

RESUME

NAME: **James J. White**

ADDRESS: The University of Michigan Law School
625 S. State St., Room 1035 LR
Ann Arbor, MI 48109-1215
(734) 764-9325; email: jjwhite@umich.edu

MARITAL STATUS: Married, Nancy C. White

BIRTHDATE: February 19, 1934

EDUCATION: Amherst College, B.A., 1956
Magna Cum Laude, Phi Beta Kappa

University of Michigan Law School, J.D. 1962
Law Review, Order of the Coif

Admitted California Bar, 1963; Resigned, 1974
Admitted Michigan Bar, 1967

WORK: United States Air Force, 1956-59; 1961-62
Ohio Air National Guard, 1959-61; 1964-81, Pilot, LTC
Practice: Latham & Watkins, 1962-64, Los Angeles, California

Teaching: The University of Michigan Law School
Robert A. Sullivan Professor of Law, 1982 - present
Assistant, Associate and Professor of Law, 1964 - present
Associate Dean, 1978-81

PUBLICATIONS:

Books: Modern Law of Contracts (with Frier), 2d ed., West Publishing Co., 2008

Principles of Secured Transactions (with Summers), Concise Hornbook Series, West Publishing Co., 2008

Principles of Payment Systems (with Summers), Concise Hornbook Series, West Publishing Co., 2008

Volumes 2-3 of Handbook of the Law Under the Uniform Commercial Code, 5th Edition with Summers, West Publishing Co., 2008 (four volume practicing lawyers edition)

Volume 1 of Handbook of the Law Under the Uniform Commercial Code, 5th Edition with Summers, West Publishing Co., 2006 (four volume practicing lawyers edition)

Secured Transactions: Teaching Materials and Teaching Manual, West Publishing Co., 3d. ed., 2006

Modern Law of Contracts (with Frier), West Publishing Co., 2005

Revised Article 1 and Amended Article 2 – Substance and Process Supplement to
Accompany Uniform Commercial Code Practitioner Treatise Series, West Publishing Co.,
2005

Volume 4 of Handbook of the Law Under the Uniform Commercial Code, 5th Edition with
Summers, West Publishing Co., 2002 (four volume practicing lawyers edition)

Secured Transactions: Teaching Materials and Teaching Manual, West Publishing Co.,
2d. ed., 2002

Supplement to Lawyer's Edition, Handbook of the Law Under the Uniform Commercial
Code, 5th Edition, West Publishing Co., 2001

Handbook of the Law Under the Uniform Commercial Code, 5th Edition with Summers,
West Publishing Co., 2000 (one volume student edition)

Handbook of the Law Under the Uniform Commercial Code, 4th Edition with Summers,
West Publishing Co., 1995 (four volume practicing lawyers edition)

Bankruptcy, 3rd Edition (with Nimmer), West Publishing Co., 1996

Bankruptcy, Student Edition (with Epstein, Nickles), West Publishing Co., 1993

Bankruptcy, 3 vols. (with Epstein, Nickles), West Publishing Co., 1992

Banking Law Teaching Materials, 3rd Edition (with Symons), West Publishing Co., 1990

Commercial Law, 5th Edition (with Speidel and Summers), West Publishing Co., 1993

The Lawyer as a Negotiator (with Edwards), West Publishing Co., 1976

Articles: Warranties in the Box, 46 San Diego L. Rev. (forthcoming Aug./Sept. 2009)

Bankruptcy Noir, 106 Mich. L. Rev. 691 (2008)

The Articulate Frank Allen, 41 Mich. J.L. Reform 367 (2008)

Abuse Prevention 2005, 71 MO L. Rev. 863 (2007)

NSF Fees, 68 Ohio S. L.J. 185 (2007)

Shifting Leverage in Chapter 11 Under BAPCPA: Who's in Charge Now? (with Baxter,
Carlson, Heller), published in Proceedings of the 80th Annual Meeting of the National
Conference of Bankruptcy Judges (San Francisco, November 2006)

Maiming the Cubs, 32 Ohio N.U. L. Rev. 287 (2006)

Boilerplate and Economic Power in Auto Manufacturing Contracts (with Ben-Shahar),
104 Mich. L. Rev. 953 (2006)

Chuck and Steve's Peccadillo, 25 Cardozo L. Rev. 1743 (2004)

Death and Resurrection of Secured Credit, 12 ABI L. Rev. 139 (2004)

Contracting under Amended 2-207, 2 Wisc. L. Rev. 723 (2004)

A Footnote for Jack Dawson (with Peters), 100 Mich. L. Rev. 1954 (2002)

Default Rules in Sales and the Myth of Contracting Out, 48 Loy. L. Rev. 101 (2002)

Reverberations from the Collision of Tort and Warranty, 53 S.C. L. Rev. 1067 (2002)

Good Faith and the Cooperative Antagonist, 54 SMU L. Rev. 679 (2001)

Phoebe's Lament, 98 Mich. L. Rev. 2773 (2001)

Governments, Citizens, and Injurious Industries (with Hanoch Dagan), 75 N.Y.U. L. Rev. 354 (2000)

Autistic Contracts, 45 Wayne L. Rev. 1693 (2000)

The Usury *Trompe L'Oeil*, 51 S.C. L. Rev. 445 (2000)

Failure and Forgiveness: A Review, 73 Am. Bankr. L.J. 301 (1999)

Freeing the Tortious Soul of Express Warranty Law, 72 Tul. L. Rev. 2089 (1998)

Corporate Judgment Proofing: A Response to Lynn LoPucki's 'Death of Liability', 107 Yale L.J. 1363 (1998)

Form Contracts Under Revised Article 2, 75 Wash. U. L.Q. 315 (1997)

Comments at 1997 AALS Annual Meeting: Consumer Protection and the Uniform Commercial Code, 75 Wash. U. L.Q. 219 (1997)

Rights of Subrogation in Letters of Credit, 41 St. Louis U. L.J. 47 (1997)

Gas Sale Contracts Under the Uniform Commercial Code, 47th Oil & Gas Inst., Ch. 9 (Matthew Bender 1996)

The Influence of International Practice on the Revision of Article 5 of the UCC, 16 NW. J. Int'l L. & Bus. 301 (1996)

Comment, Harvey's Silence, 69 Bankr. L.J. 467 (1995)

Trade Without Tears, or Around Letters of Credit in 17 Sections, UCC Bulletin 1 (1995)

Reforming Article 9 Priorities in Light of Old Ignorance and New Filing Rules, 79 Minn. L. Rev. 529 (1995)

Work and Play in Revising Article 9, 80 Va. L. Rev. 2089 (1994)

The Influence of American Legal Realism on Article 2 of the Uniform Commercial Code, published in *Prescriptive Formality and Normative Rationality in Modern Legal Systems, Festschrift for Robert S. Summers*, 401 (Duncker & Humblot - Berlin, 1994)

Letter to Judge Harry Edwards, 91 Mich. L. Rev. 2177 (1993)

Revising Article 9 To Reduce Wasteful Litigation, 26 Loy. L.A. L. Rev. 823 (1993)

Preference Conundrums, with D. Israel, Commercial L.J. 1 (1993)

Revised Article 5, 9 UCC Bulletin 1 (1992)

Ex Proprio Vigore, 89 Mich. L. Rev. 2096 (1991)

Absolute Priority and New Value, 8 Cooley L. Rev. 1 (1991)

Goldstein's Curse, 21 U. Tol. L. Rev. 559 (1990)

Introduction to the Banking Symposium: A Two-Hundred Year Journey From Anarchy to Oligarchy, 50 Ohio St. L.J. 1059 (1990)

Promise Fulfilled and Principle Betrayed, Proceedings and Papers of the Conference on Contract Law: From Theory To Practice, Annual Survey of American Law 7 (1988)

The Decline of the Contract Market Damage Model, 11 U. Ark. L. Rev. 1 (1988-89)

Taking from Farm Lenders and Farm Debtors: Chapter 12 of the Bankruptcy Code, 13 J. Corp. L. 1 (1987)

Dancing on the Edge of Article Nine, 91 Commercial L.J. 385 (1986)

The Bildisco Case and the Congressional Response, 30 Wayne L. Rev. 1169 (1984)

Essay Review: The Pros and Cons of "Getting to YES", 34 J. Legal Educ. 115 (1984)

Efficiency Justification for Personal Property Security, 37 Vand. L. Rev. 473 (1984)

The Recent Erosion of the Secured Creditor's Rights Through Cases, Rules and Statutory Changes in Bankruptcy Law, 53 Miss. L.J. 387 (1983)

Eight Cases and Section 251, 67 Cornell L. Rev. 841 (1982)

Contract Law In Modern Commercial Transactions, An Artifact of Twentieth Century Business Life? 22 Washburn L. Rev. 1 (1982)

Machiavelli and the Bar: Ethical Limitations on Lying in Negotiation, 921 Am. B. Found. Res. J. 926 (1980)

Allocation of Scarce Goods Under Section 2-615 of the Uniform Commercial Code: A Comparison of Some Rival Models, 12 U. Mich. J.L. Reform 503 (1979)

Evaluating Article 2 of the Uniform Commercial Code: A Preliminary Empirical Expedition, 75 Mich. L. Rev. 1262 (1977)

The Abolition of Self-Help Repossession: The Poor Pay Even More, 1973 Wis. L. Rev. 503

Consumer Sensitivity to Interest Rates: An Empirical Study of New-Car Buyers and Auto Loans, 69 Mich. L. Rev. 1207 (1971)

Representing the Low-Income Consumer in Repossessions, Resales and Deficiency Judgment Cases, 64 NW. U. L. Rev. 808 (1970); 3 UCC Legal J. 199 (1971)

Consumer Credit in the Ghetto: UCCC Free Entry Provisions and the Federal Trade Commission Study, Bus. Law. 143 (1969)

The Lawyer as a Negotiator: An Adventure in Understanding and Teaching the Art of Negotiation, 19 J. Legal Educ. 337 (1967)

Some Petty Complaints about Article 3, 65 Mich. L. Rev. 1315 (1967)

Women in the Law, 65 Mich. L. Rev. 1051 (1967)

LECTURESHIPS/
SEMINARS:

6th Circuit Judicial Conference, "Trends in Chapter 13 Filings," Asheville, May 2007

ABA Section of Business Law 2007 Annual Meeting, "The Impact of Revised Article 9 on Consumer Credit Transactions." (with Barkley Clark), San Francisco, August, 2007

80th Annual Meeting of the National Conference of Bankruptcy Judges, "Shifting Leverage in Chapter 11 Under BAPCPA: Who's in Charge Now?" (with Baxter, Carlson, Heller), San Francisco, November, 2006

Earl F. Nelson Memorial Lecture, University of Missouri-Columbia School of Law, "Changing Incentives: Changing Law," February, 2006

Kormendy Lecture, Ohio Northern University College of Law, "Maiming the Cubs," November 2005

Brendan Brown Lecture, Loyola University, School of Law, "The Bitter Wind of License Law," April 2001

Forrest B. Weinberg Memorial Fund Lecture, Cleveland State University, Cleveland-Marshall College of Law, "Legal Consequences of the Proposed Cigarette Settlement on the Rights of Prospective Plaintiffs," November 1997

Krinock Memorial Lecture, Cooley Law School, "Absolute Priority and New Value", December 1990

University of Toledo Law Review Lecture, "Goldstein's Curse," January 1990

Sino-American Economic and Civil Law Conference "Some Fundamentals of American Commercial Law" Sponsored by Committees on Legal Education Exchange Between U.S. and China, Honolulu, Hawaii, May 29 - June 2, 1989

University of Arkansas, Altheimer Lecture, "The Decline of the Contract Market Damage Model", March, 1988

University of Iowa Law School Dedication Lecture, "Taking from Farm Lenders & Farm Debtors: Chapter 12 of the Bankruptcy Code", April 1987

Morris Weisman Lecture, Commercial Law League of America "Dancing on the Edge of Article 9", 1985

Frank M. Farris, Jr. Lecture, Vanderbilt University Law School, "Efficiency Justification for Personal Property Security," 1984

Law Memorial Lecture Series, University of Mississippi Law School, "The Recent Erosion of the Secured Creditor's Rights Through Cases, Rules and Statutory Changes in Bankruptcy Law," 1983

Foulston-Seifkin Lecture, Washburn University School of Law, "Contract Law in Modern Commercial Transactions, An Artifact of Twentieth Century Business Life?", 1982

OTHER:

- Participant in Fulbright Senior Specialists Program (2006)
- Recipient of Creditors' Rights Section Award of Excellence, Commercial Law League of America (2005)
- Recipient of Homer Kripke Achievement Award, American College of Commercial Finance Lawyers (2002)
- Recipient of L. Hart Wright Award for Excellence in Teaching for 2001-02
- Commissioner, National Conference of Commissioners on Uniform State Laws (NCCUSL); Chairman, Michigan Commission on Uniform State Laws
- Chairman, NCCUSL Study Committee on Electronic Payments Systems, 2002-
- Member, Study Committee on the Implementation of International Conventions and Treaties, 2005-
- Member, Drafting Committee on Electronic Discovery, 2005-
- Member, Drafting Committee on Uniform Real Property Electronic Recordation Act, 2002-
- Member, NCCUSL Permanent Editorial Board for UCC, 2000-
- Member, Drafting Committee to Revise UCC Article 2, 1999-2004
- Member, Drafting Committee to Revise Article 2A, 1996-2004
- Member, Drafting Committee to Revise UCC Article 1, 2000-2001
- Reporter, Drafting Committee to Revise Article 5, 1990-1995
- Chairman, GM-UAW Legal Services Plan, 1996-
- Consultant to Civil Code Drafting Commission of the Russian Federation through the Institutional Reform and the Informal Sector (IRIS) project in Russia and Eastern Europe, Spring and Summer, 1994
- Consultant to Bureau of Legislative Affairs, Beijing, China, on the drafting of a negotiable instruments law in China, 1993
- Member, Board of Directors, Glacier Hills Retirement Center, 1994-
- Member, Article 2 Study Committee, American Law Institute, 1988-1992

- Member, Editorial Board, West Publishing Co.
- Fellows of the Michigan State Bar Foundation, 1987-
- Member, American Law Institute
- Chairman, Governor's Advisory Commission on the Regulation of Financial Institutions, 1976
- Visiting Professor: Columbia Law School—September-December 2004 and September-December 2008; Cornell Law School—January-April 1994; Harvard Law School—September-December 1973; University of South Carolina School of Law—January-April 1999 and January-February 2002; Tel-Aviv University Law School—May 2004 and December 2005; University of Toledo College of Law—January-April 2003 and September-December 2005; Wayne State University Law School—September-December 1975