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PETER JOSEPH HAMMER

University of Michigan Law School
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EDUCATION

University of Michigan, Ann Arbor, Michigan
J.D. *magna cum laude*, May 1990

Ph.D. (Economics), May 1993
Dissertation: *Mergers, Market Power & Competition: An Economic and Legal Evaluation of Hospital Mergers*

Gonzaga University, Spokane, Washington
B.S. (Mathematics), B.A. (Economics), B.A. (Speech Communications)
summa cum laude, with honors, May 1986

EMPLOYMENT

University of Michigan Law School, Ann Arbor, Michigan
Assistant Professor of Law
Courses and Seminars taught: Federal Antitrust; Contracts; Health Care: The Firm, the Market and the Law; Cambodian Law & Development
May 1995 to present

O'Melveny & Myers, Los Angeles, California
Litigation Associate – Practice Areas: Antitrust and Health Care
April 1993 to May 1995

Judge Alfred T. Goodwin, United States Court of Appeals for the Ninth Circuit
Judicial Law Clerk
September 1991 to September 1992

AWARDS AND HONORS

Robert Wood Johnson Foundation Health Policy Investigator Award
Competing on Quality of Care: Comparing Antitrust Law to Market Reality (Co-Principal Investigator with William M. Sage) (December 1998)

Michigan Law School's L. Hart Wright Excellence in Teaching Award
A student nominated and selected distinction for outstanding teaching (1999-2000)

PUBLICATIONS AND WORKS IN PROGRESS

The Private Side of Patient Protection: Integrating Market and Nonmarket Responses (work in progress).

The Pricing of Essential Drugs in Developing Countries: The Case for Discrimination (work in progress).

A Copernican View of Health Care Antitrust, 65 LAW & CONTEMP. PROBS. (Special Issue, Is the Health Care Revolution Over?, Clark C. Havighurst, ed.) (forthcoming 2002) (with William M. Sage) (work in progress).

The Quiet Revolution: How Doctors Became Distributors, 14 LOY. CONSUMER L. REP. (AALS Antitrust Law Section, Guilds at the Millennium: Antitrust and the Professions) (forthcoming 2002) (work in progress).

Medical Antitrust Reform: Arrow, Coase and the Changing Structure of the Firm, in THE PRIVATIZATION OF HEALTH CARE REFORM, (Gregg Bloche, ed.) (Oxford University Press) (forthcoming 2002).

Antitrust, Health Care Quality, and the Courts, 102 COLUM. L. REV. (forthcoming 2002) (with William M. Sage) (in print).

Introduction: "Why Arrow? Why Now?" 26(5) J. HEALTH POLITICS, POLICY & LAW 835 (Special Issue, Kenneth Arrow and the Changing Economics of Health Care, Peter J. Hammer, Deborah Haas-Wilson, and William M. Sage, eds.) (2001).

Arrow's Analysis of Social Institutions: Entering the Marketplace with Giving Hands? 26(5) J. HEALTH POLITICS, POLICY & LAW 1011 (Special Issue, Kenneth Arrow and the Changing Economics of Health Care, Peter J. Hammer, Deborah Haas-Wilson, and William M. Sage, eds.) (2001).

Pegram.v. Herdrich: On Peritonitis, Preemption and the Elusive Goal of Managed Care Accountability, 26(4) J. HEALTH POLITICS, POLICY & LAW 767 (2001).

Antitrust Beyond Competition: Market Failures, Total Welfare and the Challenge of Intra-Market Second Best Tradeoffs, 98 MICH. L. REV. 849 (2000).

Assisted Suicide and the Challenge of Individually Determined Collective Rationality, in LAW AT THE END OF LIFE: THE SUPREME COURT AND ASSISTED SUICIDE, (Carl Schneider, ed.) (University of Michigan Press) (2000).

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Questioning Traditional Antitrust Presumptions: Price and Non-Price Competition in Hospital Markets, (Symposium Issue, What's the Prognosis: Managed Care in the Next Century), 32 MICH. J. L. REF. 727 (1999).

Competing on Quality of Care: The Need to Develop a Competition Policy for Health Care Markets, (Symposium Issue, What's the Prognosis: Managed Care in the Next Century), 32 MICH. J. L. REF. 1069 (1999) (with William M. Sage).

Price and Quality Competition in Health Care Markets: The Comparative Institutional Case Against an Antitrust Exemption for Medical Self-Regulation, in ACHIEVING QUALITY IN MANAGED CARE: THE ROLE OF LAW, 123-53 (John D. Blum, ed.) (Health Law Section ABA) (June 1997).

Free Speech and the Acid Bath: An Evaluation and Critique of Judge Richard Posner's Economic Interpretation of the First Amendment, 87 MICH. L. REV. 499 (1988).

OTHER PUBLICATIONS

Killing the Khmer Rouge?, J. OF THE INT'L INSTITUTE (Vol. 7, no.2, Winter 2000) (University of Michigan).

Destroying the Village, PHNOM PENH POST, 10 (September 12-25, 1997).

Help Cambodia: Period of Turmoil is no Time to Cut Back on U.S. Assistance, DETROIT FREE PRESS, A15 (July 31, 1997).

PRESENTATIONS

AALS Antitrust Law Section, Guilds at the Millennium: Antitrust and the Professions
New Orleans, Louisiana, January 2002

Paper: *The Quiet Revolution: How Doctors Became Distributors*

Is the Health Care Revolution Over?

Symposium for Special Issue of Law & Contemporary Problems
Duke University Law School, Durham, North Carolina, November 2001

Paper: *A Copernican View of Health Care Antitrust*

Vanderbilt Legal Theory Workshop

Vanderbilt University Law School, Nashville, Tennessee, October 2001

Paper: *Antitrust, Health Care Quality, and the Courts*

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Annual Meeting of the Robert Wood Johnson Foundation Investigator Awards Program in Health Policy Research

Peach Tree Conference Center, Atlanta, Georgia, October 2001

Plenary Session on Completed Work

Presentation: *Kenneth Arrow and the Changing Economics of Health Care*

American Society of Law Medicine & Ethics, Health Law Teacher's Conference

Boston University School of Law, Boston, Massachusetts, June 2001

Paper: *Antitrust, Health Care Quality, and the Courts*

Health Policy Research Seminar Series

RWJ Foundation Scholars in Health Policy Research Program

University of Michigan School of Public Health, March 2001

Presentation: *Antitrust, Health Care Quality and the Courts*

FTC & DOJ Joint Antitrust Health Care Task Force, Brown Bag Program

United States Department of Justice, Washington, D.C., November 2000

Presentation: *How Antitrust Courts Have Addressed Quality and Non-Price Concerns in Health Care Cases*

Sixth Annual Health Care Antitrust Forum

Northwestern University School of Law, Chicago, Illinois, November 2000

Presentation: *Health Care Quality, Antitrust, and the Federal Courts*

Net Impact Faculty Case Competition

University of Michigan School of Business, Ann Arbor, Michigan, November 2000

Panelist: *The Role of Pharmaceutical Companies in Providing Affordable Aids Medications to those in Need in Africa*

Annual Meeting of the Robert Wood Johnson Foundation Investigator Awards Program in Health Policy Research

Historic Inns of Annapolis, Annapolis, Maryland, October 2000

Panelist in Plenary Session: *Competition in the Health Care Market*

American Society of Law Medicine & Ethics, Health Law Teacher's Conference

Case West Reserve University School of Law, Cleveland, Ohio, June 2000

Presentation: *Developing a Competition Policy: Judicial Treatment of Non-Price Competition in Antitrust Cases*

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Annual Meeting of the Robert Wood Johnson Foundation Investigator Awards Program in Health Policy Research

The Inns at Mill Falls, Meredith, New Hampshire, October 1999

Presentation: *Competing on Quality of Care: Comparing Antitrust Law to Market Reality*

Annual Meetings of the American Law & Economics Association

Yale University Law School, New Haven Connecticut, May 1999

Paper: *Testing the Limits of Antitrust: The Challenge of Intra-Market Second Best Tradeoffs*

What's the Prognosis: Managed Care in the Next Century

Symposium for the University of Michigan Journal of Law Reform

University of Michigan Law School, Ann Arbor, Michigan, October 1998

Paper: *Competing on Quality in Managed Care: A Research Agenda*

Law & Economics Workshop

University of Michigan Law School, Ann Arbor, Michigan, October 1998

Paper: *Testing the Limits of Antitrust: The Challenge of Intra-Market Second Best Tradeoffs*

Courting Death: An Evaluation of Glucksberg and Quill

Symposium on Assisted Suicide

University of Michigan Law School, Ann Arbor, Michigan, November 1997

Paper: *Assisted Suicide and the Challenge of Individually Determined Collective Rationality*

Trends in Health Law

O'Melveny & Myers, Newport Beach, CA, and New York, NY, June 1997

Presentation: *Antitrust in a Brave New World: Public and Private Responses in Contested Health Care Markets*

Law & Economics Workshop

University of Michigan Law School, Ann Arbor, Michigan, March 1997

Paper: *Price and Quality Competition in Health Care Markets*

Achieving Quality in Managed Care: The Role of Law

Loyola University Chicago Institute for Health Law, November 1996

Paper: *Price and Quality Competition in Health Care Markets*

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Law & Economics Workshop

University of Michigan Law School, Ann Arbor, Michigan, February 1996

Paper: *Arrow, Coase and the Changing Structure of the firm in Emerging Health Care Markets*

The Privatization of Health Care Reform

Georgetown Law Center, Washington, D.C., May 1995

Paper: *Arrow, Coase and the Changing Structure of the Firm in Emerging Health Care Markets*

OTHER PRESENTATIONS, SYMPOSIA, TESTIMONY AND CONFERENCES

Faculte de Droit et Des Sciences Economiques

University of Phnom Penh, Cambodia, August 1999

Presentation: *Contracts: What Promises Should the Law Enforce?*

State of Ohio v. Omar Jastrow

Columbus, Ohio, June 1999

Expert witness in capital murder case: *History of the Khmer Rouge, fate of the Khmer Rouge, and Khmer Rouge policies towards families and children*

Faculte de Droit et Des Sciences Economiques

University of Phnom Penh, Cambodia, August 1998

Presentation: *Contracts: The Theory of Efficient Breach*

Hot Topics in International Law

University of Michigan Law School, Ann Arbor, Michigan, March 1998

Presentation: *Politics, the Bar and the Survival of Legal Aid in Cambodia*

Rethinking Racial Divides: Asian Pacific Americans and the Law

University of Michigan Law School, Ann Arbor, Michigan, February 1998

Panelist: *Issues in Immigration*

Constitution Making in South Africa

University of Michigan Law School, Ann Arbor, Michigan, March 1997

Panelist: *A Particular Vision of Democracy: Electing a Parliament with Proportional Representation*

Hot Topics in International Law

University of Michigan Law School, Ann Arbor, Michigan, October 1996

Presentation: *Drafting an Election Law for Cambodia: The Role of International Standards*

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PROFESSIONAL AND SERVICE AFFILIATIONS

Director, Program for Cambodian Law & Development

A program committed to the interdisciplinary study of the role of law in the development of Cambodian society

University of Michigan Law School, Ann Arbor, Michigan
September 1997 - present

Member and Past President, Advisory Council, Legal Aid of Cambodia

A non-governmental organization committed to establishing the rule of law through the provision of direct legal services to Cambodia's poor

Phnom Penh, Cambodia

President of the Advisory Council, February 1996 - August 1998

Member of Advisory Council, December 1995 - 2000

Co-Chair, RWJ Cluster Group on the Changing Role of Competition

Robert Wood Johnson Foundation Health Policy Investigator Award Program

Co-chaired and organized working group discussions that culminate in a Special Issue of the

JOURNAL OF HEALTH POLITICS, POLICY & LAW, Kenneth Arrow and the Changing Economics of Health Care.

June 1999 - October 2001

Vice-Chair, Southeast Asian Law Committee

International Law Section of the American Bar Association

September 1997 to September 1998

Member, Human Subject Subcommittee

Institutional Review Board, VA Hospital

Ann Arbor, Michigan

July 1995 to July 1997

Member, Planning Committee for 1997 AALS New Teacher's Conference

American Association of Law Schools

July 1996 to July 1997

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