

GREGORY M. STEIN

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Curriculum Vitae

Education

- J.D. 1986, Columbia University, New York, New York
Columbia Law Review (Senior Editor, Editor); Harlan Fiske Stone Scholar; Columbia Advocates for the Arts; Community Development Clinic; Moot Court
- A.B. 1983, Harvard University, Cambridge, Massachusetts, Cum Laude in Biochemical Sciences
National Merit Scholar; Newsday Alicia Patterson Memorial Scholar; Harvard College Scholar; Harvard-Radcliffe Undergraduate Council; Institute of Politics of the John F. Kennedy School of Government

Experience

- 2009–present
Associate Dean for Faculty Development
University of Tennessee, Knoxville, Tennessee
- 2003–present
Wolf, McClane, Bright, Allen & Carpenter Distinguished Professor of Law
University of Tennessee, Knoxville, Tennessee
- 2005, Summer
Fulbright Senior Specialist, Shanghai Jiao Tong University Law School
Shanghai, People's Republic of China
- 2003, Spring
Visiting Fulbright Professor of Law, Shanghai Jiao Tong University Law School
Shanghai, People's Republic of China
- 2000–2003
Professor of Law, University of Tennessee, Knoxville, Tennessee
- 1990–2000
Associate Professor of Law, University of Tennessee, Knoxville, Tennessee
Awarded tenure in 1996
- 1986–1990
Attorney (Associate, Real Estate Department), Paul, Weiss, Rifkind, Wharton & Garrison
New York, New York
- 1986 and 1985, Summers
Summer Associate (General Practice), Paul, Weiss, Rifkind, Wharton & Garrison
New York, New York
- 1984–1985
Research Assistant (Constitutional Law), Dean Benno C. Schmidt, Jr., Columbia Law School
New York, New York
- 1984, Summer
Summer Associate (Patent, Trademark, and Copyright Law),
Brumbaugh, Graves, Donohue & Raymond (now Baker and Botts), New York, New York

Honors, Awards, and Research Grants

Fulbright Specialists Roster, 2005–06; 2010–14
Marilyn V. Yarbrough Faculty Award for Writing Excellence, 2008
Excellence in Writing Award, Best Overall Article to appear in PROBATE AND PROPERTY in 2007
W. Allen Separk Faculty Scholarship Award, 2006
Fulbright Senior Specialists Award, Shanghai Jiao Tong University Law School, Shanghai, People's Republic of China, 2005
Named first holder of the Woolf, McClane, Bright, Allen & Carpenter Distinguished Professorship in Law, 2003
Fulbright Scholar, Shanghai Jiao Tong University Law School, Shanghai, People's Republic of China, 2003
Provost's Award for Excellence in Teaching, 2003
Carden Award for Outstanding Achievement in Scholarship, 2001
Harold C. Warner Outstanding Teacher Award, 2001 and 1992
Lewis, King, Krieg & Waldrop Faculty Research Grant, 1995
Professional Development Awards, University of Tennessee–Knoxville, 1995 and 1992
Winick Legal Research Award, 1991
University of Tennessee College of Law Research Grants, eighteen times through 2009

Bar Admission

New York

Brief Statement of Research Interest

My primary areas of research interest are in the use and financing of real property. The use of property frequently is limited by zoning and subdivision laws and by the invocation of the condemnation power. In addition, mortgage loan documents typically constrain an owner's ability to use real estate.

My scholarly work reflects these two related aspects of property law. For example, my articles in the Vanderbilt, Washington, and Tennessee Law Reviews and the Ohio State Law Journal examine the procedural and remedial problems surrounding government regulations that may take private property without compensation. My article in the Washington and Lee Law Review examines how landowners seek to shield themselves from personal liability when they borrow funds. The book I co-authored, now in its second edition, helps lawyers develop their expertise in commercial real estate law. I plan to continue exploring these areas of real estate law in the future.

More recently, I have developed an interest in Chinese real estate law and practice. I have been able to pursue my interest in China during three recent trips there, two of which were as a participant in the Fulbright program. I have published several articles addressing Chinese property law issues and I have signed a contract to publish a book in this area.

Publications

Books:

Stein, Gregory M., Morton P. Fisher, Jr., & Marjorie P. Fisher, A PRACTICAL GUIDE TO COMMERCIAL REAL ESTATE TRANSACTIONS: FROM CONTRACT TO CLOSING (American Bar Association, 2d edition 2008)
Stein, Gregory M., Morton P. Fisher, Jr., & Gail M. Stern, A PRACTICAL GUIDE TO COMMERCIAL REAL ESTATE TRANSACTIONS: FROM CONTRACT TO CLOSING (American Bar Association 2001)

Publications (continued)

Articles:

- Stein, Gregory M., *Negotiating the Mega-Rebuilding Deal at the World Trade Center: An Introduction*, 10 *TRANSACTIONS: THE TENNESSEE JOURNAL OF BUSINESS LAW* 11 (2008)
- Stein, Gregory M., *Mortgage Law in China: Comparing Theory and Practice*, 72 *MISSOURI LAW REVIEW* 1315 (2007)
—reprinted in full in 6 *ICFAI UNIVERSITY JOURNAL OF BANKING LAW*, No. 3, at p. 8 (Institute of Chartered Financial Analysts of India, Hyderabad, India 2008)
- Stein, Gregory M., *The Chinese Land Use Right: Is It Property?*, 21 *PROBATE AND PROPERTY*, No. 5, at p. 22 (2007)
—selected as recipient of Excellence in Writing Award for Best Overall Article to appear in *PROBATE AND PROPERTY* in 2007
- Stein, Gregory M., *Doomed to Re-Repeat History: The Triangle Fire, The World Trade Center Attack, and the Importance of Strong Building Codes*, 21 *ST. JOHN'S JOURNAL OF LEGAL COMMENTARY* 767 (2007)
- Stein, Gregory M., *Acquiring Land Use Rights in Today's China: A Snapshot From on the Ground*, 24 *UCLA PACIFIC BASIN LAW JOURNAL* 1 (2006)
- Stein, Gregory M., *Nuance and Complexity in Regulatory Takings Law*, 15 *WILLIAM & MARY BILL OF RIGHTS JOURNAL* 389 (2006)
- Stein, Gregory M., *Early Land Use Cases, Continued Uncertainty: The Religious Land Use and Institutionalized Persons Act*, 19 *PROBATE AND PROPERTY*, No. 1, at p. 38 (2005)
- Stein, Gregory M., *Takings in the 21st Century: Reasonable Investment-Backed Expectations After Palazzolo and Tahoe-Sierra*, 69 *TENNESSEE LAW REVIEW* 891 (2002)
—selected by the publishers of *Land Use and Environment Law Review* (Thomson West) as one of the thirty best articles on land use and environmental law published in 2002
- Stein, Gregory M., *When Can a Nonrecourse Lender Reach the Personal Assets of Its Borrower?*, 17 *PRACTICAL REAL ESTATE LAWYER*, No. 2, at p. 33 (2001)
- Stein, Gregory M., *Who Gets the Takings Claim? Changes in Land Use Law, Pre-Enactment Owners, and Post-Enactment Buyers*, 61 *OHIO STATE LAW JOURNAL* 89 (2000)
- Stein, Gregory M., *The Scope of the Borrower's Liability in a Nonrecourse Real Estate Loan*, 55 *WASHINGTON AND LEE LAW REVIEW* 1207 (1998)
- Stein, Gregory M., *Pinpointing the Beginning and Ending of a Temporary Regulatory Taking*, 70 *WASHINGTON LAW REVIEW* 953 (1995)
—reprinted in full in *INVERSE CONDEMNATION AND RELATED GOVERNMENT LIABILITY* 423 (American Law Institute–American Bar Association 1996)
- Stein, Gregory M., *Regulatory Takings and Ripeness in the Federal Courts*, 48 *VANDERBILT LAW REVIEW* 1 (1995)
—excerpted in *A LAND USE ANTHOLOGY* 179 (Jon W. Bruce, ed., Anderson Publishing 1998)
—reprinted in full in *INVERSE CONDEMNATION AND RELATED GOVERNMENT LIABILITY* 79 (American Law Institute–American Bar Association 1995)
- Stein, Gregory M., *Hardhat Teaching*, *THE LAW TEACHER*, Fall 1995, p. 1
—excerpted in Gerald F. Hess and Steven Friedland, *TECHNIQUES FOR TEACHING LAW* 110 (Carolina Academic Press 1999)
- Stein, Gregory M., *Distinguishing Among Murders When Assessing the Proportionality of the Death Penalty*, 85 *COLUMBIA LAW REVIEW* 1786 (1985)

Publications (continued)

Chapters:

- Stein, Gregory M., *Property Law*, in 4 BERKSHIRE ENCYCLOPEDIA OF CHINA 1797 (Linsun Cheng et al. eds., 2009)
- Stein, Gregory M., *The House That Ruth Built*, in COURTING THE YANKEES: LEGAL ESSAYS ON THE BRONX BOMBERS 271 (Ettie Ward, ed., Carolina Academic Press 2003)
- Stein, Gregory M., *The Effect of Palazzolo v. Rhode Island on the Role of Reasonable Investment-Backed Expectations*, in TAKINGS SIDES ON TAKINGS ISSUES: PUBLIC AND PRIVATE PERSPECTIVES 41 (Thomas E. Roberts, ed., American Bar Association 2002)
- Stein, Gregory M., *Is There Any Recourse Against Nonrecourse Financing? The Scope of the Borrower's Liability in a Nonrecourse Real Estate Loan*, in ABA SECTION OF REAL PROPERTY, PROBATE AND TRUST LAW ANNUAL MEETING PROGRAM MATERIALS (American Bar Association 2000)
- Stein, Gregory M., *Nonrecourse Loans*, in 2 COMMERCIAL REAL ESTATE FINANCING: WHAT BORROWERS AND LENDERS NEED TO KNOW NOW 793 (Practising Law Institute 1999)

Op-Ed Columns:

- Stein, Gregory M., *Note from the Dean: Send after U.S. News Rankings are Published*, THE CHICAGO TRIBUNE, April 6, 2008, Section 2, p. 5
- Stein, Gregory M., *Laws Made to be Broken*, THE WASHINGTON POST, July 30, 1993, p. A21

Committee Report:

- American Bar Association, Central and East European Law Initiative, *Analysis of Romania's Law Regarding the General Cadastre and Public Register of Fixed Properties* (author of section of committee report) (1992)

Works in Progress

Books:

- Stein, Gregory M., CHINESE REAL ESTATE LAW AND TRANSACTIONS (Ashgate Publishing, forthcoming 2011)
- Stein, Gregory M., and Jeanette M. Kelleher, SHANGHAI SUNRISE: TWO AMERICANS OBSERVE A CITY'S TRANSFORMATION (350-page manuscript completed and under revision)

Articles:

- Stein, Gregory M., *Private and Public Construction in Modern China*
- Stein, Gregory M., *Expectations as the Cornerstone of Takings Law*

Presentations

International, National, and Regional Organizations:

- Southeastern Association of Law Schools, Annual Meeting, Palm Beach, FL, forthcoming August 2009, "Workshop on Real Estate Planning: Innovative Teaching and Research Strategies for Land Use and Development Law," Invited Panelist
- American College of Real Estate Lawyers, Spring Meeting, San Antonio, TX, March 2008, "We're Not on Blackacre Anymore: Today's Law School Curriculum and Law Teachers," Invited Panelist
- Association of American Law Schools, Annual Meeting, New York, NY, January 2008, "Negotiating the Mega-Rebuilding Deal at the World Trade Center: Teaching Teachers to Teach Students," Section Chair, Program Chair, Moderator; Organized Field Trip to Site

Presentations (continued)

International, National, and Regional Organizations (continued):

Asian Real Estate Society, Annual Meeting, Macau, China, July 2007, “Informal Mortgage Law in the People’s Republic of China,” Invited Panelist

University of Missouri Law School, Conference Honoring Professor Dale Whitman, Columbia, MO, April 2007, “Mortgage Law in China: Comparing Theory and Practice,” Invited Speaker

Southeastern Association of Law Schools, Annual Meeting, Palm Beach, FL, July 2006, “Chinese Real Estate Law: Issues and Remedies in the 21st Century,” Invited Panelist

American Bar Association, Real Property, Probate & Trust Law Section, Annual CLE Meeting, San Diego, CA, May 2006, “Recent Developments in Real Estate Law,” Invited Speaker

The CID Group, Shanghai, China, June 2005, “The American Real Estate Market,” Invited Speaker

East China University of Politics and Law, Shanghai, China, June 2005, “Real Estate Securitization in the United States,” Invited Speaker

American Bar Association, Real Property, Probate & Trust Law Section, Annual CLE Meeting, Washington, DC, April 2005, “Recent Developments in Real Estate Law,” Invited Speaker

William and Mary Bill of Rights Institute, Conference on Property Rights Honoring Harvard Law School Professor Frank Michelman, William and Mary Law School, Williamsburg, VA, November 2004, “Nuance and Complexity in Regulatory Takings Law,” Invited Speaker

American Bar Association, Real Property, Probate & Trust Law Section, Annual CLE Meeting, Seattle, WA, May 2004, “Recent Developments in Real Estate Law,” Invited Speaker

Nankai University, Tianjin, China, *The United States and China into the 21st Century: A Symposium on History, Culture and International Relations*, April 2003, Invited Speaker

—“Building Yankee Stadium: The Intersection of American Law, History, Culture, and Baseball,” Presentation of Paper

—Commentator on two papers, one addressing globalization and constitutional law and the other addressing American private property rights

Georgetown Environmental Law and Policy Institute, Fifth Annual Conference on Litigating Regulatory Takings Claims, University of California at Berkeley School of Law, Berkeley, CA, October 2002, “Investment Expectations After *Tahoe* and *Palazzolo*,” Invited Speaker

Southeastern Association of Law Schools, Annual Meeting, Kiawah Island, SC, July 2002, “Takings Law and Expectations: The Supreme Court Restores *Penn Central*,” 2002 Call for Papers

American Bar Association, Annual Meeting, New York, NY, July 2000, “Is There Any Recourse Against Nonrecourse Financing? The Scope of the Borrower’s Liability in a Nonrecourse Real Estate Loan,” Invited Speaker

Southeastern Association of Law Schools, Annual Meeting, Hilton Head Island, SC, July 1999, “Who Gets the Takings Claim? Changes in Land Use Law, Pre-Enactment Owners, and Post-Enactment Buyers,” 1999 Call for Papers

Practising Law Institute, *Commercial Real Estate Financing: What Borrowers and Lenders Need to Know Now*, Atlanta, GA, May 1999, Invited Speaker

—“Letters of Credit; Participations; Nonrecourse; UCC Collateral,” Panelist

—“Trouble Ahead: Lender’s First Ten Steps Before Acceleration,” Panelist

American Bar Association, Annual Meeting, New Orleans, LA, August 1994, “The MacCrate Report and the Real Estate Curriculum,” Panelist and Program Co-Chair

Presentations (continued)

Local Organizations:

- Temple Beth El Sisterhood, Knoxville, TN, May 2008, “Life in Shanghai,” Invited Speaker
- Knoxville Jewish Alliance, Institute for Jewish Learning, UT Faculty Lecture Series, Knoxville, TN, February 2008, “China: Life, Law, and Religion,” Invited Speaker
- Oak Ridge Institute for Continued Learning, Adult Education Series, Oak Ridge, TN, July 2006, “An Introduction to the Law of Eminent Domain,” Guest Lecturer
- Sevier County Bar Association, Sevierville, TN, January 2006, February 2004, and October 1999, “Recent Developments in Commercial Real Estate Law,” Invited Speaker
- East Tennessee Community Design Center, Knoxville, TN, May 1995, “The FutureScape of Pittman Center: Local Environmental Management and the Law,” Invited Speaker

University of Tennessee Campus:

- University of Tennessee Faculty Women’s Club Interest Group, February 2009 (Part II) and February 2008 (Part I), “Modern China: An American Perspective,” Invited Speaker
- University of Tennessee Chancellor’s Associates, April 2006, “Chinese Real Estate Law,” Invited Speaker for group of business, professional, and community leaders
- University of Tennessee Center for International Education, November 2003, “The Fulbright Program,” Invited Speaker
- University of Tennessee College of Architecture and Planning, September 1996 (twice), “Professional Practice: Lawyers and Architects,” Guest Lecturer
- University of Tennessee College of Business Administration, April 1995 and February 1994, “Litigation, Transactions, and Justice,” Guest Lecturer
- University of Tennessee College of Business Administration, March 1993, “Management and Economics in Emerging Democracies: Central and Eastern Europe,” Guest Lecturer

University of Tennessee College of Law:

- “Ocean Grove versus Ocean Grove: Property, Community and the Where of a Same-Sex Civil Union Ceremony,” Commented on presentation at UT College of Law by Professor Marc Poirier of Seton Hall Law School, April 2009
- “The New Chinese Property Law,” June 2007
- “Disseminating Scholarship in the 21st Century: SSRN, Expresso, Article Placement,” May 2007
- “China Revisited,” November 2005
- “Conflicts Between Neutral Land Use Regulations and Religious Land Uses,” July 2004
- “Teaching Law in China,” September 2003
- “Regulatory Takings in the 21st Century,” June 2002
- “Who Gets the Takings Claim? Changes in Land Use Law, Pre-Enactment Owners, and Post-Enactment Buyers,” June 1999
- “Nonrecourse Mortgages and Waste,” July 1995
- “The Ripeness Doctrine in Federal Land Use Litigation,” July 1992

Courses Taught

Land Finance Law (nineteen times through 2008)
Property (sixteen times through 2008)
Land Acquisition and Development Seminar (sixteen times through 2009)
Land Use Law (nine times through 2007)
Law and Economics (six times through 2005)
Advanced Property (twice through 2006)
Contracts I (once through 2008)
Case Analysis and Briefing (Introductory Period) (nine times through 2006)
Introduction to the Law of Property (2003; course designed for Chinese undergraduate law students)
Real Estate Transactions and Finance: A Legal and Business Approach (2005 and 2003; course designed for Chinese graduate law students)

Institutional Service

University and Campus:

Editorial Advisory Board, *Quest: Research, Scholarship, Creative Activity* (2009–present)
UTK Ready for the World Committee (2009–present)
UTK Ambassador to Tennessee Teaching and Learning Center (2009–present)
UTK Delegation to three Chinese universities, seeking to establish teaching and scholarly exchange programs, Delegation Member (2007)
UT Family Campaign, The Campaign for Tennessee, College of Law Volunteer Chair (2007)
UTK Center for International Education Faculty Advisory Committee, Member (2007–2008)
UTK Academic Program Evaluation Committee Focus Advisory Group on Economic Development
—Member of Committee (1998–2000)
—Member of Subcommittee on Institutional Incentives and Deterrents (1998–2000)
UTK Masters of Business Administration Mid-Cycle Program Review, Team Member (1997)
Evaluated grant proposals for UTK Professional Development Awards (1996)
UTK Energy, Environment and Resources Center, College of Law Liaison (1992–1997)

College of Law:

Associate Dean for Faculty Development (2009–present)
Governance Committee (ex officio, 2009–present)
Teaching Improvement and Faculty Development Committee (chair, 2006–present; chair, 1997–98)
Strategic Planning Committee (2008–present)
W. Allen Separk Faculty Scholarship Award Selection Committee (2008–present)
Dean Search Committee (2007–2008)
Clinic Director Search Committee (2006–07)
Tenure Committee, Associate Professor Gary Pulsinelli (2006–07)
Tenure Committee, Associate Professor Ben Barton (chair, 2005–06)
Faculty Appointments Committee (2005-06; 1996–97)
Adjunct Faculty Committee (chair, 2003–05; 2001–02)
Faculty Governance Committee (2003–04)
Promotion Committee, Associate Professor Don Leatherman (2003–04)
Harold C. Warner Outstanding Teacher Award Selection Committee (2002–05, 1993–97; chair, 2002–03; chair, 1993–94)
Cumulative Performance Review Committee, Professor Doug Blaze (chair, 2003-04)
Promotion Committee, Associate Professor Carl Pierce (2002–03)
Readmissions Committee (2002–03)
Promotion Committee, Associate Professor Thomas Plank (2001–02)

Institutional Service (continued)

College of Law (continued):

- Academic Standards and Curriculum Committee (1998–2001, 1992–93; chair, 1998–2000)
- Cumulative Performance Review Committee, Professor Neil Cohen (2000–01)
- Tenure Committee, Associate Professor Don Leatherman (1999–2000)
- Facilities Committee (1997–98)
- Committee on the Law School Community (1995–97; 1993–94)
- Admissions and Financial Aid Committee (1991–96; chair, 1993–96)
- Minority Admissions and Recruitment Ad Hoc Committee (1994–95)
- Library Advisory Committee (1990–92)
- UT Family Campaign, College of Law Faculty Solicitation Leader (1992)
- Various presentations regarding business law, law school recruitment and admissions, and minority affairs (1993–present)
- Faculty Mentor to various tenure-track faculty (1996–present)
- Faculty Advisor to law students (1990–present)
- Sports and Entertainment Law Society, Faculty Advisor (1997–2003, 1993–94)

Memberships and Professional Service

- National Conference of Commissioners on Uniform State Laws (NCCUSL), Drafting Committee on Partition of Heirs' Property Act, American College of Real Estate Lawyers Observer (2008–present)
- Association of American Law Schools
 - Immediate Past Chair (2008–09), Chair (2007–08), Chair-Elect (2006–07), and Member of Executive Committee (2004–09), Section on Real Estate Transactions Law
 - Program Chair and Moderator, Annual Meeting 2008, Section on Real Estate Transactions Law
 - Member, Real Estate Transactions Law; Property Law; State and Local Government Law; Law & Economics; Scholarship Sections
- American College of Real Estate Lawyers, Fellow (2006–present)
 - Member, Member Selection Committee (2008–present)
 - Member, Land Use/Environmental Committee (2006–present)
- Fulbright Specialists Program, Peer Reviewer for applicants who wish to serve on the Fulbright Specialists Roster, Council for International Exchange of Scholars (2006–present)
- External reviewer for tenure and promotion candidates at other law schools (2007 [twice], 2003, 1997, 1996)
- Southeastern Association of Law Schools, Program Committee (2006–present)
- American Bar Association (1988–present)
 - Property Preservation Task Force, Member (2004–present), examining problem of rural land loss among African-American farmers
 - Co-Chair (2005–06) and Vice-Chair (1994–2005), Legal Education Committee of the Section on Real Property, Probate and Trust Law
 - Chair, Keeping Current Subcommittee of Legal Education Committee (1994–2006)
 - Executive Advisory Board, *Real Property, Probate and Trust Law Journal* (1995–2001)
 - Commenter, ABA Central and East European Law Initiative (1992)
 - Member, Section on Real Property, Trust and Estate Law
 - Member, Section on State and Local Government Law
 - Member, Section on Legal Education
- Fulbright Association, Member
- Harvard Schools Committee, Interviewer for applicants to Harvard College (1996–present)