

Curriculum Vitae

Tom Campbell

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EDUCATION

Ph.D., Economics, highest fellowship awarded in the Department,
University of Chicago, 1980.

J.D., Harvard, *Magna Cum Laude*, 1976. Member, Board of Editors,
Harvard Law Review.

B.A., M.A., simultaneously, Economics, University of Chicago, 1973,
highest honors.

EXPERIENCE

Doy and Dee Henley Distinguished Professor of Jurisprudence, Fowler School of
Law, Chapman University (teaching antitrust law and legal ethics)

Professor of Economics, Argyros School of Economics, Chapman University
(teaching microeconomics)

Dean and Donald P. Kennedy Chair in Law, and Professor in Economics,
Chapman University,

2011-2016

Presidential Distinguished Visiting Scholar, and Visiting Professor of Law and
Economics,

Chapman University, 2009-2011

Consulting Economist, Berkeley Research Group, 2010 – current

Bank of America Dean and Professor of Business, Haas School of Business, UC Berkeley

(2002-2004; 2005-2008)

Director, California Department of Finance, 2004-2005.

Chief financial officer for the Governor of California, member of the Governor's cabinet, directing an agency of over 700 employees, engaged in the preparation and passage of the annual budget of the State of California, in excess of 100 billion dollars, testifying before the Legislature, and advising the Governor on all fiscal matters in state government.

Confirmed unanimously by the State Senate.

Member, Council of Economic Advisors to the Governor (chaired by Milton Friedman and George Shultz) 2003-2005

United States Congressman, California, 1989-1993; 1995-2001

Committees:

Judiciary (antitrust, intellectual property, courts subcommittees)

Banking and Financial Institutions Committee

Joint Economic Committee

Small Business Committee

Science and Technology Committee

International Relations Committee (subcommittees on Africa, Economic Institutions)

Author of Peace Corps Reauthorization Act, signed into law, 2000.

Author of Food Bank Relief Act, signed into law, 1999.

Author of provision that allowed loan forgiveness to law students who become public defenders.

Author of House of Representatives Rule requiring dynamic economic modeling for scoring expenditure and tax bills

Author of HR 1304. Granted limited antitrust immunity to medical professionals in their bargaining with HMO's and other insurers.

(Passed the House only)

Author of floor amendment creating small business exemption from expanded antitrust liability in dealer terminations.

(Passed the House only).

Member, 'Meltzer Commission,' National Commission to Study the International Financial Institutions, 1999 - 2000

Deputy Floor Manager for McCain-Feingold (Shays-Meehan) (campaign finance reform)

California State Senator, 1993-1995

Committees:

Judiciary

Criminal Justice

Education

Budget (Subcommittee on Education)

Revenue and Taxation (Vice-Chairman)

Housing (Chairman)

California Journal ratings:

Best overall State Senator

Most ethical State Senator

Best problem-solver in State Senate

Professor of Law, Stanford University, 1987-2002

Courses taught include: transnational litigation, advanced antitrust, basic antitrust, regulated industries, microeconomics, international business transactions, public international law, public policy and the law, separation of powers, European Union law.

While on the faculty of Stanford Law School, I also served in these positions:

Faculty, Federal Judicial Center, course on statistical inference for federal judges, 1985 session, University of Wisconsin.

Director, Berkeley Research Group (economics consulting firm) 2009 to present.

Principal, LECG (economics consulting group), 1993-1995; 2001-2003,

Consulting economist, National Economic Research Associates, 1983-1988.

Associate Professor of Law, Stanford University, 1983-1987

Director, Bureau of Competition, Federal Trade Commission, 1981-1983:
Directed 600 employees, including 180 attorneys in eight different litigating divisions. The bureau is the antitrust law enforcement arm of the FTC, handling 2/3 of all merger filings in the US, testimony before Congress, coordination with the Department of Justice Antitrust Division, and 50 state Attorneys General. Major cases included Mobil-Marathon attempted merger; LTV-Grumman attempted merger; facilitating practices litigation ('the Ethyl case'); and all antitrust compliance litigation in federal courts.

Executive Assistant to the Deputy Attorney General, U.S. Department of Justice, 1981:

Advised the Deputy Attorney General regarding litigation and other matters pending in the Civil Division, Antitrust Division, Lands Division, and Tax Division.

White House Fellow, Office of the Chief of Staff, the White House, 1980-1981.

Private practice of law, Chicago, Winston & Strawn, 1978-1980, litigation practice.

Law Clerk to Justice Byron White, U.S. Supreme Court, 1977-1978.

Law Clerk to Judge George E. MacKinnon, U.S. Court of Appeals for the District of Columbia Circuit, 1976-1977.

VOLUNTEER TEACHING

University of Asmara, Asmara, Eritrea, December 2001 – January 2002

(international law, international financial institutions)
University of Asmara, Asmara, Eritrea, July 2002 (law and economics,
regulated industry economics)
Ashesi University, Accra, Ghana, July 2003 (international law)
Kigali Institute of Science and Technology, Kigali, Rwanda, July 2004
(international financial institutions)
School of Finance and Banking, Kigali, Rwanda, July 2006
(industrial organization economics, competition policy)
Ashesi University, Accra, Ghana, November 2007 (industrial organization
economics)
Ashesi University, Accra, Ghana, January-February 2011 (business strategy)
Ashesi University, Berekuso, Ghana, January, 2018 (industrial organization
economics).
Ashesi University, Berekuso, Ghana, on-line, planned for June, 2023.

MAJOR WRITINGS

Book:

Separation of Powers in Practice, Stanford University Press, 2004.
(Law text on constitutional law issues in public policy.)

Articles and book chapters:

"The Economics Case for the Consumer Welfare Standard in Antitrust," 38
Antitrust, no. 3, Summer, 2024."

"The Impact of Job Growth and Inflation on Presidential Voting Patterns,"
James Doti & Tom Campbell; December 7, 2023
ORCID: (Doti) 0000-0003-1156-6512; (Campbell) 0000-0002-6205-8553
SSRN: (Doti) 95670; (Campbell) 1704733

"Presidential Authority to Impose Tariffs," 83 *Louisiana Law Review* 595
(2023).

"Younger Federal District Court Judges Favor Presidential Power," T.
Campbell & N. Wilcox, 63 *Journal of Law and Economics* 181 (2020).

“Exclusive Representation in Public and Private Labor Law after *Janus*,” 70 *Syracuse Law Review* 731 (2020).

“Introduction to Constraining the Executive,” 21 *Chapman L. Rev.* 1 (2018)

“Executive Action and Nonaction,” 95 *U. North Carolina L. Rev.* 553 (2017)

“Afterword: Corporate Social Responsibility Symposium,” 17 *Chapman L. Rev.* 579 (2014)

"Severability of Statutes," 62 *Hastings Law Journal* 1495 (2011)

"Bilateral Monopoly: Further Comment," 75 *Antitrust Law Journal* 647 (2008)

“Bilateral Monopoly in Mergers,” 74 *Antitrust Law Journal* 521 (2007)

“Term Limits and Party Loyalty” with Cameron Doolittle (April 18, 2007)
Institute of Governmental Studies, UC Berkeley
Paper WP2007-6. <http://repositories.cdlib.org/igs/WP2007-6>>
<https://escholarship.org/uc/item/5nx3p26q>

“A New Test for Predation: Targeting,” with Nirit Sandman,
52 *UCLA Law Review* 365 (2004)

“The Link Between Liability Reforms and Productivity: Some Empirical Evidence/Comments,” with Kessler, Shepherd and Klevorick, **Brookings Papers on Economic Activity** (1998); similar versions in 'The Impact of the Legal System on Innovation,' with Landau, in **Chemicals and Long-Term Economic Growth** (1998), Landau, Rosenberg, eds., and “Liability Reforms and Economic Performance,” with Kessler and Shepherd, in **The Mosaic of Economic Growth** (1996), Landau, Taylor, Wright, eds.

“Antitrust and International Competitiveness in the 1990's,” 58 *Antitrust Law Journal* 591 (1989)

“Predation and Competition in Antitrust: The Case of Nonfungible Goods,” 87 *Columbia L. Rev.* 1625 (1987)

“Federal Rule of Civil Procedure 68: a comment,” Stanford Law School, Law and Economics Working Paper No. 31 (1987)

“Economic Concepts and Antitrust Analysis: A Critical Reexamination,” 56 *Antitrust Law Journal* 53 (1987)

“Supreme Court Developments,” 55 *Antitrust Law Journal* 449 (1986)

“Labor Law and Economics,” 38 *Stanford Law Review* 991 (1986)

“The Antitrust Record of the First Reagan Administration,” 64 *Texas L.Rev.* 353 (1985)

“Regression Analysis in Title VII Cases: Minimum Standards, Comparable Worth, and Other Issues Where Law and Statistics Meet,” 36 *Stanford Law Review* 1299 (1984)

“Antitrust and International Competitiveness in Law,” 53 *Antitrust Law Journal* 429 (1984)

“The Efficiency of the Failing Company Defense,” 63 *Texas Law Review* 251 (1984)

“Has Economics Rationalized Antitrust?” 52 *Antitrust Law Journal* 607 (1984)

“The Competition Mission: Guiding Principles and Future Directions,” 51 *Antitrust Law Journal* 541 (1982)

“The New Merger Guidelines: a Federal Trade Commission Perspective,” 51 *Antitrust Law Journal* 295 (1982)

“Beyond the Prima Facie Case in Employment Discrimination Law: Statistical Proof and Rebuttal,” 89 *Harvard L. Review* 387 (1975)

Columnist, *Orange County Register*, July, 2013 – present (weekly column).

TESTIMONY BEFORE CONGRESSIONAL COMMITTEES

As a Member of Congress, 47 occasions

Subjects include:

States' Choice of Voting Systems, Federal Courts of Appeals, Quality Health Care Coalition Act, Confirmation on Federal Appointments, Patent Reform, High Definition Television, Secret Evidence Repeal, US Security in Post-Cold War Era, Securities Litigation Uniform Standards, Congress, the Court and the Constitution, Amendment to the US Constitution on Religious Freedom, Free Trade Area of the Americas, Civil Rights Act of 1997, Punitive Damages in Financial Injury Cases, Product Liability Reform, Quebec Sovereignty and Impact on US, Employment Non-Discrimination Act, Affirmative Action, Preferences, and the Equal Employment Opportunity Act of 1995, Federal Budget Process Reform, Energy and Water Appropriations, Authorizing Agencies to Sell Debts Owed to the US, Factors Affecting US International Competitiveness, Freedom of Choice Act of 1989, Interior Appropriations, Transportation Appropriations, Civil Rights Act of 1990, US Trade Relationships with the Soviet Union and Eastern Europe, Immigration, Benefits Based on US Military Service, Outer Continental Shelf, California Desert Protection Act, Production Joint Ventures Antitrust Legislation, Transportation of Hazardous Materials, Semiautomatic Assault Weapons Act of 1989, Agriculture Appropriations, State Department's Policy Regarding Blind Applicants to the Foreign Service.

Other than as a Member of Congress, 13 occasions.

Subjects included:

Nomination of Judge Robert Bork for the U.S. Supreme Court, Merger Law Reform and Policy, Municipal Antitrust Immunity, Oil Industry Mergers, Federal Trade Commission Reauthorization, Shipping Act of 1983, Impact of Federal Antitrust Enforcement Policies on Small Business, Retail Dealers' Agreement Act, Maritime Antitrust

CORPORATE BOARDS

Director, VISA, Inc., credit and debit card company, 2007-2010

Director, FormFactor, Inc., electronic testing equipment manufacturer,
2002-2004; 2005-2010
Director, SPS, financial services company, 1993-1995

NON-PROFIT BOARDS AND POSITIONS

Public Member, Professional Ethics Executive Committee,
American Institute of CPA's, 2012-present
(non-CPA position on the board)
Public Member, Trustees of the American Institute of CPA's, 2001-2005
Member of the Commission on the Humanities & Social Sciences,
American Academy of Arts & Sciences, 2011 – 2013
Kaiser Family Foundation (non-profit health policy organization), 2006-
2010
Public Member, Trustees of the American Academy of Ophthalmologists,
2001-2005
Member, American Law Institute, 2014 - present
Member, Board of Directors, DEMOS, 2001-2006
Member, Public Advisory Board, Haas Center for Public Service,
Stanford University, 1995-2007
Chairman, World Affairs Council of Northern California, 2003-2005
Board Member, World Affairs Council of Orange County, 2018-present
Member, Pacific Council, 2014-present
Member, Council on Foreign Relations, 1981-present

RECITATION OF MANAGEMENT EXPERIENCE

1. Director, Bureau of Competition, Federal Trade Commission
1981-1983
 - Directed 600 employees, 180 attorneys
 - Responsible for all antitrust functions of FTC, including reviewing 2/3 of all mergers filed in the United States
 - Successfully stopped Mobil-Marathon merger, LTV-Grumman merger
 - Integrated economic analysis into antitrust enforcement decisions

2. California State Senator
1993-1995
 - Chaired Committee on Housing: 7 State Senators, staff of 5
 - Comprehensive review of California low-income housing law; making municipal compliance more achievable
 - Authored 30 bills that became law, including requiring dynamic economic scoring in state budgets
 - Rated best overall State Senator by California Journal

3. United States Congressman
1989-1993; 1995-2001
Office of 12 in Washington, 7 in California
 - Invoked War Powers Resolution for the first time in history, bringing a vote to House floor on the war in Yugoslavia (Kosovo)
 - Authored Healthcare Provider Antitrust Improvement Act of 2000 (passed House)
 - Authored Peace Corps Reauthorization Act of 2000 (became law)
 - Amended House Rules to compel dynamic economic scoring of bills

4. Dean, Haas School of Business, UC Berkeley
2002-2004; 2005-2008
Business school of 750 undergraduates, 500 full-time MBA's, 480 part-time MBA's, 30 MFE's, 40 Ph.D.s, 288 faculty (120 full time), 110 staff, 90 million dollars budget
 - Introduced ethics to every required course
 - Created center for non-profit management
 - Re-directed largest gift ever made to the Business School (27 million dollars) (the gift was solicited by Associate Chancellor for Advancement; I worked with the donor to redirect it from the donor's original plan to the school's greater need.

- MBA rankings in Wall Street Journal improved from no. 15 to no. 2, in US News from no. 10 to no. 7, in Business Week from no. 13 to no. 8.
- Undergraduate rankings improved in US News from no. 3 to no. 2
- Doubled endowment

5. Director, California Department of Finance

2004-2005

700 employees, 12 divisions overseeing every aspect of state government

- Prepared, helped enact, and supervised balanced budget, over 100 billion dollars

- Drafted statewide initiative for permanently balanced budget (I took a leave of absence at zero pay to campaign for the initiative; however it was not adopted)

6. Dean, Dale E. Fowler School of Law, Chapman University

2011-2016

70 faculty, 40 full-time; 50 staff; 500 JD students, 25 LL.M. students; budget 22 million

- Achieved better-than-budget balance sheet every year in a fee-based revenue academic institution

- Managed through greatest downturn in law school applications in modern history (national trend)

- Expanded international LL.M. program to diversify student body and student experience

- Initiated, funded, and supervised strategic plan to introduce practitioners into law school classes at every level

- University President solicited 55 million dollar gift; 2nd largest gift to a US law school ever—my role has been in stewardship of the donors subsequent to the gift

NARRATIVE REGARDING TIME AS DEAN OF HAAS SCHOOL OF BUSINESS

1) The Center for Responsible Business was established just before I became dean; I strongly supported its growth. The Center trains students about the non-financial aspects of corporate achievement. Over a third of our students took some courses in that curriculum. When I was dean, we also created the first student-run investment fund based on financial and social return, and we funded it at 1.3 million.

2) We established the Center for Nonprofit Business, to train the students who intend to go into the management of non-profit institutions. Traditionally, such institutions have not been run by individuals with business training; but it is more and more essential that they do.

3) We created a mandatory ethics course in the undergraduate program. (There already was this mandate in the MBA curriculum.) As part of both ethics curricula, in addition to classes, we regularly invited speakers to campus, including a white collar convicted felon and prosecutors, who were familiar with the ethical challenges facing business women and businessmen.

4) Over the time I was Dean, we increased our ratings in the Wall Street Journal from number 15 to number 2 in the nation. (This is for MBA's; the WSJ does not rate undergraduate programs.) We increased our Business Week ratings for MBA's from number 13 to number 8. We improved our US News & World Report rankings for the undergraduate program from number 4 to number 3 in the nation and improved our MBA rankings from number 10 to number 7.

5) We doubled the size of our weekend MBA program. At the time I finished being Dean, Haas enrolled more students in the evening and weekend programs than in its full time program. I taught in this program; and, in light of the demographics of the evening and weekend students, I believe UC Berkeley did more good for the people of the Bay Area, through the opportunities in this program, than in any other degree program.

6) We doubled our endowment over my time as Dean, to over 200 million. Over the same time, we increased the level of annual giving by 87.5%.

7) We were listed as number 6 in the list of top ten universities 'that recruiters believe are best for hiring minority MBA students' in the annual Wall Street Journal survey, based on 2006 and 2007.

8) We doubled the size of our tutoring program whereby our students help mentor students in the grade schools and high schools in the Berkeley area.

NARRATIVE REGARDING TIME AS DEAN OF FOWLER SCHOOL OF LAW (FOUNDED 1995)

- 1) In 2013, the Law School at Chapman University received the second largest single gift of any law school in the United States: the naming gift of \$55 million from Dale and Ann Fowler. This gift was the result of the donors' generosity and the solicitation by the President of the University. The Fowlers continued to make annual gifts to the law school in excess of \$100,000. My role was the stewardship of the donors.
- 2) We were the only school in the university with its own development office; we raised in excess of 10% of our budget annually through gifts.
- 3) When I was dean, we had the second highest faculty/student ratio among all 20 ABA approved law schools in California. I made this a priority, and the ratio improved steadily over my time as dean.
- 4) We had the # 8 best passage rate among all 20 ABA approved law schools in California, exceeding the state average the last four of the five years I was dean. I fostered an extensive bar preparation program, including courses in the final semester and in the summer after graduation.

- 5) We accomplished an entire reorganization of our law library, with massive substitution of electronic databases for hard copy. This resulted in major cost savings and improved student satisfaction as savings have gone to staff who train students in electronic research. I raised the 5 million dollars for this work from the Darling Foundation.
- 6) Working with the entire faculty for over a year, we developed a long-range plan emphasizing skills training. We started an endowment to pay for practicing attorneys to teach skills as adjunct professors, embedded within our doctrinal courses.
- 7) [The Princeton Review](#)'s *Best Law Schools* ranked the law school as #3 nationally in the "Best Quality of Life" category.
- 8) *The National Jurist* listed our JD/MFA in Film and Television Producing as one of the nation's 20 most unique joint degree programs. Our law students have made award-winning documentary films about human rights and social justice issues in Uganda, Mozambique, Ghana, Tanzania, Cameroon, Laos and Cambodia.
- 9) Under my deanship, we created a business advisory board, consisting of the General Counsels of 25 companies, including Allergan, Paramount Pictures, CoreLogic, Edwards Life Sciences, VIZIO, Taco Bell, Jack-in-the-Box, Hyundai Capital America, LA Dodgers, San Diego Padres, Angels Baseball, and the Irvine Company.
- 10) We are leaders in outreach to underrepresented communities in Orange County high schools, bringing promising high school students to the law school for three day visits to encourage them to go to college, and to realize that a career in law is open to any of them.
- 11) I inherited, developed, and funded the Bette and Wylie Aitken Family Protection Clinic, and the Alona Cortese Elder Law Clinic, providing free legal assistance to vulnerable members of our community.

2023 articles with affiliation with NetChoice noted

"California, Antitrust, and the Apple Store," November 17, 2023

https://www.realclearmarkets.com/articles/2023/11/17/california_antitrust_and_the_apple_store_993016.html

“What FTC v. Amazon Reveals about Biden’s Plan to Take Over the Economy,” September 28, 2023,

<https://www.foxnews.com/opinion/ftc-versus-amazon-reveals-biden-plan-takeover-economy>