

DAVID W. CASE

University of Mississippi School of Law
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Academic Experience:

Associate Professor of Law and Jessie D. Puckett Jr. Lecturer, University of Mississippi School of Law (2007-present) (with tenure since 2009)

Teaching and research areas: Environmental Law, Environmental Management,
Environmental & Toxic Torts, Administrative Law, Contracts, Civil Procedure, Property

Assistant Professor of Law, University of Memphis School of Law (2002-07)

Visiting Assistant Professor of Law, University of Memphis School of Law (2001-02)

Bridgestone Americas Fellow in Environmental Management, Vanderbilt University (1998-2001)

Senior Research Associate, Vanderbilt Center for Environmental Management Studies (1998-2001)

Education:

Ph.D., Vanderbilt University (December 2004) (Interdisciplinary Studies: Environmental Law,
Management and Policy)

LL.M., Columbia University (May 1993)

J.D., *cum laude*, University of Mississippi (May 1988)

Phi Kappa Phi

Associate Editor-in-Chief/Comments, *Mississippi Law Journal*

B.A., University of Mississippi (May 1985) (English and Political Science)

Judicial Clerkships:

Law Clerk for the Honorable Rhesa H. Barksdale
Circuit Judge, United States Court of Appeals for the Fifth Circuit (1991-92)

Law Clerk for the Honorable James C. Sumner
Magistrate Judge, United States District Court for the Southern District of Mississippi (1993-94)

Legal Practice Experience:

Ott & Purdy, P.A., Jackson, Mississippi
Partner (1995-98); Associate (1994-95, 1988-91)

United States Department of Justice, Washington, D.C.
Attorney, Civil Division, Commercial Litigation Branch (1993)

Additional Academic Experience:

Faculty, Council on Legal Education Opportunity (CLEO) Summer Institute (at the University of Mississippi School of Law)
Summer 2013 (Property); Summer 2012 (Property)

Visiting Professor, University of Memphis School of Law
Spring 2014 (Environmental Law); Spring 2012 (Civil Procedure II); Spring 2011 (Environmental Law)

Visiting Professor, University of Mississippi School of Law
Summer 2005 (Environmental Law, Civil Procedure I); Summer 2002 (Environmental Law)

Faculty, Tennessee Institute for Pre-Law (University of Memphis School of Law, Alternative Admissions Summer Program)
Summer 2006 (Torts); Summer 2005 (Torts); Summer 2003 (Contracts), Summer 2002 (Contracts)

Adjunct Professor, Mississippi College School of Law
Summer 1994 (State and Local Government Law)

Teaching Fellow, Columbia University School of Law
Fall 1992 (Mass Torts) (Co-taught by Professor Harold L. Korn and Adjunct Professor Jack B. Weinstein, United States District Judge for the Eastern District of New York)

Teaching Assistant, University of Mississippi School of Law
Fall 1987, Fall 1986 (Legal Research and Writing)

Awards:

2012 Ben A. Hardy Faculty Excellence Award (in recognition of outstanding teaching, scholarship and service by a faculty member at the University of Mississippi School of Law)

2011 Oxford/University Sustainability Leadership Award (UM Faculty category) (awards made annually as part of the City of Oxford/University of Mississippi Green Week Initiative)

Publications:

Books

ENVIRONMENTAL LAW (West Publishing, Legal Almanac Series: Thomson Reuters' Law for the Layperson, 2011) (joint with Ronald J. Rychlak)

Originally published as ENVIRONMENTAL LAW (Oxford University Press, Oceana's Legal Almanac Series: Law for the Layperson, 2010) (joint with Ronald J. Rychlak)

Journal Articles

The Role of Information in Environmental Justice, 81 MISS. L.J. 701 (2012) (solicited for American Bar Association Section of Environment, Energy and Resources Symposium on U.S. Environmental Justice and the Law)

Changing Corporate Behavior Through Environmental Management Systems, 31 WM. & MARY ENVTL. L. & POL'Y REV. 75 (2006) (solicited for Symposium on Corporate Governance and Environmental Best Practices)

- *Excerpted in* J.B. RUHL, ET AL., THE PRACTICE AND POLICY OF ENVIRONMENTAL LAW 788-89 (Foundation Press, 2008)

The EPA's HPV Challenge Program: A Tort Liability Trap?, 62 WASH. & LEE L. REV. 147 (2005)

Corporate Environmental Reporting as Informational Regulation: A Law and Economics Perspective, 76 U. COLO. L. REV. 379 (2005)

The Pedagogical Don Quixote De La Mississippi, 33 U. MEM. L. REV. 529 (2003)

The Law and Economics of Environmental Information as Regulation, 31 ENVTL. L. REP. 10773 (2001)

The EPA's Environmental Stewardship Initiative: Attempting to Revitalize a Floundering Regulatory Reform Agenda, 50 EMORY L.J. 1 (2001) (lead article)

Legal Considerations in Voluntary Corporate Environmental Reporting, 30 ENVTL. L. REP. 10375 (2000)

Setting a Higher Standard: Judicial Review of Federal Affirmative Action in the Wake of Adarand, 16 MISS. C. L. REV. 369 (1996) (solicited for Symposium on The Role of the U.S. Court of Appeals for the Fifth Circuit in the Civil Rights Movement)

From Pruett to Presley: The Long and Winding Road to Abrogation of Common Law Sovereign Immunity in Mississippi, 63 MISS. L.J. 537 (1994) (lead article)

In Search of an Independent Judiciary: Alternatives to Judicial Elections in Mississippi, 13 MISS. C. L. REV. 1 (1992) (lead article)

Resolving the Conflict Between Chapter 13 of the Bankruptcy Code and the Free Exercise Clause – In re Green: A Step in the Wrong Direction, 57 MISS. L.J. 163 (1987)

Book Chapters

Mississippi, in 2 STATE-BY-STATE GUIDE TO ARCHITECT, ENGINEER, AND CONTRACTOR LICENSING 967 (Stephen G. Walker et al. eds., 1999) (Chapter 27)

The Agreement of Indemnity – The Surety’s Handling of Contract Bond Problems: Administration and Resolution of Performance Bond and Payment Bond Claims, in THE AGREEMENT OF INDEMNITY – PRACTICAL APPLICATIONS BY THE SURETY (George J. Backrach ed., 1990) (joint with Stephen J. Trecker & Luther S. Ott)

Doctoral Dissertation

ESSAYS ON STATE-OF-THE-ART ENVIRONMENTAL POLICY TOOLS (2004) (Ph.D. dissertation, Vanderbilt University) (in circulation at Vanderbilt University Library; ISBN # 0-496-15384-6)

Other Publications

Tribute to John Robin Bradley, 82 MISS. L.J. 779 (2013)

Foreword: American Bar Association Section of Environment, Energy and Resources Symposium, U.S. Environmental Justice and the Law, 81 MISS. L.J. 641 (2012)

“Federal Law – Environmental Regulations,” essay in ENCYCLOPEDIA OF AMERICAN ENVIRONMENTAL HISTORY (University of Houston Center for Public History ed., 2011)

“Nuisance Law,” essay in ENCYCLOPEDIA OF AMERICAN ENVIRONMENTAL HISTORY (University of Houston Center for Public History ed., 2011)

Judge Rhessa H. Barksdale: A Tribute to a Distinguished Graduate of the Ole Miss Law School, 79 MISS. L.J. 225 (2009)

Remembering Tom Mason, 73 MISS. L.J. i (2004)

Tribute to “Iron Mike” Featherstone, 70 MISS. L.J. 497 (2000)

Environmental Information Disclosure and Stakeholder Involvement: Searching for Common Ground, 6 CORP. ENVTL. STRATEGY 415 (1999) (joint with Mark Cohen, Mark Abkowitz, Susan Buck, and Patricia Drake)

Presentations and Panels:

Panel Moderator, “The Role of Information in Environmental Justice,” American Bar Association Section of Environment, Energy and Resources Symposium on U.S. Environmental Justice and the Law, University of Mississippi School of Law, April 2011

Presentation, “The Current State of Common-Law Climate Change Litigation,” Mississippi-Alabama Sea Grant Legal Program, Environmental Law Fall Forum, Mobile, Alabama, December 2010

Presentation, “You’ve Got Tenure! Now What?,” Southeastern Association of Law Schools (SEALS) Annual Meeting, Palm Beach, Florida, July 2010

Panel Moderator, “Consequences of Climate Change: Policy, Law and Community,” University of Mississippi School of Law (Sponsored by the Environmental Law Society, the University of Mississippi, and the City of Oxford), April 2009

Presentation, “Changing Corporate Behavior Through Environmental Management Systems,” University of Mississippi School of Law, Faculty Luncheon Speaker Series, March 2007

Presentation, “Changing Corporate Behavior Through Environmental Management Systems,” William & Mary School of Law Environmental Law and Policy Symposium on Corporate Governance and Environmental Best Practices, February 2006

Presentation, “Expanding the Frontier of Negligent Entrustment Liability in Tennessee,” Barristers Education Services Seminar, December 2005

Presentation, “Recent Developments in Tennessee Tort Law,” Memphis Bar Association Seminar, December 2004

Presentation, “Reducing Liability in the Reporting of Environmental Information,” 2002 National Environmental Innovations Summit, Environmental Performance Institute, Washington, D.C., September 2002

Presentation, “Environmental Law,” Memphis Bar Association Seminar (“Summer School at the University of Memphis”), July 2002

Conference Moderator, Vanderbilt Center for Environmental Management Studies National Summit (“Environmental Risk Communication: What Is It and How Can It Work?”), Nashville, Tennessee, March 2002

Presentation, “Reducing Liability in the Reporting of Environmental Information,” 2001 National Environmental Innovations Summit, Environmental Performance Institute, Washington, D.C., September 2001

Presentation, “Legal Considerations in Voluntary Corporate Environmental Reporting,” Vanderbilt Center for Environmental Management Studies Workshop (“Corporate Environmental and Sustainability Reporting: A New Look for the Information Age”), Nashville, Tennessee, May 2001

Conference Moderator, 2000 Business Environment Learning Leadership (BELL) Conference (“Communicating Corporate Environmental Performance & Sustainability in the New Information Economy”), May 2000 (chaired panels on topics “Environmental Information Disclosure: Too Much or Too Little?” and “Corporate Environmental and Sustainability Reports: The State of the Art and Beyond”)

Presentation, “Legal Considerations in Voluntary Corporate Environmental Reporting,” Vanderbilt Center for Environmental Management Studies Workshop (“Corporate Environmental Reports: The State of the Art and Beyond”), Nashville, Tennessee, January 2000

Presentation, “The Saturn +5 ISO 14000 Pilot Project,” Tennessee Department of Environment and Conservation Environmental Management System Workshop, Chattanooga, Tennessee, June 1999

Conference Moderator, Vanderbilt Center for Environmental Management Studies National Summit (“Environmental Information Disclosure and Stakeholder Involvement: Searching for Common Ground”), Nashville, Tennessee, March 1999

Coach, Pace National Environmental Law Moot Court Competition Team (moot held annually at Pace University School of Law, White Plains, New York):

University of Mississippi School of Law (2008-14)

National Champions (2014, 2012, 2011)

Best Brief Award (2012, 2011)

National Semifinalist (2010)

National Quarterfinalist (2013)

Participant (2009)

University of Memphis School of Law (2001-07)

National Finalist (2007)

National Semifinalist (2005, 2004)

National Quarterfinalist (2006, 2002)

Participant (2003)

Teaching and Service at University of Mississippi School of Law (2007 to present):

Courses Taught

Contracts (4) – 2014-15

Contracts I (3) – 2013-14, 2009-10

Contracts II (3) – 2013-14, 2009-10

Environmental Law – 2014-15, 2013-14, 2012-13, 2011-12, 2010-11, 2009-10, 2008-09, 2007-08, 2007 (summer)

Administrative Law – 2014-15, 2013-14, 2012-13, 2010-11, 2008-09, 2007-08

Environmental Torts – 2014-15, 2012-13, 2010-11, 2008-09

Intro to American Law and Reasoning (Honors 350) – 2014-15, 2013-14

Property (4) – 2012-13, 2011-12, 2010-11, 2009-10, 2008-09, 2007-08

Contract Negotiation and Drafting – 2012-13

Civil Procedure II – 2014 (summer) 2013 (summer), 2012 (summer), 2011 (summer), 2010 (summer), 2009 (summer), 2008 (summer), 2007 (summer)

Academic Discipline Service

Editorial Board, *Sea Grant Law & Policy Journal* (publication of the National Sea Grant Law Center at the University of Mississippi), 2007 to present

Planning Committee, American Bar Association Section of Environment, Energy and Resources Symposium on U.S. Environmental Justice and the Law hosted at the University of Mississippi School of Law, 2010-11

Judging Committee, Environmental Justice Student Writing Competition, held in conjunction with the American Bar Association Section of Environment, Energy and Resources Symposium on U.S. Environmental Justice and the Law hosted at the University of Mississippi School of Law, 2010-11

Judge, National Environmental Law Moot Court Competition, Pace University School of Law, February 2008

University Service

University Faculty Senate – 2010-11

Faculty Senate Academic Affairs Committee – 2010-11 (Chair)

Faculty Senate Executive Committee – 2010-11

University Graduate Council – 2014-15, 2013-14, 2012-13, 2011-12, 2010-11

University Faculty/Staff Appeals Committee – 2010-11 (Chair)

Faculty Fellow, Luckyday Residential College – 2011-12, 2010-11

Law School Dean Search Committee – 2009-10

Intercollegiate Athletics Committee – 2007 to present

Student-Athlete Financial Aid Appeals Committee – 2011-12, 2010-11, 2009-10

NCAA Subcommittee on Governance and Commitment to Rules Compliance (Athletics Certification Self-Study) – 2007-08

Law School Service

Admissions Committee – 2013-14 (Chair), 2010-11 (Chair), 2009-10 (Chair), 2008-09, 2007-08

Faculty Appointments Committee – 2012-13 (Chair)

Scholarship Committee – 2009-10, 2008-09

Budget Advisory Committee – 2011-12

Speakers Committee – 2011-12

Ad Hoc Committee on Disciplinary Policy – 2007-08

Ad Hoc Committee on Law School Rankings – 2010-11, 2007-08

Law School Representative, AALS House of Representatives – 2014 (Annual Meeting -- New York City), 2011 (Annual Meeting – San Francisco), 2010 (Annual Meeting – New Orleans), 2009 (Annual Meeting – San Diego)

Law School Career Services Director Search Committee – 2007-08

Ad-Hoc Student-Faculty Committee Regarding the Law School Student Non-Academic Misconduct Policy – 2008-09 (Chair)

Faculty Advisor, Environmental Law Society – 2007-present

Teaching and Service at University of Memphis School of Law (2001-07):

Courses Taught

Environmental Law – 2006-07, 2005-06, 2004-05, 2003-04, 2002-03, 2002 (summer), 2001-02

Environmental Law Seminar – 2006-07, 2002-03

Environmental Torts – 2007 (summer), 2006 (summer), 2005-06, 2005 (summer), 2004-05

Contracts I – 2006-07, 2002-03, 2001-02

Contracts II – 2006-07, 2002-03, 2001-02

Torts I – 2005-06, 2004-05, 2003-04

Torts II – 2005-06, 2004-05, 2003-04

Community Service

Board of Directors, Memphis Bar Association – 2007, 2006, 2005

Academic Discipline Service

Judge, National Environmental Law Moot Court Competition, Pace University School of Law, February 2003

University Service

University Faculty Senate – 2006-07, 2005-06, 2004-05, 2003-04

Academic Freedom and Responsibility Committee – 2005-06, 2004-05

University Task Force on Interdisciplinary Research and Teaching – 2005-06, 2004-05

University Task Force on Academic Integrity – 2005-06

Senate Committee on Committees – 2006-07, 2004-05

Senate Academic Policies Standing Committee – 2005-06

Senate Library Policies Standing Committee – 2003-04

Law School Service

Admissions Committee – 2006-07, 2005-06, 2004-05, 2003-04, 2002-03

Ad Hoc Committee on Alternative Admissions – 2006-07 (Chair), 2004-05

Teaching Assignments Committee – 2006-07, 2003-04

Faculty Recruiting Committee – 2005-06, 2004-05

Faculty Judicial Clerkships Advisor – 2006-07, 2005-06

Faculty Advisor, Environmental Law Council – 2006-07, 2005-06, 2004-05, 2003-04, 2002-03,
2001-02