

CURRICULUM VITAE: ANTHONY DUGGAN

1. Qualifications

Bachelor of Arts (Melb., 1971)

Bachelor of Laws (Hons)(Melb.)(1972)

Master of Laws (Toronto)(1975)

Doctor of Laws (Melbourne)(1991).

2. Appointments

Professor Emeritus, Faculty of Law, University of Toronto, 2020 -

Hon. Frank H. Iacobucci Chair and Professor, Faculty of Law, University of Toronto, 2000-2020

Professorial Fellow, Faculty of Law, University of Melbourne, 2000-2017

Senior Research Fellow, Commercial Law Centre and Harris Manchester College, University of Oxford, 2015-2017

Editor-in-Chief, Canadian Business Law Journal, 2013-

3. Previous appointments

Henry Bournes Higgins Professor of Law, Monash University (1990-1999)

Reader, Faculty of Law, University of Melbourne (1987-1990)

Special Counsel, Corrs Chambers Westgarth, Solicitors, Melbourne (1997-1999)

Visiting Professor, Faculty of Law, National University of Singapore (August, 2012)

President, International Academy of Commercial and Consumer Law (2012-2014)

4. Awards and distinctions

Mewett Teaching Award, University of Toronto, 2009-2010

Mewett Teaching Award, University of Toronto, 2010-2011

Mewett Teaching Award, University of Toronto, 2014-2015 (shared)

“Hail and Farewell Address”, University of Toronto, Convocation, June 2011 (on the vote of the 2011 graduating class)

“Hail and Farewell Address”, University of Toronto, Convocation, June 2015 (on the vote of the 2015 graduating class)

5. University administration (selection)

Acting Dean, Faculty of Law, University of Toronto (1 January-2 April 2013)

Special Advisor to the Dean, Faculty of Law, University of Toronto (2 April-30 June 2013)

Associate Dean, Faculty of Law, University of Toronto (1 July 2002-30 June 2004)

Chair, Graduate Studies Committee, Faculty of Law, Monash University (1997)

Acting Dean, Faculty of Law, Monash University (1 July 1993-17 January 1994)

Chair, PhD and Scholarships Committee, Monash University (1991-92)

Associate Dean, Graduate Studies, Faculty of Law, University of Melbourne (1989-90)

Sub-Dean, Faculty of Law, University of Melbourne (1980-1983)

6. Associations and advisory boards

American Law Institute, 2008-2020

International Academy of Commercial and Consumer Law, 1996-2020

Canadian Bar Association (Ontario), Personal Property Securities Committee, 2000-

Insolvency Institute of Canada, 2000-2020

Swiss International Law School, Advisory Board on LLM in International Business Law Program, 2018-

7. Law reform

Report to the Canadian Conference on Personal Property Security Law on Proposals for Changes to the Personal Property Security Acts (presented at the CCPPSL Annual Meeting in Edmonton, Alberta, 21-23 June 2017) (165 pages) (the report was prepared by

a Working Group comprising: Professor Ron Cuming (University of Saskatchewan), Professor Anthony Duggan (University of Toronto), Professor Tamara Buckwold (University of Alberta), Professor Rod Wood (University of Alberta), Professor Catherine Walsh (McGill University), Professor Clayton Bangsund (University of Saskatchewan) and Cynthia Callahan-Maureen (Senior Policy Advisor, Financial and Corporate Policy Sector, Ministry of Finance, Government of British Columbia). The project involved numerous tele-conferences over a 12 month period and multiple drafts of the document. Professor Cuming was the project convenor. I was the editor of the report. I was also primarily responsible for writing one substantial section of the report (9 pages) and responsible at a secondary level (through the consultation process) for other sections.

Submission on Ontario Business Law Advisory Council Report to Minister of Government and Consumer Services, Fall 2016 (funding for PPSA registry enhancements)

Government of Ontario Review of Business and Commercial Legislation, Steering Committee member and Expert Panel member, May-July 2016

Submissions to the Australian Government's PPSA Review (October 4, 14 and 31 and November 17, 2014).

The Treatment of Intellectual Property Rights in Insolvency (with Norman Siebrasse) (research paper prepared for Industry Canada (Government of Canada) as part of a review of the federal bankruptcy and insolvency laws, submitted 13 September, 2013)

Government of Ontario Expert Working Group for the Personal Property Security Act Cash Collateral Project (membership by invitation), September 2012-March 2013

Submission to Australian Senate Standing Committee on Legal and Constitutional Affairs, *Inquiry Into Personal Property Securities Bill 2009* 21 pages (1 August, 2009) and supplementary submission, 4 pages (5 August, 2009) (by invitation) (reported in *Australian Financial Review*, 19 August, 2009)

Evidence before Australian Senate Legal and Constitutional Affairs Committee (by teleconference), 6 August 2009

Submission (by invitation) to the Secured Transactions Law Reform Group (UK) (9 pages plus attachment) (20 November, 2009).

Submission to Australian Senate Legal and Constitutional Affairs Committee Inquiry into the Personal Property Securities Bill 2008 [Exposure Draft] (5 December, 2008).

Uniform Law Conference of Canada, Member of Working Group on Reform of Fraudulent Conveyances and Fraudulent Preferences Law (2008-2011)

Review of the Law on Personal Property Securities (with Craig Wappett and Laurie Mayne) (Commonwealth of Australia Attorney-General's Department, July, 2006), pp 1-45.

Personal Property Security Law Reform in Canada (paper presented at Commonwealth of Australia Policy Development Workshop, *Review of the Law on Personal Property Securities* Sydney, Australia, July 25, 2006 (35 pages)

Australian Commonwealth Attorney-General's Department, PPS Law Reform Project: advice, 2 discussion papers and presentations at stakeholder seminar, Sydney, July 25, 2006)

Submission to Australian Attorney-General's Department on *Review of the Law on Personal Property Securities: Discussion Paper 1 – Registration and Search Issues* (November 29, 2006), (23 pages).

Submission to the Australian Attorney-General's Department on *Review of the Law on Personal Property Securities: Discussion Paper 2 – Extinguishment, Priorities, Conflict of Laws, Enforcement, Insolvency* (13 April, 2007) (31 pages)

Submission to the Australian Attorney-General's Department on *Review of the Law on Personal Property Securities: Discussion Paper 3- Possessory Security Interests* (10 May, 2007) (14 pages).

Supplementary Submission to the Australian Attorney-General's Department on *Review of the Law on Personal Property Securities: Discussion Paper 3- Possessory Security Interests* (29 May, 2007)(4 pages).

Submission to the Australian Attorney-General's Department on *Personal Property Securities Bill 2008 – Consultation Draft* (May, 2008) (21 pages)

Submission (with six other academic lawyers) to the Canadian House of Commons Standing Committee on Industry, Natural Resources, Development and Technology on *Bill C-55, The Wage Earner Protection Program Act and Amendments to the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act* (November, 2005) (100 pages)

Reporter for the Insolvency Institute of Canada Project on Business Insolvency Law Reform (Stage 1, 2001) and Stage 2 (2004)

Ad Hoc Committee on Personal Property Security Law Reform, Business Law Section, Law Council of Australia (1996-1998)

National Vehicle Securities Register Project: Discussion Paper (June, 1995) and *Report* (November, 1995) (both written for the Australian Ministerial Council of Consumer Affairs)

Personal Property Securities Law Reform: A Blueprint for Reform (with Simon Begg) (written for the Victorian Law Reform Commission and the Queensland Law Reform

Commission and published by them as VLRC Discussion Paper No. 39 and QLRC Discussion Paper, No. 28, August, 1992)

Victorian Ministry of Consumer Affairs Working Party on Consumer Credit Law Reform (1986-87)

Victorian Premier's Committee on Chattel Security Law Reform ("Viney Committee") (1984-85)

8. Teaching

Secured Transactions; Trusts; Bankruptcy Law; Equity and Commerce (University of Melbourne LLM); Commercial and Consumer Transactions; Consumer Credit; Consumer Protection; Contracts; Corporations Law; Economic Analysis of Law; Legal Process; Mercantile Law; Restrictive Trade Practices; Sale of Goods.

9. Publications

9.1 Books

Jacob Ziegel, David Denomme and Anthony Duggan, *The Ontario Personal Property Security Act: Commentary and Analysis* (3rd ed: LexisNexis Canada, Toronto, forthcoming, August 2020) (sole author of the third edition)

Australian Personal Property Securities Law (2nd ed., Lexis Nexis Australia, 2016), pp i- xlvii and 1-538 (published in hard cover, soft cover and e-book versions) (with David Brown)

Australian Personal Property Securities Law (with David Brown) (LexisNexis Butterworths, Sydney, 2012) (also published in e-book format).

Consumer Credit Law (with Elizabeth V. Lanyon) (Butterworths, Sydney, 1999)

[Hal Bolitho, Nicola Howell and Jeannie Paterson, *Duggan and Lanyon's Consumer Credit Law* (2nd ed., LexisNexis Butterworths Australia, 2019), i-lxxix, 1-1066]

Contractual Non-Disclosure: An Applied Study in Modern Contract Theory (with Michael Bryan and Frances Hanks) (Longman Professional, Melbourne, 1994)

Regulated Credit: The Credit and Security Aspects (with Simon Begg and Elizabeth Lanyon) (Law Book Co., Sydney, 1989)

Regulated Credit: The Sale Aspect (Law Book Co, Sydney, 1986)

The Economics of Consumer Protection (Adelaide Law Review Research Paper, No. 2, Adelaide, 1982)

9.2 Edited collections

Middle Income Access to Justice (ed., with Michael Trebilcock and Lorne Sossin) (University of Toronto Press, 2012, pp i-xvii and 1-556)

Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute c.47 and Beyond (ed with Stephanie Ben-Ishai) (LexisNexis, Toronto, 2007)

The Emergence of Australian Law (ed. with M.P. Ellinghaus and A.J. Bradbrook) (Butterworths, Sydney, 1989)

Consumer Protection Law and Theory (ed. with Leanna Darvall) (Law Book Co., Sydney, 1980)

9.3 Case books

Secured Transactions in Personal Property: Cases, Text and Materials (7th ed., Emond Montgomery Publications, Toronto, 2018), pp i-xxvii, 1-694.

Secured Transactions in Personal Property: Cases, Text and Materials (with Jacob Ziegel) (6th ed., Emond Montgomery Publications, Toronto, 2013) (pp i-xxvii, 1-676)

Secured Transactions in Personal Property: Cases, Text and Materials (ed., with Jacob Ziegel) (5th ed., Emond Montgomery Publications, Toronto, 2009), 621 pages.

Canadian Bankruptcy and Insolvency Law: Cases, Text and Materials (ed., with Stephanie Ben-Ishai, Thomas Telfer, Janis Sarra and Roderick Wood) (3rd ed., Emond Montgomery Publications, Toronto, 2014), 965 pages

Canadian Bankruptcy and Insolvency Law: Cases, Text and Materials (with Stephanie Ben-Ishai, Thomas G.W. Telfer, Roderick Wood and Jacob Ziegel) (2nd ed., Emond Montgomery Publications, Toronto, 2009), 864 pages.

Canadian Bankruptcy and Insolvency Law: Cases, Text and Materials (with Jacob S. Ziegel and Thomas G.W. Telfer) (Emond Montgomery Publications, Toronto, 2004), 677 pages.

Secured Transactions in Personal Property and Suretyships: Cases, Text and Materials (4th ed.) (with Jacob S. Ziegel and Ronald C.C. Cuming) (Emond Montgomery Publications, Toronto, 2003), 635 pages

Commercial and Consumer Sales Transactions: Cases, Text and Materials (with Jacob S. Ziegel) (4th ed.) (Emond Montgomery Publications, Toronto, 2002), 740 pages.

9.4 Law Review special editions

Inaugural Insolvency Institute of Canada Insolvency Law Symposium (2008) 24 *Banking and Finance Law Journal*, No. 1 (Special Issue) (ed. with Stephanie Ben-Ishai).

Second Insolvency Institute of Canada Insolvency Law Symposium (2009) 25 *Banking and Finance Law Review*, No. 1 (special issue) (ed., with Stephanie Ben-Ishai).

Third Insolvency Institute of Canada Insolvency Law Symposium (2010) 26 *Banking and Finance Law Review*, Issue 1 (pp 1-185) (edited, with Stephanie Ben-Ishai)

Fourth Insolvency Institute of Canada Insolvency Law Symposium (2011) 27 *Banking and Finance Law Review* 1-127 (ed., with Stephanie Ben-Ishai)

“Law, Economics and Public Policy: Essays in Honour of Michael Trebilcock” (2010) 60 *University of Toronto Law Journal* pp 155-730 (with Anita Anand, Colleen Flood and Ed Iacobucci).

9.5 Chapters in books and encyclopedia entries (selection)

“Secured Transactions Law Reform in Developed Jurisdictions” in Louise Gullifer and Dora Neo (eds), *Secured Transactions Law in Asia* (forthcoming, Hart Publishing, Oxford, 2020)

“Recent Developments in Australian PPSA Case Law and their Relevance to other PPSA Jurisdictions” in John H. Farrar, Vai Io Lo and Bee Chen Goh, *Scholarship, Education and Practice in Comparative Law: A Festschrift in Honour of Mary Hiscock* (Springer, 2019) 7-38.

“Current Issues in Secured Transactions Law in Canada: An Ontario Perspective” in Louise Gullifer and Orkun Akseli (eds), *Secured Transactions Law Reform: Principles, Policies and Practice*” (Hart Publishing, Oxford, 2016)

“Introduction” in Michael Trebilcock, Anthony Duggan and Lorne Sossin (eds) *Middle Income Access to Justice* (University of Toronto Press, Toronto 2012), pp 3-23 (with Michael Trebilcock and Lorne Sossin)

“Front-End Strategies for Improving Consumer Access to Justice in Michael Trebilcock, Anthony Duggan and Lorne Sossin (eds) *Middle Income Access to Justice* (University of Toronto Press, Toronto 2012), pp 96-141 (with Iain Ramsay)

“Middle Income Access to Justice: Policy Options with respect to Consumer/Debtor-Creditor Law” in Michael Trebilcock, Anthony Duggan and Lorne Sossin (eds) *Middle Income Access to Justice* (University of Toronto Press, Toronto 2012), 485-519

“Contracts, Fiduciaries and the Primacy of the Deal” in Elise Bant and Matthew Harding (eds), *Exploring Private Law*(Cambridge UP, 2010), pp 275-297

“Gains-Based Remedies and the Place of Deterrence in the Law of Fiduciary Obligations” in Andrew Robertson and Tang Hang Wu, *The Goals of Private Law* (Hart Publishing, Oxford, 2009), pp 365-388.

“Partly Performed Contracts” in Stephanie Ben-Ishai and Anthony Duggan (eds), *Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute c.47 and Beyond* (LexisNexis, Toronto, 2007), pp 15-46

“Voidable Preferences” (with Thomas GW Telfer) in Stephanie Ben-Ishai and Anthony Duggan (eds), *Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute c.47 and Beyond* (LexisNexis, Toronto, 2007), pp 145-174.

“Gifts and Transfers at Undervalue” (with Thomas GW Telfer) in Stephanie Ben-Ishai and Anthony Duggan (eds), *Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute c.47 and Beyond* (LexisNexis, Toronto, 2007), pp 175-198.

“Constructive Trusts from a Law and Economics Perspective” in Michael Bryan (ed), *Private Law In Theory and Practice* (Routledge-Cavendish, London, 2007), 235-269 (previously published in (2005) 55 *University of Toronto Law Journal* 217)

“Consumer Bankruptcy in Canada and Australia: A Comparative Overview” in Janis Sarra (ed) *Annual Review of Insolvency Law 2006* (Thomson Carswell 2007, Toronto), 857-893.

“The Profits of Conscience: Commercial Equity in the High Court of Australia” in Peter Cane (ed.), *Centenary Essays for the High Court of Australia* (Lexis Nexis Butterworths, Sydney, 2004), 256-276

“Commercial Law and the Limits of the Black Letter Approach” in Sarah Worthington (ed.), *Commercial Law and Commercial Practice* (Hart Publishing, Oxford, 2003), 595-614

“Consumer Access to Justice in Common Law Countries: A Survey of the Issues from a Law and Economics Perspective” in Charles E.F. Rickett and Thomas G.W. Telfer (eds),

International Perspectives on Consumers' Access to Justice (Cambridge University Press, 2003), 46-67

“Unconscientious Dealing” in Patrick Parkinson (ed), *The Principles of Equity* (2nd ed. Lawbook Co., Sydney 2003), pp 127-166.

“Misrepresentation” in Patrick Parkinson (ed), *The Principles of Equity* (2nd ed. Lawbook Co., Sydney, 2003), pp 167-210.

“Undue Influence” in Patrick Parkinson (ed), *The Principles of Equity* (2nd ed. Lawbook Co., Sydney, 2003), pp 393-434.

“Patent Security Interests: Costs and Benefits of Alternative Registration Systems” in Howard Knopf (ed.), *Security Interests in Intellectual Property* (Thomson Carswell, Toronto, 2002), 557-577

“Equity” in Peter Newman (ed) *The New Palgrave Dictionary of Economics and the Law* (Macmillan London 1998), pp 70-77

“Unconscionability” in Peter Newman (ed) *The New Palgrave Dictionary of Economics and the Law* (Macmillan London 1998), pp 637-640

“Saying Nothing with Words” in Jacob S. Ziegel (ed.), *New Developments In International Commercial and Consumer Law* (Hart Publishing, Oxford, 1998), 469-486

“Silence as Misleading Conduct: An Economic Analysis” in Megan Richardson and Philip Williams (eds), *The Law and the Market* (Federation Press, Sydney, 1995), 195-223

“Personal Property Security Interests and Third Party Disputes: Economic Considerations in Reforming the Law” in Michael Gillooly (ed.), *Securities Over Personalty* (Federation Press, Sydney, 1994), 234-290

“Consumer Protection” in *Halsbury's Laws of Australia*, Vol.5 (Butterwoths, Sydney, 2003), 179,001-180,087

9.6 Journal articles

“Purchase Money Security Interests under the PPSA: A Note on *Stockco Agricapital Pty Ltd v. Dairy Livestock Services Pty Ltd*” (2020) 31 *Journal of Banking and Finance Law and Practice* (forthcoming, July. 2020).

“Rights in Collateral and the PPSA: Rebutting the Minimalist Approach” (2019) 29 *Journal of Banking and Finance Law and Practice* 169-181 (with Craig Wappett)

Book Review: Roy Goode, *Fundamental Concepts of Commercial Law: Fifty Years of Reflection* (Oxford: OUP, 2018) (2019) 62 *Canadian Business Law Journal* 117-122.

“Set-Off and the PPSA Revisited” (2018) 35 *Companies and Securities Law Journal* 528-532.

“Refinancing Purchase Money Security Interests: A Note on *Allied Distribution Finance Pty Ltd v. Samwise Holdings Pty Ltd*” (2018) 36 *Companies and Securities Law Journal* 74-79

“The Death and Resurrection of the Lowest Intermediate Balance Rule” (2017) 80 *Saskatchewan Law Review* 209-230.

“Proposals for Changes to the Canadian Personal Property Security Acts” (2017) 59 *Canadian Business Law Journal* 145-267 (with Ronald Cuming, Tamara Buckwold, Catherine Walsh, Roderick Wood and Clayton Bangsund)

“Recent PPSA Reform Initiatives in Canada” (2017) 45 *Australian Business Law Review* 467-481

“Set-off and the PPSA: A Note on *Hamersley Iron Pty Ltd v. Forge Group Power Pty Ltd (in liq.)*” (2017) 35 *Companies and Securities Law Journal* 572-577..

“The Constructive Trust in Insolvency: A Canadian Perspective” (2016) 94 *Canadian Bar Review* 95-109

“The Status of Intellectual Property Licences in Insolvency Proceedings: A Note on *Golden Opportunities Fund Inc. v. Phenomenome Discoveris Inc.*” (2016) 58 *Canadian Business Law Journal* 341-345

“Set-Off, Flawed Assets and Security Interests in Cash Deposits” (2016) 31 *Journal of International Banking and Financial Law* 201-204

“The Trials and Tribulations of Personal Property Security Law Reform in Australia” (2015) 78 *Saskatchewan Law Review* 255-286.

“The Protection of Intellectual Property Licenses in Insolvency: Lessons from the *Nortel Case*” (2015) 4 *Penn State Journal of Law & International Affairs* 489-521 (with Norman Siebrasse) (also published in [2014] *Annual Review of Insolvency Law* 19-54).

“Intellectual Property Dealings and the PPSA: *Contech Enterprises Ltd v. Vegherb, LLC*” (2015) 28 *Intellectual Property Journal* 21-31 (with Norman Siebrasse)

“The Disclaimer, Affirmation and Assignment of Intellectual Property Licences in Insolvency” (2014) 3 *Journal of the Insolvency Institute of Canada* 163-187 (with Norman Siebrasse)

“Protection of Creators’ Rights in Insolvency” (2014) 26 *Intellectual Property Journal* 271-287 (with Norman Siebrasse)

“The Protection of Intellectual Property Licences in Insolvency: Lessons from the *Nortel* Case” [2014] *Annual Review of Insolvency Law* 19-54 with Norma Siebrasse)

“The Australian PPSA From A Canadian Perspective: Some Comparative Reflections” (2014)40 *Monash University Law Review* 59-74 (by invitation) (Monash Law School 50th anniversary special issue).

“Security Interests in Transferred Collateral: A Note on *Lisec America Inc. v. Barber Suffolk Limited* (2014) 55 *CBLJ* 296-312

“Chattel Paper” (2013) 43 *Australian Business Law Review* 171-185

“A PPSA Registration Primer” (2011) 35 *Melbourne University Law Review* 865-904 (published in June, 2012)

“Proprietary Remedies in Insolvency: A Comparison of the Restatement (Third) of Restitution & Unjust Enrichment with English and Commonwealth Law” (2011) 68 *Washington and Lee Law Review* 1229-1269.

“Romalpa Agreements Post-PPSA” (2011) 33 *Sydney Law Review* 645-685.

“Dropped H’s and the PPSA: Lessons from *Fairfax v. RBC*” (2011) 34 *University of New South Wales Law Journal* 734-746

“Security Interests in Goods Held for Lease: The Double Perfection Requirement” (2011) 51 *Canadian Business Law Journal* 85-93

“Insurance Salvage Rights and the PPSA” (2010) 49 *Canadian Business Law Journal* 278-286.

“Disclaimer of Contracts in CCAA Proceedings: Some Aspects of the 2005-2009 Amendments” [2010] *Annual Review of Insolvency Law* pp 223-245.

“Secured Transactions, Constructive Trusts and Insolvency” [2010] *Annual Review of Insolvency Law* pp 619-626 (tribute for Jacob Ziegel, by invitation)

“Fiduciary Obligations in the Supreme Court of Canada: A Retrospective” (2011) 50 *Canadian Business Law Journal* (special 50th anniversary issue) pp 453-473.

Proprietary Rights and Insolvency by Richard Calnan (Oxford: O.U.P, 2010) (2010) 49 *Canadian Business Law Journal* 423-431.

“Consumer Credit Redux” (2010) 60 *University of Toronto Law Journal* 689-707.

“Some Canadian PPSA Cases and Their Implications for Australia and New Zealand (2010) 38 *Australian Business Law Review* 161-173

“Personal Property Security Law Reform in Australia and New Zealand: The Impetus for Change” (2009) 27 *Penn State International Law Review* 655-692

“In the Wake of the Bingo Queen: Are Licences Property?” (2009) 47 *Canadian Business Law Journal* 224-243.

“The Status of Unperfected Security Interests in Insolvency Proceedings” (2008) 24 *Banking and Finance Law Review* 103-130.

“Solicitors’ Conflicts of Interest and the Wider Fiduciary Question” (2007) 81 *Australian Law Journal* 722-732 also published in (2007) 45 *Canadian Business Law Journal* 414-431.

“Doing Theory in First Year Contracts: The Iceberg Method” (with Richard Devlin and Louise Langevin) [2007] *Canadian Legal Education Annual Review* 1-36 (and accompanying webcast at <http://mediacast.ic.utoronto.ca/2007CLEAR-DDL/index.htm>)

“Canadian Preference Law Reform” (2007) 42 *Texas International Law Journal* 661-684 (with Thomas G.W. Telfer)

“Justice Iacobucci and the Canadian Law of Deemed Trusts and Chattel Security” (with Jacob Ziegel) (2007) 57 *University of Toronto Law Journal* 227-249

“Tracing, Canadian Style” *Re Graphicshoppe and Other Recent Cases*” (2006) 43 *Canadian Business Law Journal* 292-300; also published in (2006) 80 *Australian Law Journal* 495-499.

“Exemplary Damages in Equity: A Law and Economics Perspective” (2006) 26 *Oxford Journal of Legal Studies* 303-326.

“Contractarianism and the Law of Corporate Insolvency” (2005) 42 *Canadian Business Law Journal* 463-481

“Canadian Bankruptcy Law Reform: A Selective Research Agenda” (2005) 13 *Insolvency Law Journal* 1-16.

“The PPSA and the Common Law” (2005) 11 *New Zealand Business Law Quarterly* 122-131

“Constructive Trusts from A Law and Economics Perspective” (2005) 55 *University of Toronto Law Journal* 217.

“Constructive Trusts and the Deemed Agency Limitation” (2004) 83 *Canadian Bar Review* 151-160.

“Stolen Goods, A Cruise Disaster and a Right of Way Gone Wrong: Three Unconscionable Contracts Cases from a Law and Economics Perspective” (2004) 40 *Canadian Business Law Journal* 3-19

“A Further Note on Final Note: The Scope and Limits of Judicial Law Making” (with Kent Roach) (2001) 36 *Canadian Business Law Journal* 115-138

“Hard Cases, Equity and the PPSA” (2000) 34 *Canadian Business Law Journal* 129-145

“Globalization of Secured Lending Law: Australian Developments” (2000) 34 *International Lawyer* 1107-21

“Is Equity Efficient?” (1997) 113 *Law Quarterly Review* 601-36

“Till Debt Us Do Part: A Note on National Australia Bank v Garcia” (1997) 19 *Sydney Law Review* 219-229

“Personal Property Security Law Reform: The Australian Experience to Date” (1996) 27 *Canadian Business Law Journal* 176-195

“UCC Influences on the Development of Australian Commercial Law” (1996) 29 *Loyola of Los Angeles Law Review* 991-1019

“Some Reflections on Consumer Protection and the Law Reform Process” (1991) 17 *Monash University Law Review* 252-84

“Consumer Credit Rate Disclosure in the United Kingdom and Australia: A Comparative and Functional Appraisal” (1986) 35 *International and Comparative Law Quarterly* 87-105

“Misleading Advertising and the Publishers’ Defence” (1978) 6 *Australian Business Law Review* 309-24

“The Great Soap Opera” (1978) 11 *Melbourne University Law Review* 462-502

10. Recent conference presentations and seminars

Jersey Financial Services Commission, Secured Transactions Symposium, St Helier, Jersey, May 5-6, 2016: “*The Australian Personal Property Securities Register and Proposed PPSA Reforms*” (with Gavin McCosker, Australian PPS Registrar).

Canadian Conference on Personal Property Security Law Meeting, Charlottetown, PEI, June 14-17, 2016

International Academy of Commercial and Consumer Law 18th Biennial Meeting, Kyushu University, Fukuoka, Japan, July 11-14, 2016, “*Constructive Trusts in Insolvency: A Canadian Perspective*”.

Commercial Law Conference in Honour of Professor Ron Cuming, College of Law, University of Saskatchewan, November 18-19, 2016, “*The Death and Resurrection of the Lowest Intermediate Balance Rule*”

Commonwealth Law Conference, Melbourne, 21-24 March 2017, “*Trans-National Learning Opportunities in an Increasingly PPSA World* (by invitation)

Corporate and Commercial Law Workshop, Faculty of Law, University of Toronto, 27 April 2018, *Challenges and Change in Restructurings*, Panel Moderator.

International Academy of Commercial and Consumer Law, 19th Biennial Meeting, Durham University, July 5-7, 2018, “*Recent Developments in Australian PPSA Case Law*”

Oxford University and National University of Singapore, Secured Transactions Law in Asia Conference, NUS, July 26-27 2018: “*Personal Property Securities Law Reform in Developed Jurisdictions*”

3rd Commercial Law Symposium, University of Alberta, October 13, 2018, “*Recent Developments in Australian PPSA Case Law*”.

(I was unable to attend the symposium due to unexpected health issues at the last minute. But the paper was posted on the symposium website and it was presented on my behalf by Professors Rod Wood and Clayton Bangsund.

11. Conference organization

International Academy of Commercial and Consumer Law 15th Biennial Meeting, 22-24 July, 2010, University of Toronto

University of Toronto, Access to Justice for the Middle Class Colloquium, University of Toronto. February 10 and 11, 2011 (with Michael Trebilcock and others)

Trebilcock Symposium, 1-2 October 2009 (with Anita Anand, Colleen Flood and Ed Iacobucci), University of Toronto

Catalyst Group Public Lecture on Distressed Assets preceded by closed session Round Table for the Judiciary on Selected Insolvency Issues (with Hon. James Farley), University of Toronto, 3 March, 2010