The Top 10 Corporate and Securities Articles of 2010

The Corporate Practice Commentator is pleased to announce the results of its seventeenth annual poll to select the ten best corporate and securities articles. Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published and indexed in legal journals during 2010. More than 440 articles were on this year’s list. Because of the vagaries of publication, indexing, and mailing, some articles published in 2010 have a 2009 date, and not all articles containing a 2010 date were published and indexed in time to be included in this year’s list. Because of ties, there are eleven on this year’s list.

The articles, listed in alphabetical order of the initial author, are:


The Top 10 Corporate and Securities Articles of 2009

The Corporate Practice Commentator is pleased to announce the results of its sixteenth annual poll to select the ten best corporate and securities articles. Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published and indexed in legal journals during 2009. More than 500 articles were on this year’s list and more than 120 received votes. Because of the vagaries of publication, indexing, and mailing, some articles published in 2009 have a 2008 date, and not all articles containing a 2009 date were published and indexed in time to be included in this year’s list.

The articles, listed in alphabetical order of the initial author, are:


Bartlett, Robert P. III. Going private but staying public: Reexamining the effect of Sarbanes-Oxley on firms' going-private decisions. 76 U. Chi. L. Rev. 7 (2009).


Nagy, Donna M. Insider trading and the gradual demise of fiduciary principles. 94 Iowa L. Rev. 1315-1379 (2009).

The Top 10 Corporate and Securities Articles of 2008

The *Corporate Practice Commentator* is pleased to announce the results of its annual poll to select the ten best corporate and securities articles. Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published and indexed in legal journals during 2008. Because of the vagaries of publication, indexing, and mailing, some articles published in 2008 have a 2007 date, and not all articles containing a 2008 date were published and indexed in time to be included in this year’s list.

The articles, listed in alphabetical order of the initial author, are:


**Brummer, Chris.** Corporate law preemption in an age of global capital markets. 81 S. Cal. L. Rev. 1067-1114 (2008).

**Choi, Stephen and Marcel Kahan.** The market penalty for mutual fund scandals. 87 B.U. L. Rev. 1021-1057 (2007).


**Cox, James D., Randall S. Thomas and Lynn Bai.** There are plaintiffs and…there are plaintiffs: An empirical analysis of securities class action settlements. 61 Vand. L. Rev. 355-386 (2008).


**Strine, Leo E., Jr.** Toward common sense and common ground? Reflections on the shared interests of managers and labor in a more rational system of corporate governance. 33 J. Corp. L. 1-20 (2007).

The Top 10 Corporate and Securities Articles of 2007

The *Corporate Practice Commentator* is pleased to announce the results of its annual poll to select the ten best corporate and securities articles. (Because of ties there are 11 on this year’s list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published and indexed in legal journals during 2007. Because of the vagaries of publication, indexing, and mailing, some articles published in 2007 have a 2006 date, and not all articles containing a 2007 date were published and indexed in time to be included in this year’s list.

The articles, listed in alphabetical order of the initial author, are:


The Top 10 Corporate and Securities Articles of 2006

The Corporate Practice Commentator is pleased to announce the results of its annual poll of the 10 best corporate and securities articles. (Because of ties there are 12 on this year's list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published during 2006. Because of the vagaries of publication, indexing, and mailing, some articles published in 2006 have a 2005 date, and not all articles containing a 2006 date were published in time to be included in this year's list.

The articles, listed in alphabetical order of the initial author, are:


The Top 10 Corporate and Securities Articles of 2005

The Corporate Practice Commentator is pleased to announce the results of its annual poll of the 10 best corporate and securities articles. (Because of ties there are 11 on this year's list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published during 2005. Because of the vagaries of publication, indexing, and mailing, some articles published in 2005 have a 2004 date, and not all articles containing a 2005 date were published in time to be included in this year's list.

The articles, listed in alphabetical order of the initial author, are:


The Top 10 Corporate and Securities Articles of 2004

The Corporate Practice Commentator is pleased to announce the results of its annual poll of the 10 best corporate and securities articles. (Because of ties there are 11 on this year's list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published during 2004. Because of the vagaries of publication, indexing, and mailing, some articles published in 2004 have a 2003 date, and not all articles containing a 2004 date were published in time to be included in this year's list.

The articles, listed in alphabetical order of the initial author, are:


- **Bebchuk, Lucian Arye and Alma Cohen.** Firms' decisions where to incorporate. 46 J.L. & Econ. 383-425 (2003).


- **Subramanian, Guhan.** The disappearing Delaware effect. 20 J.L. Econ. & Org. 32-59 (2004)

The Top 10 Corporate and Securities Articles of 2003

The Corporate Practice Commentator is pleased to announce the results of its annual poll of the 10 best corporate and securities articles. (Because of ties there are 11 on this year’s list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published during 2003. Because of the vagaries of publication, indexing, and mailing, some articles published in 2003 have a 2002 date, and not all articles containing a 2003 date were published in time to be included in this year’s list.

The articles, listed in alphabetical order of the initial author, are:

- **Choi, Stephen J. and Jill E. Fisch.** How to fix Wall Street: A voucher financing proposal for securities intermediaries. 113 Yale L.J. 269-346 (2003).
- **Langevoort, Donald C.** Taming the animal spirits of the stock markets: A behavioral approach to securities regulation. 97 Nw. U. L. Rev. 135-188 (2002).
- **Thompson, Robert B. and Hillary A. Sale.** Securities fraud as corporate governance: Reflections upon federalism. 56 Vand. L. Rev. 859-910 (2003).
The Top 10 Corporate and Securities Articles of 2002

The Corporate Practice Commentator is pleased to announce the results of its annual poll of the 10 best corporate and securities articles. (Because of ties there are 11 on this year’s list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published during 2002. Because of the vagaries of publication, indexing and mailing some articles published in 2002 have a 2001 date and not all articles containing a 2002 date were published in time to be included in this year’s list.

The articles, listed in alphabetical order of the initial author, are:


The "Best Articles" were chosen from more than 350 corporate and securities articles published during the year. Thirty-six law professors participated in this year’s selection.
The Top 10 Corporate and Securities Articles of 2001

The Corporate Practice Commentator is pleased to announce the results of its annual poll of the 10 best corporate and securities articles. (Because of ties there are 11 on this year’s list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published during 2001. Because of the vagaries of publication, indexing and mailing some articles published in 2001 have a 2000 date and not all articles containing a 2001 date were published in time to be included in this year’s list.

The articles, listed in alphabetical order of the initial author, are:

- **Coates, John C. IV.** Takeover defenses in the shadow of the pill: a critique of the scientific evidence. 79 Tex. L. Rev. 271-382 (2000).
- **Coffee, John C., Jr.** The rise of dispersed ownership: the roles of law and the state in the separation of ownership and control. 111 Yale L.J. 1-82 (2001).
- **Hansmann, Henry and Reinier Kraakman.** The essential role of organizational law. 110 Yale L.J. 387-440 (2000).
- **Romano, Roberta.** Less is more: making institutional investor activism a valuable mechanism of corporate governance. 18 Yale J. on Reg. 174-251 (2001).

The "Best Articles" were chosen from more than 300 corporate and securities articles published during the year. Thirty law professors participated in this year’s selection.
The Top 10 Corporate and Securities Articles of 2000

The Corporate Practice Commentator is pleased to announce the results of its annual poll of the 10 best corporate and securities articles. (Because of ties there are 13 on this year’s list.) Teachers in corporate and securities law were asked to select the best corporate and securities articles from a list of articles published during 2000. Because of the vagaries of publication, indexing and mailing some articles published in 2000 have a 1999 date and not all articles containing a 2000 date were published in time to be included in this year’s list.

The articles, listed in alphabetical order of the initial author, are:

- **Schizer, David M.** Executives and Hedging: The Fragile Legal Foundation of Incentive Compatibility. 100 Colum. L. Rev. 440-504 (2000).
- **Thomas, Randall S. and Kenneth J. Martin.** The Determinants of Shareholder Voting on Stock Option Plans. 35 Wake Forest L. Rev. 31-81 (2000).
The "Best Articles" were chosen from more than 250 corporate and securities articles published during the year. Twenty-five law professors participated in this year’s selection.

The Top 10 Corporate and Securities Articles of 1999

The Corporate Practice Commentator is pleased to announce the results of its annual poll on the 10 best corporate and securities articles. (Because of ties there are 12 on this year’s list.) Teachers in corporate and securities laws were asked to select the best corporate and best securities articles from a list of all articles published during 1999. Because of the vagaries of publication and mailing some articles published in 1999 contain a 1998 date and not all articles containing a 1999 date were published in time to be included in this list.

The articles, listed in author alphabetical order, are:

- **Bhagat, Sanjai and Bernard Black.** The Uncertain Relationship Between Board Composition and Firm Performance.  54 Bus. Law. 921-963 (1999).
- **Eisenberg, Melvin A.** Corporate Law and Social Norms.  99 Colum. L. Rev. 1253-1292 (1999).
- **Langevoort, Donald C.** Half-Truths: Protecting Mistaken Inferences By Investors and Others.  52 Stan. L. Rev. 87-125 (1999).

The "Best Articles" were chosen from more than 235 corporate and securities articles published during the year. Thirty-five law professors participated in this year’s selection.
The Top 10 Corporate and Securities Articles of 1998

The Corporate Practice Commentator is pleased to announce the results of its annual poll on the 10 best corporate and securities articles. (Because of ties there are 12 on this year’s list.) Teachers in corporate and securities laws were asked to select the best corporate and best securities articles from a list of all articles published during 1998. Because of the vagaries of publication and mailing some articles published in 1998 contain a 1997 date and not all articles containing a 1998 date were published in time to be included in this list.

The articles, listed in author alphabetical order, are:

- Coffee, John C., Jr., Brave New World?: The Impact(s) of the Internet on Modern Securities Regulation. 52 Bus. Law. 1195-1233 (1997).

The "Best Articles" were chosen from more than 350 corporate and securities articles published during the year. Thirty law professors participated in this year’s selection.
The Top 10 Corporate and Securities Articles of 1997

The Corporate Practice Commentator is pleased to announce the results of its annual poll on the 10 best corporate and securities articles. Teachers in corporate and securities laws were asked to select the best corporate and best securities articles from a list of all articles published during 1997. Because of the vagaries of publication and mailing some articles published in 1997 contain a 1996 date and not all articles containing a 1997 date were published in time to be included in this list.

The articles, listed in author alphabetical order, are:


- **Skeel, David A., Jr.**, The Unanimity Norm in Delaware Corporate Law, 83 Va. L. Rev. 127-175 (1997).
The "Best Articles" were chosen from more than 260 corporate and securities articles published during the year. Thirty law professors participated in this year’s selection.
The Top 10 Corporate and Securities Articles of 1996

The Corporate Practice Commentator is pleased to announce the results of its annual poll on the 10 best corporate and securities articles. Teachers in corporate and securities laws were asked to select the best corporate and best securities articles from a list of all articles published during 1996. Because of the vagaries of publication and mailing some articles published in 1996 contain a 1995 date and not all articles containing a 1996 date were published in time to be included in this list. The articles, listed in alphabetical order, are:

- Triantis, George G. and Daniels, Ronald J.  *The Role of Debt in Interactive Corporate Governance*, 83 Cal. L. Rev. 1073 (1995)

The "10 best" articles were chosen from more than 300 corporate and securities articles published during the year. Three dozen law professors participated in this year's selection.
Best Corporate and Securities Articles of 1995

The Corporate Practice Commentator is pleased to announce the results of its poll on the best corporate and securities articles published during 1995. Experienced teachers in corporate and securities laws were asked to select the seven best corporate and seven best securities articles from a list of all articles published during 1995. Because of the vagaries of publication and mailing some articles published in 1995 contain a 1994 date and not all articles containing a 1995 date were published in time to be included in this list. The line between corporate and securities law is not always clearly defined and there are some on one list that could have been included on the other. The articles, listed in alphabetical order, are:

Corporations


Securities Regulation


The panel participants in the selection included: Richard Booth – University of Maryland School of Law; James Cox – Duke University School of Law; Donald Langevoort – Vanderbilt University School of Law; Jonathan Macey – Cornell Law School; Larry Ribstein – George Mason University School of Law; Robert B. Thompson – Washington University School of Law.
Best Corporate and Securities Articles of 1994

The Corporate Practice Commentator is pleased to announce the results of its poll on the best corporate and securities articles published during 1994. Experienced teachers in corporate and securities laws were asked to select the seven best corporate and seven best securities articles from a list of all articles published during 1994 (Ties increased the number of articles to nine in each category.). Because of the vagaries of publication and mailing some articles published in 1994 contain a 1993 date and not all articles containing a 1994 date were published in time to be included in this list. The line between corporate and securities law is not always clearly defined and there are some on one list that could have been included on the other. The articles, listed in alphabetical order, are:

**Corporations**

- **Fraidin, Stephen and Hanson, Jon D.** *Toward Unlocking Lockups*, 103 Yale L.J. 1739-1834 (1994)
- **Skeel, David A., Jr.** *Rethinking the Line Between Corporate Law and Corporate Bankruptcy*, 72 Tex. L. Rev. 471-557 (1994)

**Securities**

- **Alexander, Janet Cooper** *The Value of Bad News in Securities Class Actions*, 41 UCLA L.Rev. 1421-1469 (1994)


The panel participants in the selection included: Jennifer Arlen - University of Southern California law Center; Richard Booth - University of Maryland School of Law; James Cox - Duke University School of Law; Donald Langevoort - Vanderbilt University School of Law; Jonathan Macey - Cornell Law School; Larry Mitchell - George Washington University National law Center; Dale Oesterle - University of Colorado School of Law; Larry Ribstein - George Mason University School of Law; Joel Seligman - University of Michigan Law School.