

Curriculum Vitae

JAMES P. MAY

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Washington College of Law
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**TEACHING
EXPERIENCE**

**Washington College of Law, The American University,
Washington D.C.**

Professor of Law since September 1989; Associate
Professor of Law, September 1986 to August 1989;
Assistant Professor of Law, August 1982 to August
1986.

**Washington and Lee University School of Law,
Lexington, Virginia, Fall 1998.**

Visiting Professor of Law, teaching Antitrust Law
and American Legal History.

Courses Currently Teaching:

Antitrust Law; Contracts; United States Legal History I
(Colonial Period to Post-Civil War Reconstruction);
United States Legal History II (Reconstruction to the
Present)

Other Courses Taught:

Advanced Antitrust Law, Law and Economics (co-taught),
Professional Responsibility, Regulation in America

**OTHER
EMPLOYMENT**

Antitrust Division, Evaluation (now Legal Policy) Section, United States Department of Justice, Washington, D.C., Attorney, November 1976 through April 1982.

United States Attorney's Office, Washington, D.C., Special Assistant United States Attorney, on detail from the Antitrust Division, March-July 1980.

National Commission for the Review of Antitrust Laws and Procedures, Washington, D.C., Staff Assistant. (One of the senior staff writers and researchers providing full-time support throughout the life of the Commission, June 1978-January 1979, on detail from the Antitrust Division.)

Bergson, Borkland, Margolis & Adler, Washington, D.C., Law Clerk, Summer, 1975.

Legal Aid Society, Inc., Minneapolis, Minnesota, Law Clerk, Summer, 1974.

EDUCATION

Harvard Law School
Cambridge, Massachusetts
J.D., June 1976. Cum laude.

Carleton College
Northfield, Minnesota
B.A., June 1973. Magna cum laude, Phi Beta Kappa.
Major in History.

PUBLICATIONS

Books

Standard Oil Co. v. United States: the Supreme Court and the Foundations of a New American Society (University Press of Kansas, Forthcoming)

Book Chapters, Articles, and Shorter Works

THE OXFORD INTERNATIONAL ENCYCLOPEDIA OF LEGAL HISTORY (Stanley Katz, ed., forthcoming), entry on:

Antitrust

The Story of Standard Oil Co. v. United States, in *ANTITRUST STORIES* (Eleanor M. Fox and Daniel A. Crane, eds. 2007)

THE OXFORD COMPANION TO THE SUPREME COURT OF THE UNITED STATES (Kermit L. Hall, ed., 1992 and 2d ed. 2005), entries on:

Antitrust
Sherman Antitrust Act
E.C. Knight Co., United States v.
Fiscal and Monetary Powers
Inverse Condemnation
Ex parte Quirin

THE OXFORD COMPANION TO AMERICAN LAW (Kermit L. Hall, ed. 2002), entry on:

Antitrust Law

THE OXFORD GUIDE TO UNITED STATES SUPREME COURT DECISIONS (Kermit L. Hall, ed. 1999), entries on:

E.C. Knight Co., United States v.
Ex parte Quirin

Introduction, *Colloquium: Legal Education Then and Now: Changing Patterns in Legal Training and in the Relationship of Law Schools to the World Around Them*, 7 *Am. U.L. Rev.* 747 (1998)

Science, Politics, and the Evolution of Law and Neoclassical Economics, 15 LAW & HIST. REV. 333 (1997)

The Factional Foundations of Competition Policy in America 1888-1992, 42 ANTITRUST BULL. 239 (1997)

Redirecting the Future: Law and the Future and the Seeds of Change in Modern Antitrust Law, 17 MISS. C. L. REV. 43 (1996)

Historical Analysis in Antitrust Law, 35 N.Y.L. SCH. L. REV. 857 (1990).

The Role of the States in the First Century of the Sherman Act and the Larger Picture of Antitrust History, 59 ANTITRUST LAW JOURNAL 93 (1990).

Antitrust in the Formative Era: Political and Economic Theory in Constitutional and Antitrust Analysis, 1880-1918, 50 OHIO ST. L.J. 257 (1989).

Antitrust Practice and Procedure in the Formative Era: The Constitutional and Conceptual Reach of State Antitrust Law, 1880-1918, 135 U. PA. L. REV. 495 (1987).

Legal Briefs

Amicus brief for the American Antitrust Institute in the Wisconsin state case of *Olstad v. Microsoft*, a class action suit brought under state law to recover for damages suffered indirectly as a result of the monopolizing conduct of which Microsoft was found guilty in *United States v. Microsoft*

Other Works

Co-Interviewer with Marc Winerman, *Oral History of Bernard Hollander, Esq., Attorney, United States Department of Justice, Antitrust Division, 1949-Present* (forthcoming publication by American Antitrust Institute for its 2008 annual meeting)

SELECTED PRESENTATIONS AND COMMENTS

“*Standard Oil: Litigation and Resolution*,” American Association of Law Schools Annual Meeting, Section on Antitrust and Economic Regulation Session on “Antitrust History,” January 5, 2008

“State Antitrust Enforcement—The Very Early Years,” National Association of Attorneys General Centennial Symposium: One Hundred Years of State Antitrust Enforcement, October 9, 2007

“The Story of *Standard Oil v. United States*,” Washington College of Law Speakers Series, March 2, 2007

Presentation on “Standard Oil” at Joint Federal Trade Commission/United States Department of Justice, Antitrust Division Hearing on Business History, October 26, 2006 (part of broader joint Federal Trade Commission/United States Department of Justice Hearings on Single-Firm Conduct under Section Two of the Sherman Act)

Remarks on United States Antitrust Law and Law and Economics to Visiting Delegation of Dean and Faculty from the University of Chile, January 10, 2000

Introductory Remarks, Panel on “Legal Education Then and Now: Changing Patterns in Legal Training and in the Relationship of Law Schools to the World Around Them,” Washington College of Law, American University, Washington, D.C., April 8, 1996

“Aaron Director’s and Edward Levi’s *Law and the Future* in Historical Perspective,” presented at a session on “Director and Levi’s *Law and the Future*: Reconsiderations after 40 Years,” jointly sponsored by the Sections on Antitrust and Economic Regulation and Law and Economics of the Association of American Law Schools in connection with the 1996 Annual Meeting of the Association, San Antonio, Texas, January 5, 1996

"American Competition Law", Lecture Presented in the D.E.S.S. law program of the University of Nanterre, Paris, France, March 16, 1995

Remarks on the Pedagogy and Scholarship of American Legal History, Presented at a Workshop of Faculty Members from the Washington College of Law and the Law Faculty of the University of Nanterre, Paris, France, March 16, 1995

Commenter, Session on "Legal History", Crit Network Conference on "The Politics of Class and the Construction of Identity", March 11, 1995

Remarks on "The History of Competition Policy," presented at the Critical Legal Studies Networks Conference, April 10-12, 1992.

"Thoughts on Using Historical Analysis to Formulate the Public Interest," presented at the Conference on Observing the Sherman Act Centennial: The Past and Future of Antitrust as Public Interest Law, New York Law School, November 16, 1990.

Commenter, Panel Session, "Reflections on the 100th Anniversary of the Sherman Antitrust Act," 15th Annual Meeting of the Social Science History Association, October 21, 1990.

"The Role of the States in the First Century of the Sherman Act," presented at the 38th Annual Spring Meeting, Section of Antitrust Law, American Bar Association, March 22, 1990.

Commenter, Panel Session on the Sherman Act Centennial, Annual Meeting of the American Association of Law Schools, January 1990.

Recent Washington College of Law Integrated Curriculum and Guest Speaker Lectures

"Legal Formalism and Legal Realism," Integrated Curriculum Special Session, 2004-2007

"*Bell Atlantic Corp. v. Twombly* (2007)," Civil Procedure Session, Friday, September 28, 2007

**MEDIA
APPEARANCES**

NBC Nightly News, April 5, 2000

Commentary on the Effects of the 1911 Dissolution Remedy Approved by the Supreme Court in the Antitrust Case Against the Standard Oil Company, In Connection with Recent Developments in the Antitrust Case Against the Microsoft Corporation

SERVICE

Membership Co-Chair at American University, Washington College of Law, for the United States Supreme Court Historical Society 2007-2008
Member, American Bar Association Antitrust Section Oral History Task Force 2006-2007
Oral History Project (with Marc Winerman) focused on Bernard Hollander, Esq., Attorney, United States Department of Justice, Antitrust Division, 1949-Present
Co-Chair, Local Arrangements Committee, American Society for Legal History Annual Meeting, Washington, D.C., November 13-16, 2003
Advisory Board Member, American Antitrust Institute, 2001-003
Council Member, Association of American Law Schools Section of Antitrust and Economic Regulation, 1997
Repeated manuscript reviewer for the *Law and History Review*

Law School

Member of Admissions, Appointments, Curriculum, Library, Rank and Tenure, Special Projects, Speakers and Scholarship, Standards and Evaluation Committees

Member or Chair of Numerous Rank and Tenure Subcommittees Reviewing Untenured Faculty Members for Retention, Promotion, or Tenure

Chair (for one year) of Curriculum Committee
Chair (for one year) of Library Committee

American University

Law School Representative on the University Senate Research Committee, 1990-1993

ASSOCIATIONS

American Society for Legal History
American Bar Association

BAR MEMBERSHIP

District of Columbia
Supreme Court of the United States