

**WILLIAM S. BREWBAKER III**

2913 Wellington Circle  
Tuscaloosa, Alabama 35406  
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(205) 348-1132 (office)  
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**AFFILIATION:**     **UNIVERSITY OF ALABAMA SCHOOL OF LAW,**  
Tuscaloosa, Alabama  
Professor of Law (2000-present)

Associate Professor of Law, 1996-2000  
Assistant Professor of Law, 1993-1996  
Courses presently taught: Health Care Law; Health Care Liability,  
Property, Jurisprudence: Christian Legal Thought  
Courses previously taught: Antitrust; Bioethics (seminar); Business  
Organizations; Comparative Competition Law; Law and  
Economics (seminar)

**UNIVERSITY OF CAMBRIDGE** (2001-2002 academic year)  
Visiting Fellow, St. Edmund's College  
Visitor, Faculty of Law  
Member, Tyndale House  
Cambridge Forum on Legal and Political Philosophy

**EDUCATION:**     **DUKE UNIVERSITY SCHOOL OF LAW,** Durham, North  
Carolina  
LL.M. (Health Care Law) 1993.

**UNIVERSITY OF VIRGINIA SCHOOL OF LAW,**  
Charlottesville, Virginia  
J.D. 1986

**VANDERBILT UNIVERSITY,** Nashville, Tennessee  
B.A., *magna cum laude*, 1981.  
Phi Beta Kappa, Omicron Delta Kappa

## **PUBLICATIONS AND ACADEMIC PRESENTATIONS:**

### Books

HEALTH CARE CORPORATE LAW: FACILITIES AND TRANSACTIONS (Little Brown 1996)(Mark A. Hall & William S. Brewbaker III, eds.)(& 1998 Supplement)

HEALTH CARE CORPORATE LAW: MANAGED CARE (Little Brown 1996)(Mark A. Hall & William S. Brewbaker III, eds.)(& 1998 Supplement)

### Articles and Chapters in Books

*God, Justice and Law*, 7 LAW, CULTURE, AND THE HUMANITIES \* (2011)(forthcoming).

*Theory, Identity, Vocation: Three Models of Christian Legal Scholarship*, 39 SETON HALL LAW REVIEW 17 (2009).

*Law, Higher Law and Human Making*, 36 PEPPERDINE LAW REVIEW 581 (2009).

*Book Review*, Stephen J. Grabill, Rediscovering the Natural Law in Reformed Theological Ethics, 23 JOURNAL OF LAW AND RELIGION 341 (2007-2008).

*Thomas Aquinas and the Metaphysics of Law*, 58 ALABAMA LAW REVIEW 575 (2006).

*Found Law, Made Law and Creation: Reconsidering Blackstone's Declaratory Theory*, 22 JOURNAL OF LAW AND RELIGION 255 (2006-2007).

*Learning to Love the State Action Doctrine*, 31 JOURNAL OF HEALTH POLITICS, POLICY AND LAW 609 (June 2006).

*Who Cares? Why Bother?: What Jeff Powell and Mark Tushnet Have to Say to Each Other* (Review of CHRISTIAN PERSPECTIVES ON LEGAL THOUGHT (Michael W. McConnell, Robert F. Cochran, Jr., and Angela C. Carmella, eds. 2001)), 55 OKLAHOMA LAW REVIEW 533 (2002).

*Will Physician Unions Improve Health System Performance?*, 27 JOURNAL OF HEALTH POLITICS, POLICY AND LAW 575 (2002).

*Physician Unions and the Future of Competition in the Health Care Sector*, 33 U.C. DAVIS LAW REVIEW 545 (Spring 2000).

*Medical Malpractice and Managed Care Organizations: The Implied Warranty of Quality*, LAW AND CONTEMPORARY PROBLEMS, Spring 1997, at 117.

*Managed Care Liability*, in HEALTH CARE CORPORATE LAW: MANAGED CARE (Hall & Brewbaker eds. 1996).

*Rejoinder to Professor Merrill*, 21 HASTINGS CONSTITUTIONAL LAW QUARTERLY 721 (1994).

*Health Care Price Controls and the Takings Clause*, 21 HASTINGS CONSTITUTIONAL LAW QUARTERLY 669 (1994).

*Antitrust Conspiracy Doctrine and the Hospital Enterprise*, 74 BOSTON UNIVERSITY LAW REVIEW 67(1994), *reprinted in* JOHN ROBINSON ET AL., A HEALTH LAW READER (1999).

### Works in Progress

*The Bible as Law Book? Thomas Aquinas on the Juridical Uses of Scripture* (in submission)

CHRISTIAN LEGAL THOUGHT: MATERIALS AND CASES (WITH PATRICK M. BRENNAN)

### Academic Presentations

*Higher Law and Human Making*, Nootbar Institute of Law and Religion Conference: Is There a Higher Law? Does It Matter?, Pepperdine University School of Law, Malibu, CA, February 22, 2008.

Moderator, *History "Lite" Revisited*, Conference on Law's History, University of Alabama School of Law, Tuscaloosa, Alabama, October 19, 2007.

*Theory, Identity, Vocation: Three Models of Christian Legal Scholarship*, Regent Law School, Virginia Beach, VA, September 25, 2007.

*After Reason and Will*, University of Houston Law Center, February 2, 2007.

*Christian Legal Scholars and Scholarship*, Lumen Christi Institute- Law Professors Christian Fellowship Conference, Washington, DC, January 6, 2007.

*Found Law, Made Law and Creation: Reconsidering Blackstone's Declaratory Theory*, Ave Maria School of Law, Ann Arbor, MI, October 12, 2006.

*Natural Law Mythology*, The Federalist Society, University of Chicago School of Law, November 4, 2005.

*The Triune God and the Rule of Law*, Christian Legal Scholars' Symposium, Christian Legal Society National Meeting, McLean, VA, October 29, 2004.

*Will Physician Unions Improve Health System Performance?*, Federal Trade Commission Hearing on Health Care Competition Law and Policy, September 26, 2003.

*Overview of the Health Care Marketplace: Structural, Legal and Policy Issues*, Federal Trade Commission Health Care Workshop, September 9, 2002.

*The Outrageous Idea of Christian Legal Scholarship*, Law Professors' Christian Fellowship Annual Conference, San Francisco, California, January 6, 2001.

*Defending Pluralism*, Pew Conference, Political Theory After Liberalism, Calvin College, Grand Rapids, Michigan, May 29, 1999.

*Mending Managed Care: Legitimacy, Markets and the Physician-Patient Relationship*, presentation to Health Care Reform Conference sponsored by Heritage Foundation, Galen Institute and Cato Institute, September 13, 1998.

*Consociationalism, Neutrality and Property*, Pew Seminar: Political Theory After Liberalism, Calvin College, Grand Rapids, Michigan, July 1998.

*Physicians, Unions and Competition in the Health Care Industry*, ASLME Health Law Teachers Conference, Houston, Texas, June 6, 1998.

*Medical Malpractice and Managed Care Organizations: The Implied Warranty of Quality*, presentation to University of Alabama Law Faculty, September 27, 1997.

*Medical Malpractice and Managed Care Organizations: The Implied Warranty of Quality*, IMPACS Conference (sponsored by Duke Law School and The Robert Wood Johnson Foundation), September 13, 1997.

## **MEMBERSHIPS**

American Law Institute

Alabama State Bar

American Health Lawyers Association

## **OTHER PROFESSIONAL ACTIVITIES**

Outside Academic Reviewer, Federal Trade Commission and Department of Justice, *Improving Health Care: A Dose of Competition* (July 2004).

Peer Reviewer, Oxford University Press (review of Jurisprudence textbook)

Peer Reviewer, Journal of Law and Religion (manuscript review)

Peer Reviewer, Aspen Law & Business (review of health care law casebook)

Peer Reviewer, University of Michigan Press (review of book on managed care regulation)

Member, Alabama Judicial Campaign Oversight Committee (2000 election cycle).

Invited Participant, *Political Theory After Liberalism* (one of fifteen faculty from a variety of disciplines selected to attend expense-paid six-week seminar on political theory sponsored by The Pew Charitable Trusts), Summer 1998.  
Consultant, Alabama Emergency Response Commission to the Health Care Crisis, 2004-2005; Chair, Competition Committee, 2005 - 2006.  
Commencement speaker, The Montgomery Academy, Montgomery, AL. May 30, 2004.

**PREVIOUS  
EMPLOYMENT:**

- 1988-1992                    **UNIVERSITY OF ALABAMA SCHOOL OF LAW,**  
Tuscaloosa, Alabama  
Adjunct Faculty, Lecturer in Health Care Law
- 1989-1992                    **WALLACE, JORDAN, RATLIFF, BYERS & BRANDT,**  
Birmingham, Alabama
- Corporate, commercial and health care practice; Represented clients in corporate transactions and planning, commercial loan transactions and health law matters.
- 1986-1989                    **BRADLEY, ARANT, ROSE & WHITE,**  
Birmingham, Alabama
- Corporate and health care practice; Represented health care and other clients in corporate planning, business acquisitions and regulatory compliance.
- 1981-1983                    **STEP FOUNDATION,** Washington, D.C.
- Administrator of nonprofit organization formed to facilitate church involvement in urban areas; Assisted in organization of prototype project in Dallas, Texas; Participated in development of educational materials and organized conferences for interested pastors and lay leaders; Liaison to political community.

**PERSONAL:** Born 1959, Harlingen, Texas. Married to Rebecca Winston Brewbaker, M.D.; Five children: Catherine Garner Brewbaker (b. 1990), Mary Lansden Brewbaker (b. 1992), William Styne Brewbaker IV (b. 1994); Rebecca Grace Brewbaker (b. 1997); Samuel Joseph Brewbaker (b. 2000). Presbyterian.