



ERIE AT EIGHTY:
Choice of Law Across the Disciplines

September 13 & 14, 2018

The University of Akron School of Law
sponsored by *The Center for Constitutional Law & the Akron Law Review*

The topic of the Sixth Annual Constitutional Law Conference at Akron is the eightieth anniversary of *Erie Railroad Co. v. Tompkins* (1938). In this iconic case, the U.S. Supreme Court cast significant doubt on the federal courts' authority to make law absent express authorization. This conference will bring together scholars from a range of legal disciplines in order to engage in a day of intensive scholarly discussion about the implications of *Erie* on choice of law issues that arise within specific fields including civil procedure, remedies, evidence, and intellectual property. The cross-disciplinary focus stems from a sense that *Erie's* impact on fields of law has been underexplored, and that *Erie* problems can be better understood and assessed with concrete examples in hand.

Thursday, Sept. 13

12:15pm-1:15pm Prof. Laura Little (Temple), *Book Talk--Guilty Pleasures: Comedy & Law in America* (Brennan Courtroom 180)

6:30pm Dinner for Presenters

Friday, Sept. 14

8:00am Registration and Continental Breakfast (McDowell Commons)
Breakfast sponsored by the Federal Bar Association, Northern District of Ohio
Registration hosts: Student editors of *Akron Law Review*

8:30am Welcome, Dean C.J. Peters (Brennan Courtroom 180)
Introduction, Prof. Tracy Thomas, Director, Center for Constitutional Law

8:45 – 10:00 am **Panel 1: *Understanding Erie*** (Brennan Courtroom 180)
Moderator: Dean C.J. Peters (Akron)
Prof. Brian Frye (Kentucky), *The Ballad of Harry James Tompkins*
Prof. Michael Green (William & Mary), *The Erie Doctrine: A Flowchart*
Prof. Craig Green (Temple), *Erie and Constitutional Structure: An Intellectual History*
Prof. Megan LaBelle (Catholic), *An Erie Approach to Privilege Doctrine*

CONFERENCE ON CONSTITUTIONAL LAW AT AKRON

- 10:00-10:15 am Break
- 10:15-12:00pm **Panel 2: *Erie and Federalism*** (Brennan Courtroom 180)
Moderator: Prof. Bernadette Genetin (Akron)
Prof. Charlton Copeland (Miami), *Erie's Federalism and Ours*
Prof. Kermit Roosevelt (Penn)
Prof. Jeff Rensberger (South Texas), *At the Intersection of Erie and Administrative Law*
Prof. Laura Little (Temple), *Erie's Unintended Consequences on State Law*
Prof. Alex Reinert (Cardozo), *Erie Doctrine, State Law, and Civil Rights Litigation in Federal Court*
- 12:15 – 1:15 pm **Lunch and Keynote** (McDowell Commons)
Prof. Ernie Young (Duke), *Erie as a Way of Life*
Introduction: Danielle Schantz, Editor in Chief, *Akron Law Review*
- 1:15 – 1:30 pm Break
- 1:30 – 2:30 pm **Panel 3: *The Erie Effect in Remedies*** (Brennan Courtroom 180)
Moderator: Prof. Tracy Thomas (Akron)
Prof. Caprice Roberts (Florida), *Remedies, Equity & Erie*
Prof. Rachel Janutis (Capital)
Prof. Michael Morley (Florida State)
- 2:30 – 2:45pm Break
- 2:45 – 3:45pm **Panel 4: *Erie in Intellectual Property*** (Brennan Courtroom 180)
Moderator: Camilla Hrdy (Akron)
Prof. Joe Miller (Georgia), *Our IP Federalism: Thoughts on Erie at Eighty*
Prof. Sharon Sandeen (Mitchell-Hamline), *The “Erie/Sears-Compco Squeeze” and Erie's Other Effects on Trade Secret Law*
Prof. Shubha Ghosh (Syracuse), *Jurisdiction Stripping and the Federal Circuit: A Path for Unlocking State Law Claims from Patent*
- 4:00 – 5:00pm Coffee with the IP Faculty
Host: Prof. Ryan Holte, Director of the Akron Center for IP Law & Technology

Follow the Erie Conference proceedings on **Twitter @conlawcenter** and post using hashtag **#Erieat80**