

CURRICULUM VITA

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Born: January 16, 1940
Married: Four Children

EDUCATION: B.A. 1961, University of WI (Mathematics Major) LL.B., 1964, Yale University
Honors: cum laude, Order of the Coif, and Note and Comment editor, Yale Law Journal, 1963-64

EMPLOYMENT:

1964-65 Law Clerk to the Court, U.S. Court of Appeals, District of Columbia Circuit, Washington, D.C.

1965-69 Assistant Professor of Law, University of Wisconsin Law School (on leave, 1967-69)

1967-69 Visiting Senior Lecturer in Law, The University College, Dar es Salaam, Tanzania (position financed by a Fulbright grant)

1969-71 Associate Professor of Law, University of Wisconsin Law School

1971-present Professor of Law, University of Wisconsin Law School (on leave, 1972-73, 1975-76, 1987) (Appointed Young-Bascom Professor of Business Law in 1986; awarded Emeritus status in 1997).

1972-73 Visiting Professor of Law, Stanford University Law School
Visiting Fulbright Professor of Law, University of Nairobi, Kenya
1987 Visiting Professor, Boston University School of Law

1999 Exchange Professor, Faculty of Law, Makerere University, Kampala, Uganda

Law School Courses Taught More Than Once:

Contracts I; Contracts II; Commercial Law; Creditors & Debtors Rights; Taxation I (individual income tax); Taxation II (corporate income tax); Administrative Law; Advertising Regulation; Consumer Protection Seminar; Negotiations; Texaco-Pennzoil Seminar.

Major Publications:

Books

- **Revisiting the Contracts Scholarship of Stewart Macaulay: On the Empirical and the Lyrical** (co-edited with J. Braucher & J. Kidwell), Hart Publishing (U.K.) 2013.
 - [Consumer Credit, Debt, and Bankruptcy](#), (co-edited J. Niemi, and I. Ramsay), Hart Publishing (U.K.) 2009.
 - **Contracts: Law in Action** (with S. Macaulay, J. Kidwell & M. Galanter), Lexis/Nexis, 1st ed. 1995; 2nd ed. 2003., 3rd. Ed. 2010 (S. Macaulay, J. Braucher & J. Kidwell) (LexisNexis).
 - [Consumer Bankruptcy in Global Perspective](#) (co-edited with J. Niemi-Kiesilainen & I. Ramsay), Hart Publishing (U.K), 2003.
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Articles

Corporate Reorganization:

Professor Whitford is well known for this series of early-1990s articles on corporate bankruptcy reorganization.

- [Patterns in the Bankruptcy Reorganization of Large, Publicly Held Companies](#), 78 Cornell L. Rev. 597 (1993) (with L. LoPucki).
- [Corporate Governance in the Bankruptcy Reorganization of Large, Publicly Held Companies](#), 141 U. Pa. L. Rev. 669 (1993) (with L. LoPucki).
- [Venue Choice and Forum Shopping in the Bankruptcy Reorganization of Large, Publicly Held Companies](#), 1991 Wis. L. Rev. 401 (with L. LoPucki).
- [Bargaining Over Equity's Share in the Bankruptcy Reorganization of Large, Publicly Held Companies](#), 139 U. Pa. L. Rev. 125 (1990) (with L. LoPucki).

However, he has also written about other issues in corporate reorganization.

- [Bankruptcy](#), International Encyclopedia of the Social and Behavioral Sciences 1042-44 (Elsevier 2001).
 - [What's Right About Chapter 11](#), 72 Wash. U. L. Rev. 1379 (1994).
 - [Compensating Unsecured Creditors For Extraordinary Bankruptcy Reorganization Risks](#), 72 Wash. U. L. Rev. 1133 (1994) (with L. LoPucki).
 - [Preemptive Cramdown](#), 65 Am. Bank. L.J. 625 (1991) (with L. LoPucki).
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Consumer Transactions (including Bankruptcy):

- [Response: Small Ball](#), 90 Texas L. Rev. See Also 9 (2011).
- [A History of the Automotive Lender Provisions of BAPCA](#), 2007 Ill. L. Rev. 143.
- [ProCD v. Zeidenberg in Context](#), 2004 Wis. L. Rev. 821 (2007).
- [Bankruptcy](#), International Encyclopedia of the Social and Behavioral Sciences 1042-44 (Elsevier 2001).
- [Secured Creditors and Consumer Bankruptcy In the United States](#), 37 York L.J. 339 (1999).
- [Changing Definitions of Fresh Start in American Bankruptcy Law](#), 20 J. Consumer Policy 179-198 (1997).
- [Contract Law and the Control of Standardized Terms in Consumer Contracts: An American Report](#), 3 European Rev. of Private Law 193 (1995).
- [The Ideal of Individualized Justice: Consumer Bankruptcy As Consumer Protection, and Consumer Protection in Consumer Bankruptcy](#), 68 Am. Bank. L.J. 397 (1994).
- [Has the Time Come to Repeal Chapter 13](#), 65 Ind. L.J. 85 (1989).
- [The Appropriate Role of Security Interests in Consumer Transactions](#), 7 Cardozo L. Rev. 959 (1986).
- [The Small Case Procedure of the United States Tax Court: A Successful Small Claims Court](#), 4 A.B.F.R.J. 797 (1985).
- [Comment on a Theory of the Consumer Product Warranty](#), 91 Yale L.J. 1371 (1982).
- [Structuring Consumer Protection Legislation to Maximize Effectiveness](#), 1981 Wis. L. Rev. 1018.
- [The Enforcement of Consumer Law in the United States](#), in European Consumer Law: Prospects for Integration of Consumer Law and Policy in the European Community (Brussels, 1982 Bourgoignie T., ed.).
- [A Critique of the Consumer Credit Collection System](#), 1979 Wis. L. Rev. 1047.
- [The Impact of Judicializing Repossession: The Wisconsin Consumer Act Revisited](#), 1978 Wis. L. Rev. 983 (with Charles Grau).
- [The Impact of Denying Self-Help Repossession of Automobiles: A Case Study of the Wisconsin Consumer Act](#), 1975 Wis. L. Rev. 607 (with H. Laufer).

- [Why Process Consumer Complaints? A Case Study of the Office of the Commissioner of Insurance of Wisconsin](#), 1974 Wis. L. Rev. 639 (with S. Kimball).
- [The Functions of Disclosure Regulation in Consumer Transactions](#), 1973 Wis. L. Rev. 400.
- [Products Liability](#), in National Commission on Product Safety, Supplemental Studies, Vol. III, p. 221 (1970).
- [The Impact of the Tanzania Hire Purchase Act](#), (with S. Piccitto), 2 Eastern Africa L. Rev. II (1969).
- [Law and the Consumer Transaction: A Case Study of the Automobile Warranty](#), 1968 Wis. L. Rev. 1006.
- [Strict Products Liability and the Automobile Industry: Much Ado About Nothing](#), 1968 Wis. L. Rev. 83.

Contracts:

- [A relational perspective on contract law's default rules, with an emphasis on remedies](#) in R. Halson, D. Campbell (eds.), **Research Handbook on Remedies in Private Law** (Edward Elgar Publishing) 2019
- [Jean Braucher's Contracts World View](#), **58** Arizona L. Rev. 13 (2016).
- [The Development of Contracts: Law in Action](#), 87 Temple L. Rev. 793 (2015) (with Stewart Macaulay).
- [Preface](#), in J. Braucher, J. Kidwell & W. Whitford (eds.), **Revisiting the Contracts Scholarship of Stewart Macaulay: On the Empirical and the Lyrical** (Hart Publishing, U.K.) 2013.
- [Hoffman v. Red Owl Stores: The Rest of the Story](#), 61 Hastings L.J. 801 (2010) (with S. Macaulay).
- [Relational Contracts and the New Formalism](#), 2004 Wis. L. Rev. 631.
- [ProCD v. Zeidenberg in Context](#), 2004 Wis. L. Rev. 821.
- [A Comparison of British and American Attitudes Towards the Exercise of Judicial Discretion in Contract Law](#), in Hugh Collins & David Campbell (eds.), **Implicit Dimensions of Contracts** (Hart Publishing, U.K., 2003).
- [The Role of the Jury \(and the Fact/Law Distinction\) In the Interpretation of](#)

- [Written Contracts](#), 2001 Wis. L. Rev. 931.
- [Contract Law and the Control of Standardized Terms in Consumer Contracts: An American Report](#), 3 European Rev. of Private Law 193 (1995).
 - [Ian Macneil's Contribution to Contracts Scholarship](#), 1985 Wis. L. Rev. 545.
 - [Comment on a Theory of the Consumer Product Warranty](#), 91 Yale L.J. 1371 (1982).
 - [The Functions of Disclosure Regulation in Consumer Transactions](#), 1973 Wis. L. Rev. 400.
 - [Review of Macneil, Cases and Materials on Contracts](#), 57 Cornell L. Rev. 855 (1972).
 - [Review of Schlesinger, Formation of Contracts: A Study of the Common Core of Legal Systems](#), 1970 Wis. L. Rev. 234.
 - [The Treaty for East African Cooperation and the Unification of Commercial Laws](#), 1 Eastern Africa L. Rev. 115 (1968).
 - [Law and the Consumer Transaction: A Case Study of the Automobile Warranty](#), 1968 Wis. L. Rev. 1006.
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Other Articles:

- [Access to Justice: Litigating Rights Before US Supreme Court](#), 9 Zanzibar Law Yearbook 133 (2019)
- [Teaching Law at the University of Dar es Salaam in the Sixties](#), 4 Zanzibar Law Yearbook 367 (2014).
- [Jim Jones: A Teacher, a Mentor, and an Inspiration to Law Students](#), 2013 Wis. L. Rev. 693 (2013).
- [Changing Ambitions for Law in East Africa](#), 25 Wis. Int. L.J. 261 (2007)
- [The Rule of Law](#), 2000 Wis. L. Rev. 723.
- [Remarkable](#), 76 N. C. L. Rev. 1639 (1998).
- [A Black Critique of the Internal Revenue Code](#), 1996 Wis. L. Rev. 751 (with Beverly Moran).
- [Critical Empiricism](#), 14 Law & Soc. Inq. 61 (1989).
- [Critical Empiricism: A Comment on David Trubek & John Esser, Gerd Winbter & Volkmar Gessner](#), Christian Joerges & David Trubek (eds.), Critical Legal Thought: An American-German Debate (1989).
- [Lowered Horizons: Implementation Research in a post-CLS World](#), 1986

Wis. L. Rev. 755.

- [**The Small Case Procedure of the United States Tax Court: A Successful Small Claims Court**](#), 4 A.B.F.R.J. 797 (1985).
- [**The Physician, The Law and The Drug Abuser**](#), 119 U. Pa. L. Rev. 933 (1971).
- [**Reform of Private Law in East Africa**](#), (with Y.P. Ghai), Mawazo. Vol. 2, No. 1, p. 43 (1969).
- [**The Impact of the Tanzania Hire Purchase Act**](#), (with S. Piccitto), 2 Eastern Africa L. Rev. II (1969).
- [**The Treaty for East African Cooperation and the Unification of Commercial Laws**](#), 1 Eastern Africa L. Rev. 115 (1968).
- [**Baker v. Carr and Legislative Apportionments: A Problem of Standards**](#). 72 Yale L.J. 968 (1963) (unsigned student comment).