

## PAUL THOMAS HAYDEN

919 South Albany Street  
Los Angeles, CA 90005

Paul.Hayden@lls.edu  
(213) 736-1064

### ACADEMIC POSITIONS:

**Thomas V. Girardi Professor of Consumer Protection Law, Loyola Law School, Los Angeles**

- Tenured professor since 1995.
- Named first holder of Girardi Chair, 2012; Jacob J. Becker Fellow, 2001-2012.
- Resident Professor, Loyola-Brooklyn Program at University of Bologna, Italy, Summers 2011, 2009, 2007, 2006 and 2001.

**Visiting Professor of Law, U.C.L.A. School of Law, Los Angeles, Fall 2019, 2018 & 2017.**

**Interim Dean, Loyola Law School, and Interim Senior Vice President, Loyola Marymount University, Los Angeles, 2015-16.**

**Associate Dean for Faculty, Loyola Law School, Los Angeles, 2013-15.**

**Professor of Law, Indiana University School of Law, Indianapolis, 1994-95 (Assistant Professor, 1988-91; Associate Professor, 1991-94).**

- Granted tenure in 1994.
- Voted Outstanding Professor of the Year, 1990 and 1994.

**Visiting Professor of Law, U.C.L.A. School of Law, Los Angeles, Fall 1994.**

**Visiting Professor of Law, Loyola Law School, Los Angeles, Spring 1995.**

*Partial Summary of courses taught:* Torts (28 times); Professional Responsibility/Ethics (24 times); Remedies (16 times); Dispute Resolution Processes (9 times); Products Liability/Advanced Torts (7 times); Comparative Tort Law/Global Issues in Tort Law (5 times).

### EDUCATION:

**J.D., U.C.L.A. School of Law, 1984.**

- Order of the Coif (Top 10% of class).
- Review Editor, Federal Communications Law Journal.

**B.A., Yale University, 1979.**

- *cum laude*, with distinction in American Studies.

### JUDICIAL CLERKSHIPS:

**Law Clerk to the Hon. J. Spencer Letts, United States District Court for the Central District of California, Los Angeles, 1986.**

**Law Clerk to the Hon. Dorothy W. Nelson, United States Court of Appeals for the Ninth Circuit, Los Angeles, 1984-85.**

## **PUBLICATIONS – HORNBOOK AND TREATISE:**

**HORNBOOK ON TORTS** (West Academic 2d ed. 2016) (with Dan B. Dobbs & Ellen M. Bublick) (successor to Prosser & Keeton on Torts).

**THE LAW OF TORTS** (Thompson-Reuters West 2d ed. 2011) (4-volume treatise) (with Dan B. Dobbs & Ellen M. Bublick), with annual supplements.

2010, 2009 & 2008 Supplements to **THE LAW OF TORTS** (West Group 1st ed. 2000) (2-volume treatise) (with Dan B. Dobbs).

## **PUBLICATIONS – CASEBOOKS:**

**ETHICAL LAWYERING: LEGAL AND PROFESSIONAL RESPONSIBILITIES IN THE PRACTICE OF LAW** (West Academic 4th ed. 2018) (casebook) (with Douglas NeJaime); 3d ed. 2012; 2d ed. 2007, 1st ed. 2003, with Teacher's Manual.

**TORTS AND COMPENSATION: PERSONAL ACCOUNTABILITY AND SOCIAL RESPONSIBILITY FOR INJURY** (West Academic 8th ed. 2017) (casebook); 7th ed. 2013; 6th ed. 2009 (with Dan B. Dobbs & Ellen M. Bublick); 5th ed. 2005, 4th ed. 2001, 3d ed. 1997 (all with Dan B. Dobbs), with Teacher's Manual and annual updates.

**TORTS AND COMPENSATION: PERSONAL ACCOUNTABILITY AND SOCIAL RESPONSIBILITY FOR INJURY, CONCISE EDITION** (West Academic 8th ed. 2017) (casebook); 7th ed. 2013; 6th ed. 2009 (with Dan B. Dobbs & Ellen M. Bublick).

**GLOBAL ISSUES IN TORT LAW** (Thomson-West 2008) (casebook) (with Julie A. Davies), with Teacher's Manual.

## **PUBLICATIONS -- ARTICLES AND ESSAYS:**

*Putting Ethics to the (National Standardized) Test: Tracing the Origins of the MPRE*, 71 *FORDHAM LAW REVIEW* 1299 (2003).

*Butterfield Rides Again: Plaintiff's Negligence as Superseding or Sole Proximate Cause in Systems of Pure Comparative Responsibility*, 33 *LOYOLA OF LOS ANGELES LAW REVIEW* 887 (2000), reprinted in 50 *DEFENSE LAW JOURNAL* 645 (2001).

*Professorial Conflicts of Interest and "Good Practice" in Legal Education*, 50 *JOURNAL OF LEGAL EDUCATION* 358 (2000).

*Applying Client-Lawyer Models in Legal Education*, 21 *LEGAL STUDIES FORUM* 301 (1997).

*Sinners in the Hands of an Angry Law Professor: Some Cautionary Thoughts on Teaching Moral Lessons in the Professional Responsibility Course*, 21 *LEGAL STUDIES FORUM* 257 (1997).

**PUBLICATIONS -- ARTICLES AND ESSAYS (cont'd):**

*Reconsidering the Litigator's Absolute Privilege to Defame*, 54 OHIO STATE L. J. 985 (1993).

*Religiously Motivated "Outrageous" Conduct: Intentional Infliction of Emotional Distress as a Weapon Against "Other People's Faiths,"* 34 WILLIAM & MARY LAW REVIEW 579 (1993).

*Cultural Norms as Law: Tort Law's "Reasonable Person" Standard of Care*, 15 JOURNAL OF AMERICAN CULTURE 45 (1992).

*A Goodly Apple Rotten at the Heart: Commercial Disparagement in Comparative Advertising as Common-Law Tortious Unfair Competition*, 76 IOWA LAW REVIEW 67 (1990).

*On "Wrong" Answers in the Law School Classroom*, 40 JOURNAL OF LEGAL EDUCATION 251 (1990).

Review of TOM TYLER, WHY PEOPLE OBEY THE LAW, 15 LEGAL STUDIES FORUM 407 (1991).

Review of RICHARD HOFRICHTER, NEIGHBORHOOD JUSTICE IN CAPITALIST SOCIETY, 12 LEGAL STUDIES FORUM 499 (1988).

**SELECTED ACADEMIC TALKS AND CONFERENCE PARTICIPATION:**

Speaker (with Dean Michael Waterstone) on "American Legal Education: Challenges and Opportunities," Pasadena Bar Association, Pasadena, California, January 2017.

Speaker on "Agency Law and Federal Capital Habeas Corpus Claims: An Update," Seventeenth National Federal Habeas Corpus Seminar, Office of United States Courts, Washington, D.C., August 2012.

Speaker on "Agency Law and Federal Capital Habeas Corpus Claims," National Conference of the Capital Habeas Unit of the Federal Public Defenders Office, Office of United States Courts, Portland, Oregon, May 2012.

Lecturer and moderator of panel on conflicts of interest in patent practice, Loyola IP Focus Series, Seminar on Conflicts of Interest, Loyola Law School, Los Angeles, November 2007.

Speaker and discussion leader on "Globalizing the Curriculum: The Pervasive Approach," Loyola Law School, Los Angeles, April 2007.

Invited participant/discussion leader on globalizing the law school curriculum, Georgetown Law Center, Washington, D.C., January 2007.

Discussion leader for sessions on integrating comparative law into the first-year torts class, Pacific-McGeorge Conference on Globalizing the Law School Curriculum, Lake Tahoe, California, August 2005.

## **LAW PRACTICE EXPERIENCE:**

**Boren, Sloan & Rosen**, Los Angeles, 1987-88.

-- Business litigation in state and federal court.

**Paul, Hastings, Janofsky & Walker**, Los Angeles, 1985-87 (on leave for clerkship, 1986).

-- Business litigation in federal court.

## **OTHER PROFESSIONAL ACTIVITIES:**

Member, Advisory Committee on Civil Jury Instructions, California Judicial Council, 2019-

Elected member, American Law Institute, 1998-

Member, Center for Professional Responsibility, American Bar Association, 2002-.

Member, American Law Institute Consultative Groups, RESTATEMENT (THIRD) OF TORTS: LIABILITY FOR PHYSICAL AND EMOTIONAL HARM, since 1999; RESTATEMENT (THIRD) OF TORTS: LIABILITY FOR ECONOMIC HARMS, since 2006; RESTATEMENT (THIRD) OF TORTS: LIABILITY FOR INTENTIONAL HARMS (since 2012); RESTATEMENT (THIRD) OF CONSUMER CONTRACTS (since 2013).

Member, Faculty Advisory Committee, Civil Justice Program, Loyola Law School, Los Angeles, 2006-

Editorial Board, LEGAL STUDIES FORUM, 1998-2003.

Consultant and expert in legal ethics matters (primarily conflicts of interest) in state and federal court, 1996-.

Arbitrator/ADR referee in seven Dalkon Shield tort cases (part of mass torts case in Virginia federal court), 1993-95.

Consultant to Indiana State Alcoholic Beverage Commission on film to inform tavern owners of potential civil liability for harm caused by intoxicated patrons, Summer 1994.

Co-chair (with David Ray Papke) of Law and Culture Section of the American Culture Association, 1989-91. With Papke, planned law-related panels for 1990 and 1991 annual conferences (Toronto and San Antonio).

## **PROFESSIONAL LICENSURE AND CERTIFICATION:**

Member, State Bar of California (active status), 1984-.

Admitted to practice before United States Supreme Court; United States Court of Appeals for the Ninth Circuit; and the United States District Court for the Central District of California.