.OSU.EDU/EBLJ/SYMPOSIUM/REGISTRATION

ADAM BENFORADO is an assistant professor of law at the Drexel University Earle Mack School of Law. He was a Frank Knox Fellow at the Harvard Law School and a Visiting Scholar at Cambridge University. He is an expert in corporate law. Before joining the academe, he practiced law at Jenner & Block in Washington, D.C., where he specialized in trial and appellate litigation. Benforado's writing has appeared in numerous law journals and in *The Washington Post*, *The Baltimore Sun* and *Legal Times*.

BARBARA BLACK is the Charles Hartsock Professor of Law and the Director of the Corporate Law Center at the University of Cincinnati College of Law. She is an expert in securities arbitration and investor rights. Before joining the academe, she practiced law in New York at Kaye Scholer Fierman Hays & Handler and in Washington, D.C., at Rogers & Wells. Her writing has appeared in numerous law journals and she is quoted regularly about investor rights by the national news media, including *The New York Times*, *The Washington Post* and *Business Week*. Black is the author of *Corporate Dividends and Stock Repurchases*.

CORY CIOCCHETTI is an assistant professor of business ethics and legal studies at the University of Denver Daniels College of Business. He is an award-winning teacher and an expert in business ethics and constitutional law. Before joining the academe, he practiced law in Denver at Hogan and Hartson. His writing has appeared in numerous business and law journals, as well as the *Encyclopedia of Business Ethics and Society*. Ciocchetti is the author of *Real Rabbits: Chasing An Authentic Life*.

REZA DIBADJ is a professor of law at the University of San Francisco School of Law. He is an expert in business law and securities regulation. Before joining the academe, he was a consultant with the Boston Consulting Group and with Temple, Baker & Sloane Strategic Planning Associates. His writing has appeared in more than 20 law journals and his op-eds have appeared in *The Washington Post*, *The Financial Times* and the *National Law Journal*. Dibadj is the author of *Rescuing Regulation*.

LARRY HILSHEIMER is president and COO of Nationwide Direct & Customer Solutions, where he also oversees Nationwide Bank and Nationwide Better Health. He was elected to this position in October 2009 and previously served as the CFO of Nationwide. Before joining the company, Hilsheimer was vice-chairman of Deloitte & Touche. He serves on the boards of Nationwide Children's Hospital, Battelle for Kids, CompeteColumbus, and the Columbus Downtown Development Corporation.

CHRISTINE HURT is a professor of law and the co-director of the Program in Business Law and Policy at the University of Illinois College of Law, where she is also the Richard W. and Marie L. Corman Scholar. An expert in corporate finance and securities regulation, she has written widely in law journals and contributes regularly to *The Conglomerate*, an acclaimed blog that examines the intersection of business, law and society. Before joining the academe, she practiced law in Houston at Baker Botts and at Skadden, Arps, Slate, Meagher & Flom.

GARRY JENKINS is an associate professor of law and the associate dean for academic affairs at the Ohio State University Moritz College of Law, where he is also the co-director of the Program on Law and Leadership. He is an expert in corporate-social responsibility and corporate governance. In 2008, he received the Outstanding Young Nonprofit Lawyer Award from the American Bar Association. Before joining the academe, he was chief operating officer and general counsel of The Goldman Sachs Foundation and practiced law in New York at Simpson Thacher & Bartlett.

C. ROBERT KIDDER is chairman of Chrysler and chairman and CEO of 3Stone Advisors, an investment firm that focuses on clean-tech companies. He has served as chairman and CEO of both Duracell International and Borden Chemical Inc. Kidder currently serves on the boards of two public companies: Morgan Stanley and Schering-Plough. He also serves on the boards of Nationwide Children's Hospital, The Wexner Foundation, and Ohio University.

BRENT MILLER is president of Lifestyle Communities, Inc. Before going into private business, he practiced law for more than 15 years at Bricker & Eckler, where he was a partner in the Real Estate and Finance Group.

CHRISTINE POON is the dean and John W. Berry Chair in Business at the Fisher College of Business at Ohio State University. Poon joined the academe after a 30-year career in the health-care industry, most recently as vice-chair and worldwide chair of Pharmaceuticals at Johnson & Johnson. She also spent 15 years at Bristol-Myers Squibb, as president of International Medicines. Poon is on the board of directors of Prudential Financial, Inc., and the Fox Chase Cancer Center. In 2004, the Healthcare Businesswomen's Association named her its “Woman of the Year,” and in 2005 CNBC and *The Wall Street Journal* named her the “Business Leader of the Future.”

PAUL ROSE is an assistant professor of law at the Ohio State University Moritz College of Law. An expert in corporate governance and securities regulation, he has written widely in law journals, and one of his recent articles appeared in the *Securities Law Review*, an annual reprinting of the 8-10 best articles in the field. Before joining the academe, Rose practiced law in San Francisco at Covington & Burling and worked in New York as a trader at Citibank.

DONALD TOBIN is the Frank E. and Virginia H. Bazler Designated Professor in Business Law and the associate dean for faculty at the Ohio State University Moritz College of Law. He has written prolifically, for a variety of law journals, on the intersection of tax and campaign finance laws. Before joining the academe, he practiced law in Washington, D.C., in the tax division of the U.S. Department of Justice. He also served as a staff member of the U.S. Senate Budget Committee, the Joint Economic Committee of Congress, and for Senator Paul Sarbanes. Tobin is the author of *Problems in Tax Ethics*.

RICHARD VEDDER is a distinguished professor of economics at Ohio University and a scholar at the American Enterprise Institute. He was an economist with the Joint Economic Committee of Congress and was part of the six-person international team that advised Russian President Vladimir Putin on free-market reform. His writing has appeared in *The Wall Street Journal*, *The Washington Post* and *Forbes*, as well as dozens of journals in economics, public policy and law. Vedder is the author of numerous books, including *The American Economy in Historical Perspective*.

Schedule of Events

Thursday, March 11	Programming	The Event Place
2:00-3:00	Registration and Reception	
3:00-3:15	Opening Remarks E. Gordon Gee, <i>President, The Ohio State University</i>	
3:15-4:00	The relationship between government and business Mr. John Fund, <i>Columnist, The Wall Street Journal</i>	
4:15-5:30	How does the government interact with business? Moderator: Prof. Paul Rose, <i>The Ohio State Univ. Moritz College of Law</i> Panelists: Prof. Adam Benforado, <i>Drexel Univ. Earle Mack School of Law</i> ; Prof. Reza Dibadj, <i>Univ. of San Francisco School of Law</i> ; Prof. Richard Vedder, <i>Ohio University Dept. of Economics</i>	
5:45-6:30	Government and business: a view from Congress The Honorable David E. Bonior, <i>Chairman, American Rights at Work (2003-Present)</i> ; Member, <i>United States House of Representatives (1976-2002)</i>	
7:00-9:00	Dinner	Barrister's Club
Friday, March 12	Lunch	Barrister's Club
12:00-1:00	Government and business: what says the Constitution? Lunch featuring Prof. Richard H. Pildes, <i>New York University School of Law</i>	
	Programming	Drinko Hall
1:15-2:45	Government, business and the law Moderator: Associate Dean Donald Tobin, <i>The Ohio State Univ. Moritz College of Law</i> Panelists: Prof. Barbara Black, <i>Univ. of Cincinnati College of Law</i> ; Prof. Corey Ciocchetti, <i>Univ. of Denver Daniels College of Business</i> ; Prof. Christine Hurt, <i>Univ. of Illinois College of Law</i>	
3:00-4:15	What are the practical implications when the government interacts with business? Moderator: Associate Dean Garry Jenkins, <i>The Ohio State Univ. Moritz College of Law</i> Panelists: Mr. C. Robert Kidder, <i>Chairman, Chrysler</i> ; Mr. Larry Hilsheimer, <i>President & COO, Nationwide Direct & Customer Solutions</i> ; Mr. Brent Miller, <i>President, Lifestyle Communities</i> ; Dean Christine Poon, <i>The Ohio State Univ. Fisher College of Business</i>	
4:30-5:00	Government and business: a workable relationship? Nomi Prins, <i>Author, It Takes a Pillage: Behind the Bailouts, Bonuses, and Backroom Deals from Washington to Wall Street</i>	
5:00-5:15	Closing Remarks	

Accommodations

Where to Stay

For information on lodging in Columbus, please contact the Greater Columbus Convention and Visitors Bureau at (800) 354-2657 or visit www.experiencecolumbus.com.

Where to Go

On Thursday, March 11, the programming will be held at The Event Place and the dinner will be held at the Barrister's Club. On Friday, March 12, the lunch will be at the Barrister's Club and the rest of the programming will be at Drinko Hall.

Where to Park

Parking is available in the Gateway Parking Garage, across the street from the Barrister Club. For more information, please visit www.southcampusgateway.com.

Special Accommodations

We will do everything in our power to satisfy the needs of each symposium participant. Please inform Jon Peters, executive editor of the *Entrepreneurial Business Law Journal*, of any special requests: jonathan.w.peters@gmail.com

Cancellation Policy

If you need to cancel your registration, please do so by February 22 and you will receive a 50 percent refund by mail. Alternatively, if you are unable to attend the symposium, you may designate a substitute to go in your place.

Directions

Please visit moritzlaw.osu.edu/about/directions.php.

CLE Credit

We have arranged for attendees to receive CLE credit by attending the symposium. If you have any questions about this, please contact Jon Peters, executive editor of the *Entrepreneurial Business Law Journal*: jonathan.w.peters@gmail.com.

ABOUT THE ENTREPRENEURIAL BUSINESS LAW JOURNAL

The Entrepreneurial Business Law Journal publishes scholarly articles and student-authored notes that address issues of interest to entrepreneurs, small-business owners and venture capitalists. It also plans an annual symposium where professors and practitioners from around the country discuss emerging trends in business, law and society.

The journal has a relationship with VC Experts, an online publication covering the private-equity and venture capital industries, which enables authors to publish articles in its compendium, reaching a subscription base of more than 50,000 visitors per month.

The journal has twenty editors, forty staff members and four faculty advisers.

To register for the symposium, please detach and mail the registration form along with the appropriate fee to:

Jonathan Peters, *Entrepreneurial Business Law Journal*
Moritz College of Law, The Ohio State University
55 West 12th Ave., Room 159, Columbus, OH 43210-1391

Checks should be made payable to:
Entrepreneurial Business Law Journal

Registration Form

PLEASE COMPLETE THE INFORMATION BELOW:

Name: _____

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PLEASE MARK THE STATUS FOR WHICH YOU WISH TO REGISTER:

Non-journal subscribers: **\$30**

Journal Subscribers: **\$25**

Ohio State faculty, staff and students: **FREE**

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The Ohio State University
55 West 12th Avenue
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**The Relationship Between American Government
and American Business**

**at The Ohio State University
Moritz College of Law**