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EDUCATION

J.D. University of Michigan Law School, *cum laude*, 1989

M.A. in English, University of Michigan, 1983

A.B. with distinction, University of Michigan, 1982

PROFESSIONAL EXPERIENCE

Professor, University of Colorado School of Law, 1997-present

Associate Professor, University of Colorado School of Law, 1990-1997

Director, Byron R. White Center for American Constitutional Study, 1995-1999

Visiting Professor, Southern Methodist University Law School, Fall, 1997

Visiting Associate Professor, University of Minnesota Law School, Fall, 1992

Associate Attorney, Latham & Watkins, Chicago, Illinois, 1989-90

Associate Editor, Michigan Law Review, 1987-89

Editor, THE SPORTS PERIODICALS INDEX, 1985-86

PUBLICATIONS

BOOKS

A Fan's Life: The Agony of Victory and the Thrill of Defeat (University of Chicago Press, forthcoming Fall 2022)

Don't Go to Law School (Unless) (LGLA Books, 2012)

The Obesity Myth (Penguin Books/Gotham, 2004)

Jurismania (Oxford University Press, 1998)

Against the Law (with Pierre Schlag and Steve Smith, Duke University Press, 1996)

Scholarly Articles, Essays, and Reviews

The Truman Show: The Fraudulent Origins of the Former Presidents Act, 2021 Mich. St. L. Rev. ____ (2022).

A Constitution for the Age of Demagogues: Using the 25th Amendment to Remove an Unfit President, 97 Den. L. Rev 85-115 (2020)

The Economics of American Higher Education in the New Gilded Age, 2018 Utah. L. Rev. 867-883 (2018)

The Extraordinary Rise and Sudden Decline of Law School Tuition: A Case Study of Veblen Effects in Higher Education, 48 Seton Hall L. Rev 167-191 (2018)

Is Legal Scholarship Worth its Cost? 88 U. Colo. L. Rev 377-384 (2017)

Food Policy and Cognitive Bias, 5 Wake For. J.L. & Pol. 187-192 (2015)

Has the Increased Cost of Law School Improved Legal Education? 50 Wake For. L. Rev. 101-108 (2015)

Lawyers and Spoiled Identity, 28 Georg. J.L. Ethics 73-122 (2015)

Candor and the Politics of Law Teaching, 99 Rad. Teach. 27 (2014)

Legal Academia and the Blindness of the Elites, 37 Harv. J. L. & Pub. Pol. 179 (2013)

Self-Congratulation and Scholarship, 60 UCLA L. Rev. Disc. 214 (2013)

The End of the Obesity Epidemic, 23 Critical Public Health 51 (2013) (Book Review)

The Crisis of the American Law School, 46 Mich. J.L. Ref. 177 (2012)

Does Fat Kill? A Critique of the Epidemiological Evidence, in **Debating Obesity: Critical Perspectives**, Emma Rich, Lee F. Monaghan & Lucy Aphramor, eds., Palgrave Macmillan (2011)

Medical and Social Scientific Debates Over Body Weight, in **Handbook of the Social Science of Obesity**, John Cawley, ed., Oxford University Press (2011) (with A. Saguy)

Shame, 17 J. Con. Leg. Issues 61 (2008)

Three Versions of Nonsense, 77 U. Colo. L. Rev 901 (2006)

Response: Lifestyle, Not Weight, Should Be the Primary Target, 35 International J. Epidemiology 81 (2006) (with A. Saguy, E. Oliver, P. Ernsberger, and G. Gaesser)

The Epidemiology of Overweight and Obesity: Public Health Crisis or Moral Panic? 35 International J. Epidemiology 55 (2006)

Fat and the Politics of Fear, 20 Health A. E. S. 133 (2006)

Anorexia Nation 19 Health A. E. S. 11 (2005)

Why Our Fears About Fat Are Misplaced, 182 *New Scientist* 20 (2004)

The Search For Incontrovertible Visual Evidence, 72 *U. Colo. L. Rev.* 1039 (2001)

What the Twins Saw, 67 *U. Cin. L. Rev.* 711 (1999)

The Chaotic Pseudotext, 94 *Mich. L. Rev.* 2178 (1996)

The Color of Money, 67 *U. Colo. L. Rev.* 921 (1996)

A Text Is Just A Text, 19 *Harv. J.L. & Pol'y* 327 (1996)

Forty Years in the Desert, 20 *S. Ill. U. L. J.* 109 (1995)

A Heterodox Catechism, 11 *Const. COMM.* 65 (1994)

Secular Fundamentalism, 94 *Colum. L. Rev.* 1814 (1994)

The Untermensch As Übermensch, 6 *Yale J. L. & Human.* 423 (1994) (Book Review)

Advocacy and Scholarship, 81 *Calif. L. Rev.* 817 (1993)

Silence and the Word, 64 *U. Colo. L. Rev.* 1139 (1993)

That Obscure Object of Desire: Hermeneutics and the Autonomous Legal Text, 77 *Minn. L. Rev.* 1065 (1993)

Three Mistakes About Interpretation, 92 *Mich. L. Rev.* 388 (1993)

Legal Hermeneutics, 10 *Const. Comm.* 175 (1993) (Book Review)

The Paradox of Punishment, 1992 Wisc. L. Rev. 1931 (1993)

A Mirror For the Magistrate, 9 Const. Comm. 151 (1992)

Against Constitutional Theory, 4 Yale J.L. & Human. 279 (1992)

SELECTED RECENT JOURNALISM

Coaches and Presidents are Robbing Us, *Chronicle of Higher Education*, December 13, 2021

The Truman Show, *New York Magazine*, July 24, 2021

Justice Breyer Should Retire Right Now, *New York Times*, March 16, 2021

Pence Should Invoke 25th Amendment to Remove Trump From Office Immediately, *New York Magazine*, January 6, 2021

Rich Colleges Can Afford to Spend More, *New York Times*, June 6, 2020

Why Can't Trump Find Legal Help? *New York Times*, April 6, 2018

A Fair Wage for Elite Athletes? How About \$750,000? *Chronicle of Higher Education*, March 22, 2018

White Economic Privilege is Alive and Well, *New York Times*, July 29, 2017

Alice Goffman's Improbable Ethnography, *Chronicle of Higher Education*, September 4, 2015

TEACHING

Property
Statutory Interpretation
Economics of the American Legal System
Theories of Criminal Punishment (Seminar)

Selected awards and honors

Named one of the 25 most influential people in legal education by *National Jurist*, 2012, 2013, 2014

Selected as Lawyer of the Year by *Above The Law*, 2012

Professional Associations

Colorado Hispanic Bar Association

Editorial Board, *Fat Studies Journal*