MICHAEL P. VAN ALSTINE

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PROFESSIONAL EXPERIENCE:

2002–present **The UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL OF LAW**

- The Francis King Carey Professor in Business Law (from 2018); The Piper & Marbury Professor of Law (2016-2018); Professor of Law (from 2002)
- Visiting Professorships: University of Maryland College Park (undergraduate program, 2016); Vanderbilt University Law School (2006) (short course)
- International Teaching: University of San Diego School of Law Summer Program (Paris, 2012); The Central University of Finance and Economics (Beijing) (fall, 2007, and fall, 2011) (short courses); St. Mary's University School of Law Summer Program (Innsbruck, 2006).

Administrative and Program Experience

- *Director, Business Law Program* (2018–2022): Responsible for managing program that prepares students for a certificate in business law and for overseeing the Journal of Business Law & Technology
- *Director or Co-Director, International and Comparative Law Program* (2003–2016): Responsible for establishing and managing program, including exchange programs and curriculum, and for establishing LL.M. program
- *Associate Dean for Research and Faculty Development* (2006–2010): Responsible for general scholarly environment of the law school, including junior faculty development and senior faculty support.

Courses

- International Business Transactions; Contracts; Secured Transactions; Sales and Sales Financing.

Teaching Awards (selected by the students)

- Outstanding Faculty Member of the Year (2016) (annual teaching award)
- "Most Engaging in Class" Award (2016) (annual teaching award in undergraduate Scholars Program, University of Maryland, College Park)
- Outstanding Faculty Member of the Year (2008) (annual teaching award).

1994–2002 **THE UNIVERSITY OF CINCINNATI COLLEGE OF LAW**

- Professor (1999–2002); Assoc. Prof. (1997–1999); Ass't Prof. (1994–1997)
- Visiting Professorships: University of Maryland School of Law (2001–2002); George Washington University Law School (1998–1999).

Teaching Awards (selected by the students and the Dean)

- Goldman Prize for Excellence in Teaching (2000)
- Goldman Prize for Excellence in Teaching (1998)
- Goldman Prize for Excellence in Teaching (1996)
- Goldman Prize for Excellence in Teaching (1995).

EDUCATION:

1992–1994 **DOCTOR JURIS**, Universität Bonn, Germany
- Doctor of Laws degree awarded *summa cum laude*
- *Dissertation*: FEHLENDER KONSENS BEIM VERTRAGSABSCHLUß NACH DEM EINHEITLICHEN UN-KAUFRECHT: EINE RECHTSVERGLEICHENDE UNTERSUCHUNG AUF DER GRUNDLAGE DES DEUTSCHEN SOWIE DES US-AMERIKANISCHEN RECHTS [Absence of Agreement upon Contract Formation under the Uniform United Nations Sales Convention: A Comparative Law Analysis on the Basis of German and United States Law].

1991–1992 **MAGISTER JURIS COMPARATIVI**, Universität Bonn, Germany
- Masters of Comparative Law degree awarded *summa cum laude*
- Focus of Studies: comparative commercial, business, and contract law; comparative civil versus common law; European Union law
- *Thesis*: Die "BATTLE OF FORMS" NACH § 2-207 DES UNIFORM COMMERCIAL CODE: EINE KRITISCHE UND RECHTSVERGLEICHENDE UNTERSUCHUNG [The "Battle of the Forms" under § 2-207 of the Uniform Commercial Code: A Critical and Comparative Law Analysis].

1983–1986 **JURIS DOCTOR**, George Washington University Law School, Washington, D.C.
- Degree awarded "with high honors"
- Graduated in top 10% of the class
- Selected for Membership in the Order of the Coif.

1979–1983 **BACHELOR OF ARTS**, Saint Norbert College, Wisconsin
- Degree awarded *summa cum laude*
- Graduated with a perfect 4.00/4.00 grade point average with double major (history and political science).

SCHOLARLY PUBLICATIONS:

BOOKS:

1. CONCISE HORNBOOK: PRINCIPLES OF INTERNATIONAL BUSINESS TRANSACTIONS (West Academic Publishing, 5th ed., forthcoming 2026) (with Folsom & Ramsey).

   - Particular responsibility for chapters on *Structuring the International Sales Transaction; International Sales Law; Commercial Terms; International Carriage of Goods and Bills of Lading; Sales Agent and Distributorship Agreements; Financing International Business Transactions; Financing International Business Projects; Digital Trade and Data Privacy;* and *The Foreign Corrupt Practices Act and the OECD Anti-Bribery Convention*.

2. INTERNATIONAL BUSINESS TRANSACTIONS IN A NUTSHELL (West Academic Publishing, 12th ed., 2025) (with Folsom, Ramsey, & Schaefer).

   - Particular responsibility for chapters on *Negotiating International Transactions; Basic Structures for International Sale of Goods Transactions; the Law Governing International Sales of Goods; Commercial Terms; International Carriage of Goods, Electronic Commerce and Data Privacy; Financing International Business Transactions; and the Foreign Corrupt Practices Act and the OECD Anti-Bribery Convention.*

3. INTERNATIONAL BUSINESS TRANSACTIONS: A PROBLEM ORIENTED COURSEBOOK (West Academic Publishing, 14th ed., 2024) (with Folsom, Ramsey & Schaefer).

   - Particular responsibility for chapters on *Conduct of Business in the World Community*; *Agreements for the International Trading of Goods*; *Financing the International Sale of Goods*; and international anti-bribery law.

4. CONCISE HORNBOOK: PRINCIPLES OF INTERNATIONAL BUSINESS TRANSACTIONS (West Academic Publishing, 5th ed., 2022) (with Folsom & Ramsey).

   - *See* 6th edition of this book above for areas of responsibility.

5. INTERNATIONAL BUSINESS TRANSACTIONS IN A NUTSHELL (West Academic Publishing, 11th ed., 2020) (with Folsom & Ramsey).

   - *See* 12th edition of this book above for areas of responsibility.

6. INTERNATIONAL BUSINESS TRANSACTIONS: A PROBLEM ORIENTED COURSEBOOK (West Academic Publishing, 13th ed., 2019) (with Folsom, Ramsey & Schaefer).

   - *See* 14th edition of this book above for areas of responsibility.

7. CONCISE HORNBOOK: PRINCIPLES OF INTERNATIONAL BUSINESS TRANSACTIONS (West Academic Publishing, 4th ed., 2017) (with Folsom, Gordon & Ramsey).

   - *See* 5th edition of this Hornbook above for areas of responsibility.

8. INTERNATIONAL BUSINESS TRANSACTIONS IN A NUTSHELL (West Academic Publishing, 10th ed., 2016) (with Folsom, Gordon & Ramsey).

   - *See* 11th edition of this book above for areas of responsibility.

9. INTERNATIONAL TRADE AND ECONOMIC RELATIONS IN A NUTSHELL (West Academic Publishing, 6th ed., 2016) (with Folsom & Gordon).

10. GET A RUNNING START: YOUR COMPREHENSIVE GUIDE TO THE FIRST YEAR CURRICULUM (West Academic Publishing, 2016) (with others).

    - Particular responsibility for chapter on *Contracts*.

11. INTERNATIONAL BUSINESS TRANSACTIONS: A PROBLEM ORIENTED COURSEBOOK (West Academic Publishing, 12th ed., 2015) (with Folsom, Gordon & Ramsey).

    - *See* 13th edition of this course book above for areas of responsibility.

    - Breakout Versions (all 12th ed., 2015) (with Folsom, Gordon & Ramsey):
      (a) INTERNATIONAL BUSINESS TRANSACTIONS: CONTRACTING ACROSS BORDERS;
      (b) INTERNATIONAL BUSINESS TRANSACTIONS: TRADE AND ECONOMIC RELATIONS; and
      (c) INTERNATIONAL BUSINESS TRANSACTIONS: FOREIGN INVESTMENT LAW.

12. CONCISE HORNBOOK: PRINCIPLES OF INTERNATIONAL BUSINESS TRANSACTIONS (West Academic Publishing, 3rd ed., 2013) (with Folsom, Gordon & Spanogle).

    - *See* 5th edition of this Hornbook above for areas of responsibility.

13. INTERNATIONAL BUSINESS TRANSACTIONS IN A NUTSHELL (West Academic Publishing, 9th ed., 2012) (with Folsom, Gordon & Spanogle).

    - *See* 11th edition of this book above for areas of responsibility.

14. INTERNATIONAL TRADE AND ECONOMIC RELATIONS IN A NUTSHELL (West Academic Publishing, 5th ed., 2012) (with Folsom, Gordon & Spanogle).

    - Particular responsibility for chapter on *Trade Remedies: Responses to Import Competition* (anti-dumping law; countervailing duty law; safeguards measures).

15. INTERNATIONAL BUSINESS TRANSACTIONS: A PROBLEM ORIENTED COURSEBOOK (West Academic Publishing, 11th ed., 2012) (with Folsom, Gordon, Spanogle & Fitzgerald).

    - *See* 13th edition of this Coursebook above for areas of responsibility.

    - Breakout Versions (11th ed., 2012) (with Folsom, Gordon, Spanogle & Fitzgerald) (see 12th edition above for details).

16. U.S.-AMERIKANISCHES HANDELS- UND WIRTSCHAFTSRECHT (Verlag Recht und Wirtschaft, 2nd ed., 1999) (with Elsing) [United States Commercial and Economic Law].

17. FEHLENDER KONSENS BEIM VERTRAGSABSCHLUß NACH DEM EINHEITLICHEN UN-KAUFRECHT (Nomos Verlag, Germany, 1995) [Absence of Agreement upon Contract Formation under the United Nations Convention on International Sales Law] (chosen for publication in the German series on comparative law, *Arbeiten zur Rechtsvergleichung*).

JOURNAL ARTICLES AND BOOK CHAPTERS:

- *UCC Precedents are Irrelevant for the CISG: A Comprehensive Analysis with Empirical Proof*, 52 No. 1 UNIFORM COMMERCIAL CODE LAW JOURNAL Art. 1 (2025)
- *Arresting Misguided Trends in Treaty Law*, 110 KENTUCKY LAW JOURNAL 421–468 (2022)
- *The Unified Field Solution to the Battle of the Forms under the UN Sales Convention*, 62 WILLIAM & MARY LAW REVIEW 213–286 (2020)
- *Risiken für deutsche Unternehmen bei Sicherungsrechten in den USA*, 2018 RECHT DER INTERNATIONALEN WIRTSCHAFT 169 (2018) [Risks for German Enterprises Regarding Security Interest Rights in the USA]
- *International Law in Domestic Courts*, in RESEARCH HANDBOOK ON THE POLITICS OF INTERNATIONAL LAW 79-116 (W. Sandholtz & C.A. Whytock, eds., Elgar Publishing, 2017) (with Sloss)
- *Prescience and Insight in International Law Scholarship*, 31 TEMPLE INT'L & COMP. L.J. 355 (2017) (invited tribute)
- *Institutional Concerns on the Intersection of the UNIDROIT Principles and the CISG* 705–729, in LIBER AMICORUM FÜR SIEGFRIED ELSING (2015)
- *Stare Decisis and Foreign Affairs*, 61 DUKE LAW JOURNAL 941–1024 (2012)
- *Treaty Double Jeopardy: The OECD Anti-Bribery Convention and the FCPA*, 73 OHIO STATE LAW JOURNAL 1321–1352 (2012) (symposium)
- *Treaties in the Supreme Court (1901–1945)* 191–224, in THE U.S. SUPREME COURT AND INTERNATIONAL LAW: CONTINUITY OR CHANGE? (D. Sloss, *et al.*, eds., Cambridge University Press, 2011)

- *Constitutional Necessity and Presidential Prerogative: Does Presidential Discretion Undergird or Undermine the Constitution?*, 45 TULSA LAW REVIEW 631–648 (2010) (reviewing two books)
- *The Role of Domestic Courts in Treaty Enforcement: Summary and Conclusions* 555–613, in THE ROLE OF DOMESTIC COURTS IN TREATY ENFORCEMENT: A COMPARATIVE STUDY (D. Sloss, ed., Cambridge University Press, 2009)
- *The Universal Declaration and Developments in the Enforcement of International Human Rights in Domestic Law*, 24 MARYLAND JOURNAL OF INTERNATIONAL LAW 63–74 (2009)
- *The UNCITRAL Digest, the Right to Interest, and the Interest Rate Controversy* 505–528, in DRAFTING CONTRACTS UNDER THE CISG (H. Flechtner, *et al*., eds., Oxford Univ. Press, 2008)
- *Taking Care of John Marshall's Political Ghost*, 53 ST. LOUIS UNIVERSITY LAW JOURNAL 93–135 (2008) (symposium)
- *Executive Aggrandizement in Foreign Affairs Lawmaking*, 53 UCLA LAW REVIEW 309–371 (2006)
- *The Death of Good Faith in Treaty Jurisprudence and a Call for Resurrection*, 93 GEORGETOWN LAW JOURNAL 1885–1945 (2005)
- *The International Sales Contract Including the United Nations Convention on the International Sale of Goods* 1–28, in INTERNATIONAL COMMERCIAL TRANSACTIONS (MICPEL, 2005)
- *Federal Common Law in an Age of Treaties*, 89 CORNELL LAW REVIEW 892–992 (2004)
- *The Judicial Power and Treaty Delegation*, 90 CALIFORNIA LAW REVIEW 1263–1303 (2002)
- *The Costs of Legal Change*, 49 UCLA LAW REVIEW 789–870 (2002)
- *Treaty Law and Legal Transition Costs*, 76 CHICAGO-KENT LAW REVIEW 1303–1324 (2002)
- *Of Textualism, Party Autonomy, and Good Faith*, 40 WILLIAM & MARY LAW REVIEW 1223–1312 (1999)
- *Analisis de la Convencion de las Naciones Unidas: sobre los Contratos de Compraventa Internacional de Mercaderias y su trascendencia para America Latina*, 2 DERECHOS Y VALORES [Colombia] 116–133 (1999) [An Analysis of the United Nations Convention on Contracts for the International Sale of Goods and Its Significance for Latin America] [translation by Y. Margaux Guerra]
- *Dynamic Treaty Interpretation*, 146 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 687–793 (1998)
- *Consensus, Dissensus, and Contractual Obligation through the Prism of Uniform International Sales Law*, 37 University of VIRGINIA JOURNAL OF INTERNATIONAL LAW 1–105 (1996)

- *Die EG-Übernahme-Richtlinie im Lichte der Erfahrungen in den USA*, 12 EUROPÄISCHES WIRTSCHAFTS- UND STEUERRECHT 8–16 (1993) [The EU Takeover Directive in Light of Experience in the USA]

OTHER PROFESSIONAL EXPERIENCE:

1993–1994 GRADUIERTENKOLLEG: EUROPÄISCHES UND INTERNATIONALES WIRTSCHAFTSRECHT, Universität Bonn, Germany

- Doctoral fellowship sponsored by a foundation dedicated to advancing knowledge in "European and International Commercial Law."

1991–1994 RESIDENT U.S. COUNSEL, Hölters & Elsing, Düsseldorf, Germany

- Practiced international commercial, contract, and corporate law
- Co-counsel in international arbitrations in The Hague and Geneva.

1990–1991 DEUTSCHER AKADEMISCHER AUSTAUSCHDIENST [German Academic Exchange Service], Tübingen & Düsseldorf, Germany

- Scholarship recipient in year-long program for foreign lawyers providing instruction on German law and comparative law funded by the government of the Federal Republic of Germany.

1986–1990 ASSOCIATE, Foley & Lardner, Milwaukee, Wisconsin, USA

- Associate in the firm's commercial litigation department responsible for commercial, contract, and corporate law matters.

MEMBERSHIPS:

American Law Institute (elected 2005)

American Society of International Law

- Co-Chair, Private International Law Interest Group (2003–2006).

LANGUAGES:

English (native); German (fluent); Italian (intermediate).