

**MICHAEL P. VAN ALSTINE**  
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**PROFESSIONAL  
EXPERIENCE:**

- 2001-present THE UNIVERSITY OF MARYLAND SCHOOL OF LAW
- Associate Dean for Research and Faculty Development (2006-present)
  - Professor of Law (2002-present); Visiting Professor (2001-2002)
  - Visiting Professor, Vanderbilt University Law School (2006)(short course)
  - Professor, St. Mary's University School of Law, Innsbruck Program (2006)
- 1994-2002 THE UNIVERSITY OF CINCINNATI COLLEGE OF LAW
- Professor (1999-2002); Associate Professor (1997-1999); Assistant Professor (1994-1997)
  - Visiting Associate Professor, The George Washington University Law School (1998-1999)

CORE COURSE PACKAGE:

- Contracts;
- International Business Transactions;
- Commercial Law: Secured Transactions and Payment Systems;
- Commercial Law: Sales and Sales Financing.

TEACHING AWARDS:

- University of Maryland School of Law: Teacher of the Year Award (2007-2008);
- University of Cincinnati College of Law: Goldman Prize for Excellence in Teaching (1999-2000; 1997-1998; 1995-1996; 1994-1995).

**EDUCATION:**

- 1992-1995 DOCTOR JURIS, University of Bonn, Germany
- Doctor of Laws degree awarded "*summa cum laude*"
  - Doctoral Thesis: ABSENCE OF AGREEMENT UPON CONTRACT FORMATION UNDER THE UNITED NATIONS CONVENTION ON INTERNATIONAL SALES LAW: A COMPARATIVE LAW ANALYSIS ON THE BASIS OF GERMAN AND UNITED STATES LAW (original in German).
- 1991-1992 MAGISTER JURIS COMPARATIVI, University of Bonn, Germany
- Masters of Comparative Law degree awarded "*summa cum laude*" (formally conferred 1993)
  - Focus of Studies: The German legal system; comparative civil vs. common law; comparative commercial and contract law; European Union law
  - Thesis: THE "BATTLE OF FORMS" UNDER § 2-207 OF THE UNIFORM COMMERCIAL CODE: A CRITICAL AND COMPARATIVE LAW ANALYSIS (original in German).

*Curriculum Vitae*  
Michael P. Van Alstine  
October, 2009

- 1983-1986     **JURIS DOCTOR**, George Washington Univ. School of Law, Washington, D.C.
- Degree awarded “*with high honors*”.
  - Rank: Top 10% of the class.
  - Member: Order of the Coif.
- 1979-1983     **BACHELOR OF ARTS**, Saint Norbert College, Wisconsin
- Degree award “*summa cum laude*”.
  - Graduated with a perfect 4.00 grade point average.

## **PUBLICATIONS:**

Book Chapter: *Treaties and the Court, 1900-1945*, in **THE U.S. SUPREME COURT AND INTERNATIONAL LAW: CONTINUITY OR CHANGE?** (D. Sloss, M. Ramsey, and W. Dodge, eds., Cambridge University Press, forthcoming 2010)

Book Chapter: *The Role of Domestic Courts in Treaty Enforcement: Summary and Conclusions*, in **THE ROLE OF DOMESTIC COURTS IN TREATY ENFORCEMENT: A COMPARATIVE STUDY** (D. Sloss, ed., Cambridge University Press, 2009)

*The Universal Declaration and Developments in the Enforcement of International Human Rights in Domestic Law*, 24 MD. J. INT’L L. 63 (2009)

*Taking Care of John Marshall’s Political Ghost*, 53 ST. LOUIS U. L.J. 93 (2008)(symposium)

Book Chapter: *The UNCITRAL Digest, the Right to Interest, and the Interest Rate Controversy*, in **DRAFTING CONTRACTS UNDER THE CISG** (Oxford University Press, 2008)

*Executive Aggrandizement in Foreign Affairs Lawmaking*, 53 UCLA L. REV. 309 (2006)

*The Death of Good Faith in Treaty Jurisprudence and a Call for Resurrection*, 93 GEO. L.J. 1885 (2005)

Book Chapter: *The International Sales Contract*, in **INTERNATIONAL COMMERCIAL TRANSACTIONS** (MICPEL 2005)

*Federal Common Law in an Age of Treaties*, 89 CORNELL L. REV. 892 (2004)

*The Judicial Power and Treaty Delegation*, 90 CALIF. L. REV. 1263 (2002)

*The Costs of Legal Change*, 49 UCLA L. REV. 789 (2002)

*Treaty Law and Legal Transition Costs*, 76 CHI-KENT L. REV 1303 (2002)(symposium)

*Of Textualism, Party Autonomy, and Good Faith*, 40 WM. & MARY L. REV. 1223 (1999)

Book: **UNITED STATES COMMERCIAL AND ECONOMIC LAW** (Heidelberg, Germany, 2d ed., 1999) (with S. Elsing)(in German)

*An Analysis of the United Nations Convention on Contracts for the International Sale of Goods and Its Significance for Latin America*, 2 DERECHOS Y VALORES [Colombia] 116 (1999)(translation into Spanish)

*Dynamic Treaty Interpretation*, 146 U. PA. L. REV. 687 (1998)

*Consensus, Dissensus, and Contractual Obligation through the Prism of Uniform International Sales Law*, 37 VA. J. INT'L L. 1 (1996)

Book: ABSENCE OF AGREEMENT UPON CONTRACT FORMATION UNDER THE UNITED NATIONS CONVENTION ON INTERNATIONAL SALES LAW (Baden-Baden, Germany, 1995)(in German)(peer-reviewed).

*The EC Takeover Directive in the Light of Experience in the United States*, 4 EUROPEAN COMMERCIAL AND TAX REPORTER 8 (1993)(original in German)

### **SELECT PRESENTATIONS:**

- *Maryland Contract Law*. Conducted Seminars on advanced issues of Maryland Contract law for state judges under the auspices of the Maryland Judicial Institute (October, 2009, November, 2008; March, 2008; May, 2007; May, 2006; October 2005; April 2003)
- *Civil Code Methodology: Interpretation and the Role of Lawyers and Judges*. Presentation to Maryland State Judges under the auspices of the Maryland Judicial Institute (April, 2008)
- Symposium Presentation, St. Louis University School of Law: *Taking Care of John Marshall's Political Ghost*, in the symposium "The Uses and Misuses of History in U.S. Foreign Affairs Law" (March, 2008)
- *Executive Aggrandizement in Foreign Affairs Lawmaking*, Vanderbilt University Law School (March, 2006)
- *Maryland Contract Law*. Gave lectures on Maryland Contract law in the orientation program of new state judges under the auspices of the Maryland Judicial Institute (May, 2007; May, 2006; May, 2005)
- *The UNCITRAL Digest, the Right to Interest, and the Interest Rate Controversy*, presentation at the University of Pittsburgh School of Law in a conference on DRAFTING CONTRACTS UNDER THE CISG (November, 2005)
- *The International Sales Contract*, presentation in a MICPEL conference on International Commercial Transactions (August, 2005)
- Panel Moderator, *Private International Law Year in Review*, Annual Meeting of the American Society of International Law, Private International Law Interest Group (April, 2004)
- Conference Presentation, *The Treaty Power, the Non-Delegation Doctrine, and Federal Common Law*, in a conference sponsored at Fordham Law School by the International Law in Domestic Courts Interest Group of the American Society of International Law (December, 2002)
- *Understanding the Recent Substantial Revisions to the German Law of Obligations*. Presentation to the German Language Division of the American Translators Association (November, 2002)
- *Contracts and Recent Developments in Uniform Commercial Law*. Presentation to Maryland State Judges under the auspices of the Maryland Judicial Institute (March, 2002)
- Symposium Presentation, The Chicago-Kent School of Law: *Treaty Law and Legal Transition Costs*, in the symposium "Constructing International Intellectual Property Law: The Role of National Courts" (October, 2001)
- *The Reemergence of State Law in America's Unique Brand of Federalism*. Presentation to visiting German judges and lawyers (Cincinnati, Ohio, September, 2000)
- Faculty Presentation, *The Costs of Legal Change*: Tulane University School of Law (April, 2001)

- Symposium Presentation, The University of Virginia Law School: *Accountability and Legitimacy in International Private Law-Making*, in the symposium “International Law and the Dilemma of Accountability” (February, 2000)
- Seminar Presentation, *Commercial Law in the United States*. Conducted a week-long seminar for law professors in Colombia on the commercial law and constitutional structure of the United States under the auspices of the U.S.I.A. (Bogota, Colombia, June, 1999)
- *Hidden Internationalization: The Unification of Private International Law*. Presentation to The Lawyers Club of Cincinnati (September, 1997)
- *Positioning Your Business for the Global Century*. Presentation in a Program Sponsored by the Cincinnati Bar Association (June, 1997)
- *Damages at the Border between Contract and Tort: Recovery for “Purely Economic Loss”*. Presentation to Ohio appellate judges at the Annual Meeting of the Ohio Appellate Judges Association (Columbus, Ohio, September, 1996).

**OTHER PROFESSIONAL EXPERIENCE  
AND FELLOWSHIPS:**

- 1993-1994      THE GRADUATE INSTITUTE FOR EUROPEAN ECONOMIC LAW,  
The University of Bonn, Germany
- Doctoral fellowship sponsored by a foundation dedicated to advancing knowledge in international and European commercial and corporate law.
- 1991-1994      RESIDENT U.S. COUNSEL, Hölters & Elsing, Düsseldorf, Germany
- Practiced international commercial, contract, and corporate law, and conducted related arbitrations before ICC panels in The Hague and Geneva.
- 1990-1991      THE GERMAN ACADEMIC EXCHANGE SERVICE, Düsseldorf, Germany
- Annual fellowship program on comparative law funded by the government of the Federal Republic of Germany for a small number of foreign lawyers.
- 1986-1990      ASSOCIATE, Foley & Lardner, Milwaukee, Wisconsin
- Associate with the firm’s commercial litigation department responsible for commercial, contract, and corporate law matters.

**MEMBERSHIPS:**

American Law Institute; American Society of International Law

**LANGUAGES:**

German (fluent)