

Ehud Guttel
Duke Law School; Hebrew University Faculty of Law
guttel@law.duke.edu
ehud.guttel@mail.huji.ac.il
984-322-8958

EDUCATION

Yale Law School, New Haven, CT
J.S.D **2002**
Thesis Advisors: Guido Calabresi, Dan Kahan, Alvin Klevorick

Fulbright Grant
Fischman Fellowship

Yale Law School, New Haven, CT
LL.M **1999**
Fulbright Grant
Fischman Fellowship

Hebrew University Faculty of Law, Jerusalem
LL.B **1997**
Summa Cum Laude
Hebrew University Law Review—Editor-in-Chief

JUDICIAL CLERCKSHIP

Israeli Supreme Court **1998**
Justice Mishael Cheshin

APPOINTMENTS

Hebrew University Faculty of Law, Jerusalem **2012 - Present**
Bora Laskin Professor of Law

Duke Law School, Durham, NC **2008 - 11, 2015, 2017, 2021 - Present**
Visiting Professor

Hebrew University Faculty of Law, Jerusalem **2009 - 2012**
Professor
Cardinal Cody Chair in Law

Hebrew University Faculty of Law, Jerusalem **2007 - 2009**
Associate Professor

Hebrew University Faculty of Law, Jerusalem **2004 - 2007**
Assistant Professor

REPRESENTATIVE PUBLICATIONS

- Ehud Guttel & R. Bahard, S. Benjamin, *Anti-Patents*, **University of Chicago Law Review** (forthcoming, 2024).
- Ehud Guttel & E. Cheng, Y. Procaccia, *Unenforceable Waivers*, **Vanderbilt Law Review** (forthcoming, 2023)
 - Subject of A. Sebok, **JOTWELL** - *Just Kidding? The Problem of Unenforceable Waivers of Liability*, (February 8, 2023) <https://torts.jotwell.com/just-kidding-the-problem-of-unenforceable-waivers-of-liability/>
- Ehud Guttel, Y. Procaccia, A. Harel, *General Courts, Specialized Courts, and the Complementarity Effect*, **Regulation and Governance** (forthcoming, 2023)
- Ehud Guttel & E. Cheng, Y. Procaccia, *Sequencing in Damages*, 74 **Stanford Law Review** 353 (2022).
 - Subject of R. Avraham, **JOTWELL** - *Law's Arithmetic*, (August 11, 2021), <https://torts.jotwell.com/laws-arithmetic/>
- Ehud Guttel, S. Choshen-Hillel, A. Harel, *Framing Negligence*, 19 **Journal of Empirical Legal Studies** 293 (2022)
- Ehud Guttel, I. Paldor & G. Parchomovsky, *Sentencing Co-Offenders*, 99 **University of Washington Law Review** 1425 (2022).
- Ehud Guttel, Y. Procaccia, E. Winter, *Shared Liability and Excessive Care*, 37 **Journal of Law, Economics, and Organization** 358 (2021).
- Ehud Guttel & Ariel Porat, *Tort Liability and the Risk of Discriminatory Government*, 87 **University of Chicago Law Review** 1 (2020).
- Ehud Guttel, A. Harel & S. Lavie, *Torts for Nonvictims: The Case for Third-Party Litigation*, 2018 **University of Illinois Law Review** 1049 (2018).
- Ehud Guttel, *The Law and Economics of Merit Goods*, 16 **Jerusalem Review of Legal Studies** 142 (2017).
- Ehud Guttel & Y. Halbersberg, *The Behavioral Economics of Tort Law*, in **Oxford Handbook of Behavioral Economics and the Law** (2014).
- Ehud Guttel & S. Leshem, *The Uneasy Case of Multiple Injurers' Liability*, 15 **Theoretical Inquiries in Law** 261 (2014).
- Ehud Guttel & S. Leshem, *Bargaining around Cost-Benefit Standards*, 103 **Journal of Public Economics** 55 (2013).
- Ehud Guttel, D. Gilo & E. Yuval, *Negligence, Strict Liability and Collective Action*, 42 **Journal of Legal Studies** 69 (2013).
- Ehud Guttel, *Buying the Right to Harm*, 86 **S. California Law Review** 1195 (2013).

-
- Ehud Guttel & D. Teichman, *Criminal Sanctions in the Defense of the Innocent*, 110 **Michigan Law Review** 597(2012).
 - Ehud Guttel & David Gilo, *Insufficient Activity and Tort Liability: A Rejoinder*, 108 **Michigan Law Review: First Impressions** 64 (2010).
 - Ehud Guttel & D. Enoch, *Cognitive Biases and Moral Luck*, 7 **Journal of Moral Philosophy** 372 (2010).
 - Ehud Guttel & D. Gilo, *Negligence and Insufficient Activity: The Missing Paradigm in Torts*, 108 **Michigan Law Review** 277 (2009) (reprinted in *Cases and Materials on Torts*, Richard A. Epstein & Catherine M. Sharkey, eds. 2012).
 - Ehud Guttel & A. Harel, *Uncertainty Revisited: Legal Prediction and Legal Postdiction*, 107 **Michigan Law Review** 467 (2008).
 - Ehud Guttel, *The (Hidden) Risk of Opportunistic Precautions*, 93 **Virginia Law Review** 1389 (2007).
 - Ehud Guttel & B. Medina, *Less Crime, More (Vulnerable) Victims: Game Theory and the Distributional Effects of Criminal Sanctions*, 3 **Review of Law & Economics** 407(2007).
 - Ehud Guttel & A. Harel, *Matching Probabilities: The Behavioral Law & Economics of Repeated Behavior*, 72 **University of Chicago Law Review** 119 (2005).
 - Ehud Guttel, *Overcorrection*, 93 **Georgetown Law Journal** 241(2004).
 - Ehud Guttel & M. Novick, *A New Approach to Old Cases: Reconsidering the Statutes of Limitation*, 54 **University of Toronto Law Journal** 129 (2004).

Hebrew

- Ehud Guttel, Y. Procaccia & G. Schneebaum, *Fault: Injurers and Victims*, 52 **Hebrew University Law Review** 27 (2022).
- Ehud Guttel, L. Dasht & Y. Procaccia, *Relatives or Strangers? Judicial Review Reconsidered*, 50 **Hebrew University Law Review** 713 (2021).
- Ehud Guttel & Y. Procaccia, *The Unreasonable Victim: Contributory Negligence, Mitigation, and the Law of Torts*, 50 **Hebrew University Law Review** 5 (2021).
- Ehud Guttel & R. Winograd, *Criminal Law and Torts: On the Choice Between Balancing and Consistency*, 49 **Hebrew University Law Review** 142 (2018).
- Ehud Guttel, *Nelignce, the Hand Formula and the Risk of Strategic Investments in Prevention*, 9 **Law & Business** 161-174 (2008).
- Ehud Guttel, *An Alternative Approach to Statutes of Limitations*, 36 **Hebrew University Law Review** 829-853 (2006).

-
- Ehud Gutte & I. Gilead, *Causation as a Means to Expand Tort Liability: A Critical Review*, 34 **Hebrew University Law Review** 385-420 (2004).

AWARDS AND GRANTS

- Rector Prize for Excellence in Teaching & Research
2017
- Patal Prize
2015
- Cheshin Award for Outstanding Legal Scholarship
2010
- Birk Prize for Academic Excellence
2007
- ISF Grant
2005-8
- Handler Foundation Grant
2004-6