

## Shay Lavie

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- CONTACT INFORMATION** Faculty of Law, Tel Aviv University (972) 3-6409146  
Tel Aviv, Israel 69978 snlavie@post.tau.ac.il
- TEACHING & RESEARCH INTERESTS** Civil Procedure; Class Actions & Complex Litigation; Law & Economics; Empirical Methods; Judicial Decision Making
- ACADEMIC APPOINTMENTS** **Tel-Aviv University, Buchmann Faculty of Law**, Assistant Professor (Spring 2013–present)  
*Courses:* Civil Procedure; Law & Economics; Class Actions; Law & Economics Workshop; Empirical Legal Studies Workshop; Regulation through Litigation (Seminar); Economics of Litigation  
**Cornell Law School**, Visiting Professor (Fall 2017)  
*Course:* Class Actions  
**Harvard University**, Byse Fellow and Teaching Fellow  
*Byse Fellow:* Teaching the non-credit seminar *Regulation through Litigation* (Harvard Law School, Spring 2012)  
*Teaching Fellow:* Empirical Methods II (Kennedy School of Government, Spring 2010)
- EDUCATION** **Harvard Law School**, S.J.D. (Awarded 2012)  
*Dissertation Topic:* Collectivized Litigation (supervised by David Rosenberg, Kathryn Spier, Louis Kaplow)  
**Columbia Law School**, LL.M., *Harlan Fiske Stone Scholar* for Academic Excellence (Awarded 2007)  
*LL.M. Paper:* Judicial Sunk Cost Bias (supervised by Edward Morrison)  
**Hebrew University of Jerusalem, Faculty of Law**, LL.B. *Magna Cum Laude*, Dual Degree Program in Law and Communications (Awarded 2005)
- PUBLICATIONS** *Quotas*, JOURNAL OF LAW & POLITICS (forthcoming 2018)  
– Selected for presentation at the STANFORD INT’L JUNIOR FACULTY FORUM  
*Litigation Signals*, SANTA CLARA LAW REVIEW (forthcoming 2018) (co-authored with Avraham Tabbach)  
*Torts for Non-Victims: The Case for Third Party Litigation*, UNIVERSITY OF ILLINOIS LAW REVIEW (forthcoming 2018) (co-authored with Ehud Guttel and Alon Harel), [link]  
*Tiered Certification*, 19 THEORETICAL INQUIRIES IN LAW 69 (2018) (Guest Editors: Samuel Issacharoff, Alon Klement, Shay Lavie), [link]  
*Discretionary Review and Undesired Cases*, 44 EUROPEAN JOURNAL OF LAW & ECONOMICS 265 (2017)  
*Wheel of Fortune: Distributing Class Action Funds*, 40 TEL AVIV UNIVERSITY LAW REVIEW 321 (2017) (in Hebrew), [link]  
*Appellate Courts and Caseload Pressure*, 27 STANFORD LAW & POLICY REVIEW 57 (2016), [link]  
– Response by Hon. Jon O. Newman, 28 STANFORD LAW & POLICY REVIEW ONLINE 21 (2017), [link]  
– Reviewed in SIXTH CIRCUIT APPELLATE BLOG (April 5, 2017), [link]  
– Featured in LAW360 (Jan. 24, 2017), [link]  
*On Interlocutory Appeals, Subject-Matter Jurisdiction, and Judicial Sunk Costs*, 19 IDC LAW REVIEW 627 (2016) (in Hebrew), [link]  
*Are Judges Tied to the Past? Evidence from Jurisdiction Cases*, 43 HOFSTRA LAW REVIEW 337 (2014), [link]  
– Reprinted in the 2015 ROMANIAN JUDGES’ FORUM REVIEW

*The Malleability of Collective Litigation*, 88 NOTRE DAME LAW REVIEW 697 (2013), [link]

*Reverse Sampling: Holding Lotteries to Allocate the Proceeds of Small-Claims Class Actions*, 79 GEORGE WASHINGTON LAW REVIEW 1065 (2011), [link]

*Judicial Directives: Normative and Empirical Assessment*, 34 TEL AVIV UNIVERSITY LAW REVIEW 437 (2011) (in Hebrew) (co-authored with Liav Orgad), [link]

SHORTER  
ESSAYS,  
WORKING  
PAPERS, AND  
RESEARCH IN  
PROGRESS

Asymmetric Information in Litigation, in ENCYCLOPEDIA OF LAW AND ECONOMICS (Alain Marciano and Giovanni Battista Ramello eds., Springer) (forthcoming 2018)

Judgment Contingent Settlements (co-authored with Avraham Tabbach), [link]

Adjusting Legal Standards (co-authored with Tal Ganor and Yuval Feldman)

SELECTED  
GRANTS AND  
FELLOWSHIPS

ISRAEL SCIENCE FOUNDATION, a grant for *Settlement Signals and Bargaining Procedures* (2016–2018) (Collaborator; Primary Investigator—Avraham Tabbach)

ISRAEL SCIENCE FOUNDATION, a grant for *Piecemeal Adjudication* (2015–2018) (Primary Investigator; Collaborator—Yuval Feldman)

HARVARD LAW SCHOOL, Clark Byse Fellowship (2011–2012)

HARVARD LAW SCHOOL, Summer Academic Fellowship (2011, 2010)

ISEF FOUNDATION (2009–2012)

HEBREW UNIVERSITY–COLUMBIA LAW SCHOOL, LL.M. Fellowship (full tuition and expenses) (2006–2007)

SELECTED  
PRESENTATIONS

*Torts for Non-Victims: The Case for Third Party Litigation* (and previous titles) (co-authored with Ehud Guttel and Alon Harel)

- Canadian Law and Economics Association Annual Conference (September 2017)
- Bar-Ilan University, Faculty Workshop (May 2017)
- Israeli Law and Economics Annual Conference (March 2017)

*Litigation Signals* (co-authored with Avraham Tabbach)

- Tel Aviv University Faculty Workshop (June 2017)
- Junior Faculty Federal Courts Workshop (March 2017)

*Quotas* (and previous titles)

- Cornell Law School, Faculty Seminar (September 2017)
- Stanford International Junior Faculty Forum (October 2015)
- Annual American Civil Procedure Workshop (July 2015)
- American Law and Economics Association Annual Conference (May 2015)
- Renmin University International Virtual Workshop (May 2015)

*Tiered Certification* (and previous titles)

- Fifty Years of Class Actions—A Global Perspective (January 2017)
- Symposium—Ten Years to the Israeli Class Actions Act (June 2015)

*The Interpretation of Legal Standards* (co-authored with Tal Ganor and Yuval Feldman)

- Italian Society of Law and Economics Annual Conference (December 2016)

*Judgment Contingent Settlements* (co-authored with Avraham Tabbach)

- Workshop on Law and Economics, Stony Brook Center for Game Theory (July 2016)
- Society for Institutional & Organizational Economics Annual Conference (June 2016)
- Italian Society of Law and Economics Annual Conference (December 2015)
- Hebrew University, Law and Economics Workshop (November 2014)
- European Law and Economics Association Annual Conference (September 2015)

*Discretionary Review and Undesired Cases: Lessons for Institutional Design*

- Hebrew University, Private Law Workshop (May 2014)
- American Law and Economics Association Annual Conference (May 2012)

- Peking University School of Transnational Law (February 2012)
- Canadian Law and Economics Association Annual Conference (September 2011)

*Are Judges Tied to the Past? Evidence from Jurisdiction Cases* (and previous titles)

- Tel Aviv University, Law and Economics Workshop (March 2014)
- Law & Business Symposium, IDC Herzliya (March 2014)
- American Law and Economics Association Annual Conference (May 2010)
- Hebrew University, Law and Economics Workshop (January 2010)
- Canadian Law and Economics Association Annual Conference (October 2009)

*Appellate Courts and Caseload Pressure* (and previous titles)

- European Law and Economics Association Annual Conference (September 2013)
- Cornell–Tel Aviv Conference on Empirical Legal Studies (May 2013)
- Conference on Empirical Legal Studies (November 2011)

*The Malleability of Collective Litigation*

- Junior Faculty Federal Courts Workshop (February 2012)
- Tel Aviv University Faculty of Law, Faculty Workshop (January 2012)
- Bar Ilan University Faculty of Law, Faculty Workshop (December 2011)
- Haifa University Faculty of Law, Faculty Workshop (December 2011)
- Harvard Law School, Law and Economics Seminar (October 2011)

*Reverse Sampling: A Simple Proposal to Allocate the Proceeds of Low-Value Class Actions*

- Israeli Law and Economics Association Annual Conference (June 2010)

*Class Actions Venture Funds* (co-authored with Michael Sabin)

- Harvard Law School, Law and Economics Seminar (March 2007)

PRACTICAL  
EXPERIENCE

Cohen Milstein Sellers & Toll PLLC, New York, Summer Associate (Summer and Fall 2012)  
 Sanford, Wittels & Heisler, LLP, New York, Summer Associate (Summer 2009)  
 Amit, Pollak, Matalon and Co., Law Offices, Tel Aviv, Summer Associate (Summer 2008)  
 Magistrate Judge Michael H. Dolinger, Southern District of New York, Extern (Spring 2007)  
 Chief Justice Aharon Barak, Supreme Court of Israel, Jerusalem, Israel, Law Clerk (2005–2006)  
 Magistrate Court, Jerusalem, Volunteer (2003–2004)

ADDITIONAL  
INFORMATION

*Other Academic Activities*

- Referee for the *Journal of Theoretical and Institutional Economics*, the *European Journal of Law and Economics*, the Israel Science Foundation, and various journals in Hebrew including the *Hebrew University of Jerusalem Law Review* and *Tel Aviv University Law Review*.

*Coursework on Empirical Methods*

- Advanced Quantitative Research Methodology, Harvard University Dep't. of Government (Spring 2011)
- Empirical Methods I & II, Harvard University Kennedy School of Government (Fall 2008, Spring 2009)

*Coursework on Microeconomics and Mathematics*

- Non-cooperative Games, School of Mathematical Sciences, Tel Aviv University (Fall 2016)
- Advanced Mathematics for Economists, Berglas School of Economics, Tel Aviv University (Spring 2016)
- Contracts & Organizations, Harvard University Dep't. of Economics (Fall 2010)
- Microeconomic Theory I & II, Harvard University Kennedy School of Government (Fall 2008, Spring 2009)

*Computing Skills*

- L<sup>A</sup>T<sub>E</sub>X, R, Stata, *Mathematica*

*Bar Admissions*

- New York (2008); Israel (2006)

*Other Experience*

- Multimedia Center, Hebrew University: technician and film producer (2003–2005)
- Abramson & Co. Law Offices, Jerusalem, Israel: law librarian (2002–2003)
- Israel Defense Forces: staff sergeant (1997–2000)