



UNIVERSITY OF TORONTO
FACULTY OF LAW

LAW & ECONOMICS WORKSHOP

presents

William Hubbard
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A General Model of Nuisance Suits

Tuesday, February 24, 2015
4:10 – 5:45
Solarium (room FA2), Falconer Hall
84 Queen's Park

This paper develops a simple but general model of negative-expected-value (NEV) suit and settlement given symmetric information. It accounts for the roles of the merits, litigation costs, and bargaining power; incorporates complaints and answers for which parties' investments in pleading detail are endogenously determined; permits strategic default by the defendant; and nests several existing models of NEV litigation as special cases. It generates testable, counterintuitive, empirical predictions and facilitates normative analysis. For example, the model predicts that plausibility pleading standards will have modest effects in deterring low-merit suits but may be harmful to plaintiffs and defendants settling stronger cases.

William H. J. Hubbard received his JD with high honors from the Law School in 2000, where he was executive editor of the Law Review. He clerked for the Hon. Patrick E. Higginbotham of the U.S. Court of Appeals for the Fifth Circuit. From 2001 to 2006, he practiced law as a litigation associate at Mayer Brown LLP in Chicago, where he specialized in commercial litigation, electronic discovery, and appellate practice. From 2006 to 2011, he completed the PhD program in Economics at the University of Chicago. Before joining the faculty in 2011, he was a Kauffman Legal Research Fellow and Lecturer in Law at the Law School. Professor Hubbard currently serves as an editor of the Journal of Legal Studies. He teaches courses in civil procedure and organizes the Law and Economics Workshop. His current research primarily involves economic analysis of litigation, courts, and civil procedure. Other research interests include family, education, and labor economics.

For more workshop information, please contact Nadia Gulezko at n.gulezko@utoronto.ca.