National University of Ireland, Maynooth

From the SelectedWorks of Seth Barrett Tillman

September 15, 2009

Combined Citation List

Seth Barrett Tillman, None



CITATIONS IN THIRD-PARTY SOURCES: COUNTING EVERY SOURCE EXACTLY ONE¹ TIME WITHOUT REFERENCE TO THE NUMBER OF CITATIONS IN THAT SOURCE TO DIFFERENT TILLMAN-AUTHORED PUBLICATIONS

```
2003 Extant [ 1]ii
2004 Extant [ 4]
2005 Extant [ 8]
2006 Extant [13]
2007 Extant [15]
2008 Extant [14]
2009 Extant [29]
2010 Extant [28]
2011 Extant [29]
2012 Extant [32]
2013 Extant [40]
2014 Extant [40] iii
2015 Extant [23]
2016 Extant [14] Forthcoming [2]<sup>iv</sup> Expected or Planned [14]<sup>v</sup>
2017 Extant [ 0] Forthcoming [2]
                                        Expected or Planned [ 0]
      Total: 290<sup>vi</sup>
```

("Total" includes **only** "Extant" citations, which includes publicly available drafts. This total includes over **100** journal citations, and over **100** non-journal citations. vii)

FORTHCOMING 2017 CITATIONS AND ACKNOWLEDGMENTS

- [1] _ RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE (5th ed. Supp. forthcoming circa Mar. 2017) (citing *Merryman* paper) (confirmed by a co-author).
- [2] _ RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE (5th ed. Supp. forthcoming circa Mar. 2017) (citing *Who Can Be President of the United States*) (confirmed by a co-author).

EXTANT 2016 CITATIONS AND ACKNOWLEDGMENTS

- [1] Defendant Hybrid Energy, Inc.'s (I) Opening Brief in Support of its Motion for Summary Judgment, and (II) Answering Brief in Opposition to Plaintiff's Motion to Compel, Pogue v. Hybrid Energy, Inc., Case No. 11563-VCG (Del. Ch., Feb. 10, 2016) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 Bus. LAW. 1109 (2008)) (filed by DLA Piper LLP), 2016 WL 676162, at i, *13 (describing Bigler and Tillman as "two respected commentators").
- [2] HEATH BROWN, PAY-TO-PLAY POLITICS: HOW MONEY DEFINES THE AMERICAN DEMOCRACY 165 n.11 (2016), http://tinyurl.com/zamm7s2.
- [3] JAMES D. COX & THOMAS LEE HAZEN, BUSINESS ORGANIZATIONS LAW § 16.10, at ch. 16, n.54 (4th ed. **forthcoming June 1, 2016**), http://tinyurl.com/gwfs8vj.
- [4] BRIAN HUNT, MURDOCH'S DICTIONARY OF IRISH LAW (Dublin, Bloomsbury Professional 6th ed. 2016) (currently available online in *Murdoch's Irish Legal Companion*, and available in print **forthcoming July 2016**) (extract on hand).
- [5] PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA, § PA. CONST. ART. 1, § 3 (current through 2016).
 - 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE §§ 10.8(a) n.5, 10.8(b) n.8 (5th ed. Update Mar. 2016).
 - Roy E. Brownell II, *Vice Presidential Inability: Historical Episodes That Highlight a Significant Constitutional Problem*, 46(2) PRESIDENTIAL STUD. Q. 434, 434 n.* (2016) (acknowledgment only).
 - Robin Bradley Kar & Jason Mazzone, What History and the Constitution Really Say About President Obama's Powers to Appoint a Replacement for Justice Scalia, N.Y.U. L. REV. ON-LINE FEATURE 1, 2 n.1 (2016) (acknowledgment only).
- [6] Heidi Kitrosser, Interpretive Modesty, 104 GEO. L.J. 459, 509 n.216 (2016).
- [7] Jennifer Anglim Kreder, *The "Public Trust,"* 18 U. PA. J. CONST. L. (**forthcoming circa June 2016**) (manuscript at 1 n.*, 11 n.44, 15 n.59, 15 n.67) (extract on hand), *available at* http://ssrn.com/abstract=2554862, *also available at* http://works.bepress.com/seth barrett tillman/539.

- [8] John O. McGinnis, Neutral Principles and Some Campaign Finance Problems, 57 WM. & MARY L. REV. 841, 905 n.336 (2016).
- [9] Vice Chancellor John W. Noble, Fixing Lawyers' Mistakes: The Court's Role in Administering Delaware's Corporate Statute, 18 U. PA. J. BUS. L. 293, 296 n.10 (2016).
- [10] James E. Pfander & Jessica Dwinell, *A Declaratory Theory of State Accountability*, 102 VA. L. REV. 153, 184 n.123, 186 n.133 (2016) (citing Tillman's *Merryman* paper).
- [11] Richard Re, *Promising the Constitution*, 110 Nw. U. L. REV. 299, 338 n155 (2016).
- [12] Yen-tu Su, *The Partisan Ordering of Candidacies and the Pluralism of the Law of Democracy: The Case of Taiwan*, 15 ELECTION L.J. 1, 4, 17 (2016) (peer reviewed), *available at* http://works.bepress.com/seth_barrett_tillman/571/.
- [13] Rivka Weill, *Reviewing Continuity in Legislation*, 37(3) TEL AVIV U. L. REV. 563, 632 n.360 (2016) (peer reviewed) (citing Bruhl-Tillman exchange) (available on HeinOnline)
- [14] Shannen Coffin, Oh, VPOTUS, Where Art Thou? The Constitutional Situs of the Vice Presidency as Surveyed by a Former Vice Presidential Lawyer, 44 PEPPERDINE LAW REVIEW (forthcoming 2016) (extract on hand); see also PEPPERDINE LAW REVIEW SYMPOSIUM 2016: THE UNITED STATES VICE PRESIDENCY: IN HISTORY, PRACTICE, AND THE FUTURE 20 n.70, 21 n.71 (Malibu, Calif., Apr. 1, 2016) (citing Noncontemporaneous Lawmaking, PENNUmbra, and DJCLPP) (extract on hand).

- [i] Richard L. Hasen, *Ted Cruz is Fit for Office, At Least Under the Constitution*, **NAT. L.J.**, Jan. 25, 2016, http://tinyurl.com/h57ae5r, http://tinyurl.com/zkfoahd (citing Tillman post on *The Originalism Blog*).
- [ii] Glenn Harlan Reynolds, *Glenn Reynolds: Hillary's delusional media courtiers*, **USA TODAY**, Mar. 31, 2016, 11:42 AM), http://www.usatoday.com/story/opinion/2016/03/31/hillary-clinton-emails-media-courtiers-indictment-ron-fournier-column/82420266/?utm_source=feedblitz&utm_medium=FeedBlitzRss&utm_camp aign=news-opinion (citing Tillman post on *New Reform Club*)
- [iii] Richard Samuelson, From Marbury to Garland, **THE WEEKLY STANDARD** (Mar. 28, 2016, 2:17 PM), http://www.weeklystandard.com/from-marbury-to-garland/article/2001730 (citing Tillman post on New Reform Club)

FORTHCOMING 2016 CITATIONS AND ACKNOWLEDGMENTS

- [1] PAUL BREST ET AL., PROCESSES OF CONSTITUTIONAL DECISIONMAKING: CASES AND MATERIALS (Aspen Publishers Supp. forthcoming circa Aug. 2016) (citing *Merryman* paper) (confirmed by an author).
- [2] Daniel Ortner, *The Terrorist's Veto*, Nw. J. L. & Soc. Pol'y (**forthcoming circa late Spring 2016**) (**circa June 1, 2016**) (manuscript at 15 n.89, 57 n.326), *available at* http://ssrn.com/abstract=2592098 (extract on hand) (acknowledging Tillman).

EXPECTED OR PLANNED 2016 CITATIONS AND ACKNOWLEDGMENTS

- THE CONSTITUTION OF THE UNITED STATES OF AMERICA: ANALYSIS AND [1] INTERPRETATION, S. DOC. No. 115-x (Supp. forthcoming circa 2016–2017) (citing Merryman paper) (not confirmed by editors), available at http://tinyurl.com/ok2jcva, also available at http://works.bepress.com/seth barrett tillman/422/.
- [2] MICHAEL S. ARIENS & ROBERT A. DESTRO, RELIGIOUS LIBERTY IN A PLURALISTIC SOCIETY (3d ed. forthcoming circa 2016), *available at* http://tinyurl.com/oeqo7nw, *also available at* http://works.bepress.com/seth_barrett_tillman/295/ (not confirmed by author).
- [3] WILLIAM J. RICH, MODERN CONSTITUTIONAL LAW (3d ed. **forthcoming** Supp. Sept. 2016) (citing Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications).
 - WILLIAM J. RICH, MODERN CONSTITUTIONAL LAW (3d ed. **forthcoming** Supp. Sept. 2016) (citing *Merryman* paper) (not confirmed).
- [4] 1 RALPH A. ROSSUM & G. ALAN TARR, AMERICAN CONSTITUTIONAL LAW: THE STRUCTURE OF GOVERNMENT (11th ed. forthcoming circa 2016) (citing Merryman paper), available at http://www.westviewconlaw.com/, also available at http://works.bepress.com/seth_barrett_tillman/545/ (not confirmed by authors).
- [5] Richard Albert, *American Exceptionalism in Constitutional Amendment*, 68 ARK. L. REV. (forthcoming **July 2016**) (citing Lawon-Tillman exchange).
- [6] Richard Albert, *Temporal Limitations in Constitutional Amendment*, 21(1) REV. CONST. STUDIES (forthcoming **Sept. 2016**) (peer reviewed) (citing Bruhl-Tillman exchange).
- [7] William Baude, *The "Officers" Debate*, JOTWELL (forthcoming circa 2016-2017) (reviewing, I think, Amar-Teachout-Tillman on the "officers" debate) (paper, citation, and title not confirmed), http://conlaw.jotwell.com/.

- [8] Roy E. Brownell II, Coping With Vice Presidential Incapacity (forthcoming circa July 16, 2016).
- [9] Anne Joseph O'Connell, Qualifications: Law and Practice of Selecting Agency Leaders (**forthcoming Aug. 2016**) (unpublished manuscript) (on file with author) (not confirmed by author), *listed* http://tinyurl.com/krf2v6, *also available at* http://works.bepress.com/anne_oconnell/27/, *also available at* http://s3.amazonaws.com/zanran_storage/www.law.northwestern.edu/ContentPages /1298784952.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/205/ (not confirmed by author).
- [10] William Treanor, Gouverneur Morris's Constitution (circa 2016-2017) (not confirmed by author).
- [11] A. Chris Bryant, University of Cincinnati College of Law Syllabus, Constitutional Law (circa 2016) (citing *Merryman* paper) (not confirmed by author).
- [12] UNITED STATES CODE ANNOTATED § Article II, Section 1, Clause 5 (West forthcoming 2016) (citing Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications) (MUST SEEK CITATION AFTER PAPER GOES LIVE: Westlaw only)
- [13] UNITED STATES CODE ANNOTATED § Article I, Section 9, Clause 2 (West forthcoming 2016) (citing *Merryman* paper) (MUST SEEK CITATION AFTER PAPER GOES LIVE: Westlaw only)
- [14] UNITED STATES CODE SERVICE § Article I, Section 9, Clause 2 (LexisNexis forthcoming 2016) (citing *Merryman* paper) (MUST SEEK CITATION AFTER PAPER GOES LIVE: Lexis only)

2016 Internet Citations and Acknowledgments

Mohamed Abdelaal, *What's New in Comparative Public Law*, I•CONNECT (May 9, 2016), http://www.iconnectblog.com/2016/05/whats-new-in-comparative-public-law-120/.

Jonathan Adler, *Again on the erroneous argument that the Senate has a 'constitutional duty' to consider a Supreme Court nominee*, THE WASHINGTON POST—THE VOLOKH CONSPIRACY (Mar. 26, 2016, 2:16 PM), https://www.washingtonpost.com/news/volokh-conspiracy/wp/2016/03/26/again-on-the-erroneous-argument-that-the-senate-has-a-constitutional-duty-to-consider-a-supreme-court-nominee/ (also cross-posted on Nexis).

Jonathan Adler, *The Death of Free Speech at Williams College [UPDATED]*, THE WASHINGTON POST—THE VOLOKH CONSPIRACY (Feb. 22, 2016, 2:42 PM), http://tinyurl.com/j9wrknj (also cross-posted on Nexis).

Attorney General Michael Mukasey: Email Flap DQs Hillary Clinton-Previously Truth! & Now Resolved!, TRUTH OR FICTION (Mar. 3, 2016), https://www.truthorfiction.com/attorney-general-michael-mukasey-email-flap-dqs-hillary-clinton/.

Jack Balkin, *More grist for the law professors' mill -- indicting a presidential candidate*, BALKINIZATION (Jan. 31, 2016, 11:14 AM), http://balkin.blogspot.ie/2016/01/more-grist-for-law-professors-mill.html.

Stephen Bainbridge, *Hein says I am the #72 legal author*, STEPHEN BAINBRIDGE'S JOURNAL OF LAW, POLITICS, AND CULTURE (Jan. 12, 2016, 6:19 PM), http://www.professorbainbridge.com/professorbainbridgecom/2016/01/hein-says-i-am-the-72-legal-author.html.

Terrence Berres, *Federalism & Separation of Powers (through May 10)*, MILWAUKEE FEDERALISTS (May 17, 2016, 8:00 AM), http://fswi.blogspot.ie/2016/05/federalism-separation-of-powers-through.html

Terrence Berres, *Federalism & Separation of Powers (through Apr 14)*, MILWAUKEE FEDERALISTS (Apr. 18, 2016, 12:00 PM), http://fswi.blogspot.ie/2016/04/federalism-separation-of-powers-through_18.html (citing 2 Tillman-authored posts and an article citing Tillman)

Terrence Berres, *Professional Responsibility & Legal Education (through Apr 10)*, MILWAUKEE FEDERALISTS (Apr. 13, 2016, 8:00 AM), http://fswi.blogspot.ie/2016/04/professional-responsibility-legal_13.html

Terrence Berres, *Yearning to breathe free*, THE PROVINCIAL EMAILS (Apr. 8, 2016, 3:49 PM), http://berres.blogspot.ie/2016/04/yearning-to-breathe-free.html

Terrence Berres, *Federalism & Separation of Powers (through Mar 31)*, MILWAUKEE FEDERALISTS (Apr. 6, 2016, 8:00 AM), http://fswi.blogspot.ie/2016/04/federalism-separation-of-powers-through.html

Terrence Berres, *Federalism & Separation of Powers (through Mar 28)*, MILWAUKEE FEDERALISTS (Mar. 29, 2016, 8:00 AM), http://fswi.blogspot.ie/2016/03/federalism-separation-of-powers-through_29.html.

Terrence Berres, *Federalism & Separation of Powers (through Mar 18)*, MILWAUKEE FEDERALISTS (Mar. 23, 2016, 8:00 AM), http://fswi.blogspot.ie/2016/03/federalism-separation-of-powers-through.html.

Terrence Berres, *Criminal Law & Procedure (through Feb 21)*, MILWAUKEE FEDERALISTS (Feb. 22, 2016, 8:00 AM), http://fswi.blogspot.ie/2016/02/criminal-law-procedure-through-feb-21.html.

Terrence Berres, *Federalism & Separation of Powers (through Feb 14)*, MILWAUKEE FEDERALISTS (Feb. 15, 2016, 12:00 PM), http://fswi.blogspot.ie/2016/02/federalism-separation-of-powers-through.html.

Terrence Berres, *Free Speech & Election Law (through Jan 29)*, MILWAUKEE FEDERALISTS (Jan. 29, 2016, 9:23 AM), http://fswi.blogspot.ie/2016/01/free-speech-election-law-through-jan-29.html.

Josh Blackman, *Baltimore Votes To Remove Chief Justice Taney Statue*. What will #SCOTUS Do?, JOSH BLACKMAN'S BLOG (Jan. 15, 2016), http://joshblackman.com/blog/2016/01/15/baltimore-votes-to-remove-chief-justice-taney-statue-what-will-scotus-do/.

Dan Ernst, *Weekend Roundup*, LEGAL HISTORY BLOG (May 21, 2016, 12:30 AM), http://legalhistoryblog.blogspot.ie/2016/05/weekend-roundup_21.html

Dan Ernst, *Weekend Roundup*, LEGAL HISTORY BLOG (Apr. 16, 2016, 12:30 AM), http://legalhistoryblog.blogspot.ie/2016/04/weekend-roundup_16.html

Dan Ernst, *Weekend Roundup*, LEGAL HISTORY BLOG (Feb. 27, 2016, 12:30 AM), http://legalhistoryblog.blogspot.ie/2016/02/weekend-roundup_27.html.

Dan Ernst, *Weekend Roundup*, LEGAL HISTORY BLOG (Feb. 13, 2016, 12:30 AM), http://legalhistoryblog.blogspot.ie/2016/02/weekend-roundup_13.html.

Dan Ernst, *Forrest McDonald* (1927-2016), LEGAL HISTORY BLOG (Jan. 22, 2016, 12:00 PM), http://legalhistoryblog.blogspot.ie/2016/01/forrest-mcdonald-1927-2016.html.

Jonathan Gewirtz, "Tillman Responding to Washington Post Op-Ed: Gregory L. Diskant—Obama can appoint Merrick Garland to the Supreme Court if the Senate does nothing," CHICAGO BOYZ (Apr. 13, 2016, 2:57 PM), http://chicagoboyz.net/archives/52354.html

Jonathan Gewirtz, "A Letter from the Grave: Scalia to Tillman, September 13, 2010," CHICAGO BOYZ (Apr. 13, 2016, 2:49 PM), http://chicagoboyz.net/archives/52352.html

Jonathan Gewirtz, "*Trump Voters and Modern American Legal Academia*," CHICAGO BOYZ (Apr. 8, 2016, 9:17 AM), http://chicagoboyz.net/archives/52307.html

Jonathan Gewirtz, "Louise Arbour Welcomes You To Administrative Unit 34B," CHICAGO BOYZ (Apr. 8, 2016, 8:40 AM), http://chicagoboyz.net/archives/52303.html

Jonathan Gewirtz, *Two Related Posts By Seth Barrett Tillman*, CHICAGO BOYZ (Apr. 1, 2016, 1:52 PM), http://chicagoboyz.net/archives/52222.html

Jonathan Gewirtz, "On Ted Cruz's Eligibility for the Presidency," CHICAGO BOYZ (Mar. 31, 2016, 12:04 PM), http://chicagoboyz.net/archives/52201.html.

Jonathan Gewirtz, "The Two Discourses: How Non-Originalists Popularize Originalism and What that Means," CHICAGO BOYZ (Mar. 28, 2016, 12:03 PM), http://chicagoboyz.net/archives/52167.html.

Jonathan Gewirtz, "Part II: The Appointments Clause Imposes No Duty on the President To Nominate Supreme Court Justices, Other Article III Judges, and/or Executive Branch Officers. The Appointments Clause Imposes No Duty on the Senate To Confirm Candidates," CHICAGO BOYZ (Mar. 24, 2016, 4:36 PM), http://chicagoboyz.net/archives/52131.html.

Jonathan Gewirtz, "Does the President Have A Duty To Nominate Supreme Court Candidates? Does the Senate Have A Duty To Consider Nominees?," CHICAGO BOYZ (Mar. 18, 2016, 4:15 PM), http://chicagoboyz.net/archives/52050.html.

Jonathan Gewirtz, *Rerun: "Cologne, Rape, and 'Purim & My Bangladeshi Friend,"* CHICAGO BOYZ (Feb. 23, 2016, 11:12 PM), http://chicagoboyz.net/archives/51729.html.

Jonathan Gewirtz, "'Taney Deserves His Tribute': Responding to George W. Liebmann's Opinion Editorial in The Baltimore Sun," CHICAGO BOYZ (Feb. 22, 2016, 8:56 AM), http://chicagoboyz.net/archives/51698.html.

Jonathan Gewirtz, "A Quick Thought on Presidential Recess Appointments," CHICAGO BOYZ (Feb. 14, 2016, 11:52 PM), http://chicagoboyz.net/archives/51584.html.

Jonathan Gewirtz, "Miscellaneous Americana (Part III): Washington's Cabinet—their vitae—and who was well paid in the early Republic," CHICAGO BOYZ (Feb. 12, 2016, 11:08 AM), http://chicagoboyz.net/archives/51505.html.

Jonathan Gewirtz, "Litigating (former) Senator Hillary Clinton's Legal Woes: A Response to Professor Rick Hasen (Election Law Blog) and Michael Stern (Point of Order blog)," CHICAGO BOYZ (Feb. 2, 2016, 2:20 PM), http://chicagoboyz.net/archives/51378.html.

Jonathan Gewirtz, "Two Presidential Candidates: Consistent Treatment?," CHICAGO BOYZ (Jan 29, 2016, 10:51 AM), http://chicagoboyz.net/archives/51330.html.

Jonathan Gewirtz, "Professor Forrest McDonald (1927–2016): Scholar, Patriot, and Friend," CHICAGO BOYZ (Jan 22, 2016, 11:30 AM), http://chicagoboyz.net/archives/51227.html.

Jonathan Gewirtz, "Return of the Letter to a Young Social Justice Warrior," CHICAGO BOYZ (Jan 20, 2016, 10:45 PM), http://chicagoboyz.net/archives/51217.html.

Jonathan Gewirtz, "Seth Barrett Tillman's Recommended Irish, British, and other European Blogs (and other publications)," CHICAGO BOYZ (Jan 20, 2016, 2:03 PM), http://chicagoboyz.net/archives/51209.html.

Jonathan Gewirtz, "Is Senator Ted Cruz a 'Natural Born Citizen'? Yes," CHICAGO BOYZ (Jan 18, 2016, 5:35 PM), http://chicagoboyz.net/archives/51200.html.

Jonathan Gewirtz, "Miscellanous [Faux] Americana (Part II)—John Merryman: Time Traveller," CHICAGO BOYZ (Jan. 14, 2016, 1:47 PM), http://chicagoboyz.net/archives/51144.html.

Jonathan Gewirtz, "Is it the Constitution which evolves or Judge Posner?," CHICAGO BOYZ (Jan. 13, 2016, 3:19 PM), http://reformclub.blogspot.ie/2016/01/is-it-constitution-which-evolves-or.html.

Jonathan Gewirtz, "From the "You Can't Make It Up Collection": Derek Scally writing for The Irish Times on the Cologne Attacks," CHICAGO BOYZ (Jan. 12, 2016, 10:48 AM), http://chicagoboyz.net/archives/51121.html.

Jonathan Gewirtz, *Seth Barrett Tillman to Speak at NYC Federalist Society Meeting on Friday*, CHICAGO BOYZ (Jan. 7, 2016, 9:30 AM), http://chicagoboyz.net/archives/51049.html.

Jonathan Gewirtz, "An Open Letter to Mark Steyn, Simon Heffer, Milo Yiannopoulos, Breitbart (London), and His Grace, Archbishop Cranmer," CHICAGO BOYZ (Jan. 5, 2016, 9:44 AM), http://chicagoboyz.net/archives/51016.html.

Rick Hasen, "Sometimes 'People' = 'Legislature,'" ELECTION LAW BLOG (May 25, 2016, 8:26 AM), http://electionlawblog.org/?p=83115

Rick Hasen, Seth Tillman Says Obama Recess Appointment to SCOTUS Could Backfire on Democrats, ELECTION LAW BLOG (Feb. 14, 2016, 12:11 PM), http://electionlawblog.org/?p=79938.

Rick Hasen, "Litigating (former) Senator Hillary Clinton's Legal Woes: A Response to Professor Rick Hasen (Election Law Blog) and Michael Stern (Point of Order blog)," ELECTION LAW BLOG (Feb. 2, 2016, 9:53 AM), http://electionlawblog.org/?p=79520.

Rick Hasen, *Talk of Clinton Indictment Fueling Legal (But Mostly Political) Questions*, ELECTION LAW BLOG (Jan. 31, 2016, 2:46 PM), http://electionlawblog.org/?p=79451.

Rick Hasen, *Tillman Relies on Democracy Canon to Support Interpretation that Sen. Cruz Eligible for President as Natural Born Citizen*, ELECTION LAW BLOG (Jan. 18, 2016, 10:38 AM), http://electionlawblog.org/?p=79086.

Does the President Have A Duty To Nominate Supreme Court Candidates? Does the Senate Have A Duty To Consider Nominees?, MEMEORANDUM: POLITICAL WEB (Mar. 19, 2016, 7:40 AM ET), http://www.memeorandum.com/160319/p6#a160319p6.

A Quick Thought on Presidential Recess Appointments, MEMEORANDUM: POLITICAL WEB (Feb. 15, 2016, 1:00 AM ET), http://www.memeorandum.com/160215/p1#a160215p1.

Diskant's bad advice on consent, LAWXXI (April 20, 2016, 12:40 AM), http://www.lawxxi.com/2016/04/diskants-bad-advice-on-consent.html

Litigating (former) Senator Hillary Clinton's Legal Woes: A Response to Professor Rick Hasen ..., MEMEORANDUM: POLITICAL WEB (Feb. 3, 2016, 7:25 AM ET), http://www.memeorandum.com/160203/p8#a160203p8.

Professor Forrest McDonald (1927-2016): Patriot, Scholar. and Friend, MEMEORANDUM: POLITICAL **WEB** (Jan. 22, 2016, 11:45 AMET), http://www.memeorandum.com/160122/p29#a160122p29.

Seth Barrett Tillman's Recommended Irish, British, and other European Blogs (and other publications), MEMEORANDUM: POLITICAL WEB (Jan. 21, 2016, 10:15 AM ET), http://www.memeorandum.com/160121/p19#a160121p19.

Seth Barrett Tillman / THE NEW REFORM CLUB: The European Media & the Cologne Attacks, Memeorandum: Political Web (Jan. 13, 2016, 7:55 AM ET), http://www.memeorandum.com/160113/p13#a160113p13.

An Open Letter to Mark Steyn, Simon Heffer, Milo Yiannopoulos, Breitbart (London), and His Grace, Archbishop Cranmer, MEMEORANDUM: POLITICAL WEB (Jan. 5, 2016, 3:15 PM ET), http://www.memeorandum.com/160105/p53#a160105p53.

Michael Ramsey, Seth Barrett Tillman: Candidate Hillary Clinton and the Problem of Statutory Qualifications, THE ORIGINALISM BLOG (May 6, 2016, 9:13 AM), http://tinyurl.com/jyq8vx8.

Michael Ramsey, *A Response to Gregory Diskant on Appointments*, THE ORIGINALISM BLOG (Apr. 15, 2016, 6:38 AM), http://originalismblog.typepad.com/the-originalismblog/2016/04/a-response-to-gregory-diskant-on-appointmentsseth-barrett-tillman.html

Michael Ramsey, *I Debate Erwin Chemerinsky on the Senate and Judge Garland*, THE ORIGINALISM BLOG (Apr. 8, 2016, 6:04 AM), http://originalismblog.typepad.com/the-originalism-blog/2016/04/i-debate-erwin-chemerinsky-on-the-senate-and-judge-garlandmichael-ramsey.html

Michael Ramsey, *Seth Barrett Tillman on James Bayard on Natural Born Citizens*, THE ORIGINALISM BLOG (Apr. 6, 2016, 6:03 AM), http://originalismblog.typepad.com/the-originalism-blog/2016/04/seth-barrett-tillman-on-james-bayard-on-natural-born-citizensmichael-ramsey.html

Michael Ramsey, *Seth Barrett Tillman on the Senate's Role in Appointments*, THE ORIGINALISM BLOG (Apr. 3, 2016, 9:07 AM), http://originalismblog.typepad.com/the-originalism-blog/2016/04/more-from-seth-barrett-tillman-on-the-senates-role-in-appointmentsmichael-ramsey.html

Michael Ramsey, *More from Seth Barrett Tillman on the President's (Non)Duty to Nominate*, THE ORIGINALISM BLOG (Apr. 2, 2016, 6:01 AM), http://originalismblog.typepad.com/the-originalism-blog/2016/04/more-from-seth-barrett-tillman-on-the-presidents-nonduty-to-appointmichael-ramsey.html

Michael Ramsey, Robin Bradley Kar & Jason Mazzone: Why President Obama Has the Constitutional Power to Appoint - and Not Just Nominate - a Replacement for Justice Scalia. THE ORIGINALISM BLOG (Mar. 30, 2016. 6:45 AM). http://originalismblog.typepad.com/the-originalism-blog/2016/03/robin-bradley-karjason-mazzone-why-president-obama-has-the-constitutional-power-to-appoint-and-not-.html ("Actually, while the Constitution creates the Supreme Court, Congress creates the ninth seat on the Court. Just as Congress could constitutionally abolish the lower federal courts, it could constitutionally abolish the ninth seat on the Court.").

Michael Ramsey, *Seth Barrett Tillman on Originalism, Nonoriginalism and Senate Confirmation*, The Originalism Blog (Mar. 29, 2016, 6:16 AM), http://tinyurl.com/jlwgxwl ("The whole post is just brutally awesome").

Michael Ramsey, *Seth Barrett Tillman on the President's Duty to Nominate*, THE ORIGINALISM BLOG (Mar. 21, 2016, 6:42 AM), http://tinyurl.com/zbghncc ("[Tillman] makes three characteristically interesting points, with which I agree in part and disagree in part.").

Michael Ramsey, *A Different Take on Natural Born*, THE ORIGINALISM BLOG (Jan. 18, 2016, 6:59 AM), http://originalismblog.typepad.com/the-originalism-blog/2016/01/a-different-take-on-natural-bornseth-barrett-tillman.html

- 1. Glenn Reynolds, *NOBODY TELL HILLARY*, INSTAPUNDIT (May 5, 2016, 5:36 PM), http://pjmedia.com/instapundit/233134/.
- 2. Glenn Reynolds, *SETH BARRETT TILLMAN: Trump Voters and Modern American Legal Academia*, INSTAPUNDIT (Apr. 8, 2016, 12:14 PM), http://pjmedia.com/instapundit/230965/
- 3. Glenn Reynolds, *Deans Minow and Tacha say Obama has a Duty to Nominate a Supreme Court Justice*, INSTAPUNDIT (Mar. 25, 2016, 8:10 AM), http://pjmedia.com/instapundit/229954/#respond.
- 4. Glenn Reynolds, *Related thoughts from Seth Barrett Tillman*, INSTAPUNDIT (Feb. 14, 2016, 2:48 PM), http://pjmedia.com/instapundit/226719/.
- 5. Glenn Reynolds, SETH BARRETT TILLMAN: Litigating (former) Senator Hillary Clinton's Legal Woes: A Response to Professor Rick Hasen (Election Law Blog)

- and Michael Stern (Point of Order blog), INSTAPUNDIT (Feb. 3, 2016, 7:00 AM), http://pjmedia.com/instapundit/225656/.
- 6. Glenn Reynolds, *SETH BARRETT TILLMAN: Legal Issues Relating to (Former) Secretary Hillary Clinton's Candidacy*, INSTAPUNDIT (Jan. 31, 2016, 2:00 PM), http://pjmedia.com/instapundit/225418/.
- 7. Glenn Reynolds, R.I.P., FORREST MCDONALD: "Professor McDonald was and will remain—long into the distant future—among the most influential historians on American history, particularly in regard to the American Revolution and the Constitution's framing era," INSTAPUNDIT (Jan. 22, 2016, 10:42 AM), http://pjmedia.com/instapundit/224691/.
- 8. Glenn Reynolds, *LIST: Seth Barrett Tillman's Recommended Irish, British, and other European Blogs*, INSTAPUNDIT (Jan. 21, 2016, 10:00 AM), http://pjmedia.com/instapundit/224504/.
- 9. Glenn Reynolds, I'M SO OLD I CAN REMEMBER WHEN IT WAS RACIST TO ASK THIS ABOUT A PRESIDENTIAL CANDIDATE: Is Senator Ted Cruz a "Natural Born Citizen"? Yes, INSTAPUNDIT (Jan. 18, 2016, 1:33 PM), http://pjmedia.com/instapundit/224326/.
- 10. Glenn Reynolds, *IS IT THE CONSTITUTION THAT'S EVOLVING? Or is it Judge Posner?*, INSTAPUNDIT (Jan. 14, 2016, 1:00 PM), http://pjmedia.com/instapundit/223885/.
- 11. Glenn Reynolds, *SETH BARRETT TILLMAN: The European Media & the Cologne Attacks*, INSTAPUNDIT (Jan. 13, 2016, 7:00 AM), http://pjmedia.com/instapundit/223767/.
- 12. Glenn Reynolds, SETH BARRETT TILLMAN: An Open Letter to Mark Steyn, Simon Heffer, Milo Yiannopoulos, Breitbart (London), and His Grace, Archbishop Cranmer, INSTAPUNDIT (Jan. 5, 2016, 2:40 PM), http://pjmedia.com/instapundit/223153/.

Jonathan Rowe, *Tensions Within the Synthesis of Originalism*, AMERICAN CREATION (Apr. 6, 2016, 3:14 PM), http://americancreation.blogspot.ie/2016/04/tensions-within-synthesis-of-originalism_6.html

Jonathan Rowe, *Tillman on McDonald*, AMERICAN CREATION (Jan. 22, 2016, 8:37 AM), http://americancreation.blogspot.ie/2016/01/tillman-on-mcdonald.html.

Mark Scarberry, *Biden/Byrd Rule?* "The Senate can refuse to confirm a nominee simply by saying nothing and doing nothing," CONLAWPROF (Mar. 25, 2016, 08:39:12 PDT), http://lists.ucla.edu/cgi-bin/mailman/private/conlawprof/2016-March/048475.html.

Rand Simberg, *Hillary*, Transterrestrial Musings (May 5, 2016), http://www.transterrestrial.com/?p=64497.

Rand Simberg, *Powers and Duties*, TRANSTERRESTRIAL MUSINGS (Mar. 19, 2016, 11:04 AM), http://www.transterrestrial.com/?p=63884&cpage=1#comment-375937.

Lawrence B. Solum, *Tillman on Hillary Clinton & Statutory Qualifications for the Presidency*, LEGAL THEORY BLOG (January 21, 2016, 5:52 PM), http://lsolum.typepad.com/legaltheory/2016/01/tillman-on-hilary-clinton-statutory-qualifications-for-the-presidency.html.

Tom Smith, THE NEW REFORM CLUB: A Quick Thought on Presidential Recess Appointments, THE RIGHT COAST (Feb. 14, 2016), http://tinyurl.com/zau8yzw.

Tom Smith, *A Different Take on Natural Born -- Seth Barrett Tillman*, THE RIGHT COAST (Jan. 18, 2016), http://rightcoast.typepad.com/rightcoast/2016/01/a-different-take-on-natural-born-seth-barrett-tillman.htm.l.

Michael Stern, *More from Professor Tillman on Cruz and Clinton*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Feb. 3, 2016, 9:30 AM), http://www.pointoforder.com/2016/02/03/more-from-professor-tillman-on-cruz-and-clinton.

Michael Stern, *Hey, Did You Hear Ted Cruz Was Born in Canada?*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Feb. 1, 2016, 2:15 PM), http://www.pointoforder.com/2016/02/01/hey-did-you-hear-ted-cruz-was-born-in-canada/.

Seth Barrett Tillman, *Sometimes "People"* = "*Legislature*," THE ORIGINALISM BLOG (May 24, 2016, 7:37 PM), http://tinyurl.com/hka3ay6

Seth Barrett Tillman, *A Different Take on Natural Born*, THE ORIGINALISM BLOG (Jan. 18, 2016, 6:59 AM), http://originalismblog.typepad.com/the-originalism-blog/2016/01/a-different-take-on-natural-bornseth-barrett-tillman.html.

Trumping all of the old rules of politics, BOOKFORUM-OMNIVORE (Jan. 12, 2016, 9:00 AM), http://www.bookforum.com/blog/15490.

University of New Hampshire Law Review: About This Journal, University of New Hampshire Scholars' Repository (last visited Mar. 16. 2016), http://scholars.unh.edu/unh_lr/, http://scholars.unh.edu/unh_lr/about.html ("The University of New Hampshire Law Review publishes two to four issues per year and has published articles by such noted scholars as: Erwin Chemerinsky, Joshua E. Kasternberg, Lisa Heinzerling, Joan Costa-Font, Stephen Black, John D. Hutson, Robert C. Sarvis, Seth Barrett Tillman, Sanford Levinson, Gaytri Kachroo, Stephen B. Bright, Randolph N. Jonakait, Patrick Woods, and Calvin Massey." (emphasis added)).

Chris Walker, Administrative Law SSRN Reading List, January 2016 Edition, by Chris Walker, NOTICE & COMMENT: A BLOG FROM THE YALE JOURNAL ON REGULATION (Feb. 11, 2016), http://www.yalejreg.com/blog/administrative-law-ssrn-reading-list-january-2016-edition-by-chris-walker ("As I noted last month, I think this piece broke he internet, or at least SSRN with nearly 2K downloads; if you haven't read it yet, it's a short and fun read definitely worth the download.").

Chris Walker, Administrative Law SSRN Reading List, December 2015 Edition, by Chris J. Walker, NOTICE & COMMENT: A BLOG FROM THE YALE JOURNAL ON REGULATION (Jan. 9, 2016), http://www.yalejreg.com/blog/administrative-law-ssrn-reading-list-december-2015-edition-by-chris-walker ("I think this piece broke the internet, or at least SSRN with nearly 2K downloads; if you haven't read it yet, it's a short and fun read definitely worth the download.").

David Zaring, *The Top 250 Legal Authors*, THE CONGLOMERATE (Jan. 12, 2016), http://www.theconglomerate.org/2016/01/the-top-250-legal-authors.html.

University Internet Citations

Seth Barrett Tillman Speaks at the 2016 Federalist Society Annual Faculty Conference, MAYNOOTH UNIVERSITY (Jan. 14, 2016, 11:15 AM), https://www.maynoothuniversity.ie/news-events/seth-barrett-tillman-speaks-2016-federalist-society-annual-faculty-conference.

Department of Law No. 1 Irish Law Faculty on SSRN, MAYNOOTH UNIVERSITY FACULTY OF SOCIAL SCIENCES (Jan. 8, 2016, 11:30 AM), https://www.maynoothuniversity.ie/faculty-social-sciences/news/department-law-no-1-irish-law-faculty-ssrn.

Law Lecturer's Article Ranks in SSRN's Top Papers in 2015, MAYNOOTH UNIVERSITY FACULTY OF SOCIAL SCIENCES (Jan. 7, 2016, 16:30 PM), https://www.maynoothuniversity.ie/faculty-social-sciences/news/law-lecturers-article-ranks-ssrns-top-papers-2015.

Twitter

STEPHEN BAINBRIDGE (@PROFBAINBRIDGE) ON TWITTER, I recommend Seth Barrett Tillman's Recommended Irish, British, and other European Blogs (and other publications) http://reformclub.blogspot.ie/2016/01/tillmans-recommended-irish-british-and.html ... (Jan. 21, 2016, 3:14 PM), https://twitter.com/ProfBainbridge/status/690311581607919616.

WILLIAM BAUDE (@WILLIAMBAUDE) ON TWITTER, Does "people = legislature" after all? A smart and contrarian post from (who else?) Seth Barrett Tillman (May 24, 2016, 9:44 PM), https://twitter.com/WilliamBaude/status/735330716553252866

WILLIAM BAUDE (@WILLIAMBAUDE) ON TWITTER, *Seth Barrett Tillman strikes again:* http://ssrn.com/abstract=2679512 (Jan. 5, 2016, 5:50 AM), https://twitter.com/WilliamBaude/status/684371310949064705.

BERNARD MAHON (@MU_VPRESEARCH) ON TWITTER, MaynoothLaw lecturer Seth Barrett Tillman's paper in Top 10 on SSRN in 2015 (Jan. 22, 2016), https://twitter.com/MaynoothLaw/status/690536918614827008.

GLENN REYNOLDS (@INSTAPUNDIT) ON TWITTER, *LIST: Seth Barrett Tillman's Recommended Irish, British, and other European Blogs* (Jan. 21, 2016, 7:01 AM), https://twitter.com/instapundit/status/690187424031334400.

GLENN REYNOLDS (@INSTAPUNDIT) ON TWITTER, SETH BARRETT TILLMAN: The European Media & the Cologne Attacks. Scally's bizarre use of "gro... (Jan. 13, 2016, 4:00 AM),

https://twitter.com/instapundit/status/687242845871185920?ref_src=twsrc%5Etfw.

GLENN REYNOLDS (@INSTAPUNDIT) ON TWITTER, An Open Letter to Mark Steyn, Simon Heffer, Milo Yiannopoulos, Breitbart (London), and His Grace, Archbishop Cranmer (Jan. 5, 2016, 6:43 AM), https://twitter.com/instapundit/status/684384684625661952.

ELEKTRA TIG (@ELEKTRATIG) ON TWITTER, THE NEW REFORM CLUB: Taney Deserves His Tribute: Responding to George W. Liebmann. Seth Barrett Tillman (Feb. 21, 2016, 5:52 AM), https://twitter.com/elektratig/status/701404179537879044.

ELEKTRA TIG (@ELEKTRATIG) ON TWITTER, *THE NEW REFORM CLUB: Professor Forrest McDonald* (1927–2016): Scholar, Patriot, and Friend (Jan. 22, 2016, 5:19 AM), https://twitter.com/elektratig/status/690524274537426944.

ELEKTRA TIG (@ELEKTRATIG) ON TWITTER, Seth Barrett Tillman's Recommended Irish, British, and other European Blogs (and other publications) (Jan. 21, 2016, 10:20 AM), https://twitter.com/elektratig/status/690237540973068288.

ELEKTRA TIG (@ELEKTRATIG) ON TWITTER, *THE NEW REFORM CLUB: The European Media & the Cologne Attacks—Seth Barrett Tillman* (Jan. 13, 2016, 5:26 AM), https://twitter.com/elektratig/status/687264568037388288.

SSRN (@SSRN) ON TWITTER, "Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem..." Top Paper 1/8 (Jan. 11, 2016, 11:47 AM), https://twitter.com/SSRN/status/686635458445590528?lang=en.

New Reform Club & Other Tillman Posts

Seth Barrett Tillman, *Who Stole Professor Michael Paulsen?*, THE ORIGINALISM BLOG (May 17, 2016, 11:44 PM), http://tinyurl.com/hum732z

Seth Barrett Tillman, *Tillman Responding to Washington Post Op-Ed: Gregory L. Diskant--Obama can appoint Merrick Garland to the Supreme Court if the Senate does nothing*, THE NEW REFORM CLUB (Apr. 13, 2016, 12:05 PM), http://tinyurl.com/ztfmhm2

Seth Barrett Tillman, *A Letter from the Grave: Scalia to Tillman, September 13, 2010*, THE NEW REFORM CLUB (Apr. 13, 2016, 5:24 AM), http://tinyurl.com/hh8dfk3

Seth Barrett Tillman, *Part II, Louise Arbour's Millions [of migrants] [of undocumented aliens] [of asylum seekers] [of stateless persons] [of internally displaced persons]*, THE NEW REFORM CLUB (Apr. 11, 2016, 7:38 AM), http://tinyurl.com/hq4quly

Seth Barrett Tillman, *Louise Arbour Welcomes You To Administrative Unit 34B*, THE NEW REFORM CLUB (Apr. 8, 2016, 8:38 AM), http://tinyurl.com/hsu6t3c

Seth Barrett Tillman, *Trump Voters and Modern American Legal Academia*, THE NEW REFORM CLUB (Apr. 8, 2016, 5:41 AM), http://tinyurl.com/hwryzvv

Seth Barrett Tillman, *Part 2: On Ted Cruz's Eligibility for the Presidency*, THE NEW REFORM CLUB (Apr. 7, 2016, 4:18 AM), http://reformclub.blogspot.ie/2016/04/part-2-onted-cruzs-eligibility-for.html

Seth Barrett Tillman, *Some Thoughts on Plagiarism, Plagiarists, Fools, and Legal Fools*, THE NEW REFORM CLUB (Apr. 6, 2016, 2:11 PM), http://reformclub.blogspot.ie/2016/04/some-thoughts-on-plagiarism-plagiarists.html

Seth Barrett Tillman, *Metrics from the Social Science Research Network on Irish Law Departments (including Tillman's department)*, THE NEW REFORM CLUB (Apr. 3, 2016, 5:45 AM), http://tinyurl.com/gtpbll2

Seth Barrett Tillman, *Part IV: Why Senate Inaction As A Response To A Presidential Nomination Is Constitutional*, THE NEW REFORM CLUB (Apr. 1, 2016, 12:50 PM), http://reformclub.blogspot.ie/2016/04/part-4-why-senate-inaction-as-response.html

Seth Barrett Tillman, *Part III: More On Why The Senate Has Not Defaulted On Its Purported Constitutional Duty*, THE NEW REFORM CLUB (Apr. 1, 2016, 8:37 AM), http://reformclub.blogspot.ie/2016/04/part-3-more-on-why-senate-has-not.html

Seth Barrett Tillman, *On Ted Cruz's Eligibility for the Presidency*, THE NEW REFORM CLUB (Mar. 31, 2016, 9:56 AM), http://reformclub.blogspot.ie/2016/03/on-ted-cruzs-eligibility-for-presidency.html

Seth Barrett Tillman, *The Two Discourses: How Non-Originalists Popularize Originalism and What that Means*, THE NEW REFORM CLUB (Mar. 28, 2016, 9:22 AM), http://reformclub.blogspot.ie/2016/03/the-two-discourses-how-non-originalists.html

Seth Barrett Tillman, Letter to The Boston Globe's Letters Editor: Responding to Dean Martha Minow (Harvard) and Dean Deanell Tacha (Pepperdine), THE NEW REFORM CLUB (Mar. 25, 2016, 6:26 AM), http://tinyurl.com/hks6vdq.

Seth Barrett Tillman, Part II, The Appointments Clause Imposes No Duty on the President To Nominate Supreme Court Justices, Other Article III Judges, and/or Executive Branch Officers. The Appointments Clause Imposes No Duty on the Senate To Confirm Candidates, The New Reform Club (Mar. 24, 2016, 12:17 PM), http://reformclub.blogspot.com/2016/03/part-ii-appointments-clause-imposes-no.html.

Seth Barrett Tillman, Part I, Does the President Have A Duty To Nominate Supreme Court Candidates? Does the Senate Have A Duty To Consider Nominees?, THE NEW REFORM CLUB (Mar. 18, 2016, 1:33 PM), http://tinyurl.com/zrh4zbe.

Seth Barrett Tillman, *Cologne, Rape, and "Purim & My Bangladeshi Friend,"* THE NEW REFORM CLUB (Feb. 23, 2016, 3:05 AM), http://reformclub.blogspot.ie/2016/02/colognerape-and-purim-my-bangladeshi.html.

Seth Barrett Tillman, "Taney Deserves His Tribute": Responding to George W. Liebmann's Opinion Editorial in The Baltimore Sun, THE NEW REFORM CLUB (Feb. 21, 2016, 7:21 AM), http://reformclub.blogspot.ie/2016/02/taney-deserves-his-tribute-responding.html, reproduced in Seth Barrett Tillman, Letter to the Editor, Taney was no champion of civil liberties: His worst decision was Dred Scott, but there were plenty of others, THE BALTIMORE SUN, Feb. 24, 2016, 3:36 pm, http://www.baltimoresun.com/news/opinion/readersrespond/bs-ed-taney-letter-20160224-story.html.

Seth Barrett Tillman, *Seth Barrett Tillman responding to President Adam Falk, Williams College: the Allure of Forbidden Fruit*, THE NEW REFORM CLUB (Feb. 19, 2016, 11:45 AM), http://reformclub.blogspot.ie/2016/02/re-seth-barrett-tillman-responding-to.html.

Seth Barrett Tillman, *A Quick Thought on Presidential Recess Appointments*, THE NEW REFORM CLUB (Feb. 14, 2016, 2:31 PM), http://reformclub.blogspot.ie/2016/02/a-quick-thought-on-presidential-recess.html.

Seth Barrett Tillman, *Miscellaneous Americana (Part III): Washington's Cabinet—their vitae—and who was well paid in the early Republic*, THE NEW REFORM CLUB (Feb. 12, 2016, 2:36 AM), http://reformclub.blogspot.ie/2016/02/miscellaneous-americana-iii-washingtons.html.

Seth Barrett Tillman, *Litigating (former) Senator Hillary Clinton's Legal Woes: A Response to Professor Rick Hasen (Election Law Blog) and Michael Stern (Point of Order blog)*, THE NEW REFORM CLUB (Feb. 2, 2016, 9:01 AM), http://reformclub.blogspot.ie/2016/02/litigating-former-senator-hillary.html.

Seth Barrett Tillman, *Democratic Party Iowa Vote Total: under 1,500 votes -- 1,500 votes -- 1,500 votes: Did the Democratic Party Just Implode in Iowa?*, THE NEW REFORM CLUB (Feb. 1, 2016, 11:30 PM), http://reformclub.blogspot.ie/2016/02/democratic-party-iowa-vote-total-under.html.

Seth Barrett Tillman, *Two Presidential Candidates: Consistent Treatment?*, THE NEW REFORM CLUB (Jan. 29, 2016, 9:01 AM), http://tinyurl.com/hhxs9ew.

Seth Barrett Tillman, *Professor Forrest McDonald (1927–2016): Scholar, Patriot, and Friend*, THE NEW REFORM CLUB (Jan. 22, 2016, 5:03 AM), http://reformclub.blogspot.com/2016/01/professor-forrest-mcdonald-19272016.html.

Seth Barrett Tillman, *Return of the Letter to a Young Social Justice Warrior*, THE NEW REFORM CLUB (Jan. 20, 2016, 3:20 PM), http://reformclub.blogspot.com/2016/01/return-of-letter-to-young-social.html.

Seth Barrett Tillman, *Tillman's Recommended Irish, British, and other European Blogs*, THE NEW REFORM CLUB (Jan. 20, 2016, 4:06 AM), http://reformclub.blogspot.ie/2016/01/tillmans-recommended-irish-british-and.html.

Seth Barrett Tillman, *Is Senator Ted Cruz a "Natural Born Citizen"? Yes*, THE NEW REFORM CLUB (Jan. 18, 2016, 10:53 AM), http://reformclub.blogspot.ie/2016/01/issenator-ted-cruz-natural-born.html.

Seth Barrett Tillman, *Miscellaneous [Faux] Americana (Part II) -- John Merryman: Time Traveller*, The New Reform Club (Jan. 14, 2016, 3:33 AM), http://reformclub.blogspot.ie/2016/01/miscellanous-faux-americana-part-ii.html.

Seth Barrett Tillman, *Is it the Constitution which evolves or Judge Posner?*, THE NEW REFORM CLUB (Jan. 13, 2016, 2:53 PM), http://reformclub.blogspot.ie/2016/01/is-it-constitution-which-evolves-or.html.

Seth Barrett Tillman, *The European Media & the Cologne Attacks*, THE NEW REFORM CLUB (Jan. 12, 2016, 9:25 AM), http://reformclub.blogspot.ie/2016/01/from-you-cant-make-it-up-collection.html.

Seth Barrett Tillman, *Ranking Legal Authors* (not just academics): HeinOnline's "ScholarRank's Top 250 Authors," THE NEW REFORM CLUB (Jan. 11, 2016, 2:09 PM), http://reformclub.blogspot.ie/2016/01/ranking-legal-authors-not-just.html.

Seth Barrett Tillman, re: The Federalist Society conference, THE NEW REFORM CLUB (Jan. 7, 2016, 3:49 AM), http://reformclub.blogspot.ie/2016/01/re-federalist-society-conference.html.

Seth Barrett Tillman, *An Open Letter to Mark Steyn, Simon Heffer, Milo Yiannopoulos, Breitbart (London), and His Grace, Archbishop Cranmer*, THE NEW REFORM CLUB (Jan. 5, 2016, 9:14 AM), http://reformclub.blogspot.ie/2016/01/an-open-letter-to-mark-steyn-simon.html.

EXTANT 2015 CITATIONS AND ACKNOWLEDGMENTS

- [1] OptimisCorp v. Waite, Civ. A. No. 8773-VCP, slip op. at 191 n.589, 2015 WL 5086342, at *74 n.589, 2015 Del. Ch. LEXIS 222, at *254 n.589 (Del. Ch., Aug. 26, 2015) (Parsons, V.C.), available at http://works.bepress.com/seth_barrett_tillman/567/, also available at http://courts.delaware.gov/opinions/download.aspx?ID=228750.
- [2] MARSHALL J. BREGER & GARY J. EDLES, INDEPENDENT AGENCIES IN THE UNITED STATES: LAW, STRUCTURE, AND POLITICS 159 n.211, 524, 562 (2015), available at http://tinyurl.com/pzvmos2, also available at http://works.bepress.com/seth_barrett_tillman/500/.
- [3] HEIDI KITROSSER, RECLAIMING ACCOUNTABILITY: TRANSPARENCY, EXECUTIVE POWER, AND THE US CONSTITUTION 255 n.19 (2015), available at http://tinyurl.com/kwqobnu, also available at http://works.bepress.com/seth_barrett_tillman/532/.
- [4] STEPHEN F. KNOTT & TONY WILLIAMS, WASHINGTON AND HAMILTON: THE ALLIANCE THAT FORGED AMERICA ch. 8 & n.20 (2015), available at http://tinyurl.com/oy3pcma, also available at http://works.bepress.com/seth_barrett_tillman/562/.
 - SANFORD LEVINSON, ARGUMENT OPEN TO ALL: READING *THE FEDERALIST* IN THE 21ST CENTURY, fn. 1 to *Fed. No. 56* (2015), *available at* http://tinyurl.com/q2x6rgc, *also available at* http://works.bepress.com/seth_barrett_tillman/572/.
- [5] 1 WILLIAM J. RICH, MODERN CONSTITUTIONAL LAW Campaign Contributions § 8.17 (3d ed. Supp. Dec. 2015), available at http://works.bepress.com/seth_barrett_tillman/553/.
- [6] OSBORNE M. REYNOLDS, JR., LOCAL GOVERNMENT LAW 259 (4th ed. 2015), http://tinyurl.com/zv5brgy.
- [7] 1 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 8.12 n.2 & n.7.10 (5th ed. Supp. 2015), available at http://works.bepress.com/seth_barrett_tillman/477/.
- [8] RICHARD W. SOUTHGATE & DONALD W. GLAZER, MASSACHUSETTS CORPORATION LAW & PRACTICE § 5.5—Issuance of Shares, at 5-35 n.104a (2d ed. Cum. Supp. 2015), available at http://tinyurl.com/mgt2kmn, also available at http://works.bepress.com/seth_barrett_tillman/482/ (posted on Westlaw).

- [9] 1 JOHN R. VILE, ENCYCLOPEDIA OF CONSTITUTIONAL AMENDMENTS, PROPOSED AMENDMENTS, AND AMENDING ISSUES, 1789-2015, at 241, 602 (4th ed. 2015).
- [10] Luke Beck, When Is an Office or Public Trust 'Under the Commonwealth' for the Purposes of the Religious Tests Clause of the Australian Constitution?, 41(1) MONASH U. L. REV. 17, 35 n.76 (2015), available at http://works.bepress.com/seth_barrett_tillman/542/.
- [11] Nikki S. Bossert, Letter from the Editor, 33 QUINNIPIAC L. REV. 815, 820 & n.7 (2015).
- [12] George Brown, *Applying* Citizens United *to Ordinary Corrpuption: With a Note on* Blagojevich, McDonnell, *and the Criminalization of Politics*, 91 NOTRE DAME L. REV. 177, 214 n.321 (2015), *available at* http://ndlawreview.org/wp-content/uploads/2013/05/NDL104.pdf.
- [13] Roy E. Brownell II, Part 2, A Constitutional Chameleon: The Vice President's Place within the American System of Separation of Powers: Political Branch Interpretation and Counterarguments, 24 KAN. J.L. & Pub. Pol'y 294, 294 n.*, 301 n.24, 319 n.128, 377 n.512, 379 n.521, 397 n.613 (2015), available at http://works.bepress.com/seth_barrett_tillman/475/ (citing Calabresi-Tillman exchange generally, Tillman opening in Teachout-Tillman exchange, Tillman opening in Prakash-Tillman exchange, and Tillman-on-Chafetz).
- [14] Yasmin Dawood, *Campaign Finance and American Democracy*, 18 ANNUAL REVIEW OF POLITICAL SCIENCE 329, 336, 348 (2015) (**peer reviewed**) (citing Tillman-on-Lessig), *available at* http://ssrn.com/abstract=2605401, *also available at* http://works.bepress.com/seth_barrett_tillman/527/.
 - Brian C. Kalt, Section 4 of the Twentieth Amendment 1 n.* (July 26, 2015), available at http://ssrn.com/abstract=2635633.
- [15] Richard L. McCormick, *Anti-Corruption in American History*, 14 J. GILDED AGE & PROGRESSIVE ERA 441, 443 n.12 (2015) (reviewing ZEPHYR TEACHOUT, CORRUPTION IN AMERICA: FROM BENJAMIN FRANKLIN'S SNUFF BOX TO CITIZENS (2014)) (peer reviewed) (citing Tillman opening in Tillman-on-Teachout), *available at* http://works.bepress.com/seth_barrett_tillman/564/.

- [16] Michael T. Morley, *The Intratextual Independent "Legislature" and the Elections Clause*, 109 NW. U. L. REV. 847, 847 n.*, 860 n.74, 109 NW. U. L. REV. ONLINE 131, 131 n.*, 143 n.74 (2015) (citing Tillman's review of Ross).
- [17] Derek T. Muller, *Scrutinizing Federal Electoral Qualifications*, 90 IND. L.J. 559, 559 n.*, 564 n.21 (2015) (citing Tillman opening in Prakash-Tillman), *available at* http://ssrn.com/abstract=2426396, *also available at* http://works.bepress.com/seth_barrett_tillman/471/.
- [18] David S. Rubinstein, *Self-Help Structuralism*, 95 B.U. L. REV. 1619, 1619 n.*, 1629 n.43 (2015) (citing Tillman's *Senate Termination*).
- [19] Sandra Fredman et al., *Public Access to Court Documents: Research Prepared for the Legal Resources Centre, South Africa* 28 n.78 (Oxford Pro Bono Publico Programme Paper, Jan. 2015) (peer review) (citing Tillman opinion editorial in *The Irish Independent*), *available at* http://ohrh.law.ox.ac.uk/wordpress/wp-content/uploads/2015/03/LRC-Project.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/547.
 - Brian Sawers, *Original Misunderstandings: The Implications of Misreading History in Jones*, 31 GA. St. U.L. REV. 471, 471 n.* (2015).
- [20] Konstantinos G. Margaritis, The Treaty of Lisbon and the protection of fundamental rights in the European Union n.597, biblio. (2015) (unpublished Ph.D. dissertation, Law School of National and Kapodistrian University of Athens) (on file with author), *available at* http://works.bepress.com/seth/barrett/tillman/289/.
 - Robert G. Natelson, *The Founders' Origination Clause and Implications for the Affordable Care Act*, 38 HARV. J.L. & PUB. POL'Y 629, 629 n.* (2015).
- [21] Stephen Carruthers, Public Bodies and Judicial Review, at slide 4 (Nov. 3, 2015) (citing Tillman's *Irish Times* opinion editorial), *available at* https://prezi.com/sviido4xztu_/public-bodies-and-judicial-review/.
- [22] UNITED STATES CODE ANNOTATED § **Article I, Section 3, Clause 7** (West 2015) (citing *Originalism & The Scope of the Constitution's Disqualification Clause*).

- [23] Byron F. Egan, *Choice of Entity Decision Tree*, 13TH ANNUAL COURSE ADVANCED BUSINESS LAW 279 n.1064 (Houston, Tex., Nov. 20, 2015), *available at* http://images.jw.com/com/publications/2112.pdf.
 - Byron F. Egan, *Choice of Entity Decision Tree: Choice and Acquisition of Entities in Texas*, TexasBarCLE and the Business Law Section of the State Bar of Texas 304 n.1211 (San Antonio, Tex., May 22, 2015), *available at* http://images.jw.com/com/publications/2054.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/560/.
 - Byron F. Egan, *How Recent Fiduciary Duty Cases Affect Advice to Directors and Officers of Delaware and Texas Corporations*, 37TH ANNUAL CONFERENCE ON SECURITIES REGULATION AND BUSINESS LAW 424 n.1331 (Dallas, Tex., Feb. 13, 2015), *available at* http://images.jw.com/com/publications/2033.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/444/, *also available at* http://ssrn.com/abstract=2408036.
 - Byron F. Egan, *How Recent Fiduciary Duty Cases Affect Advice to Directors and Officers of Delaware and Texas Corporations*, 36TH ANNUAL CONFERENCE ON SECURITIES REGULATION AND BUSINESS LAW 397 n.1269 (Dallas, Tex., Feb. 14, 2014), *available at* http://images.jw.com/com/publications/1945.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/444/.
 - Byron F. Egan, *How Recent Fiduciary Duty Cases Affect Advice to Directors and Officers of Delaware and Texas Corporations*, 35TH ANNUAL CONFERENCE ON SECURITIES REGULATION AND BUSINESS LAW 376 n.1225 (Dallas, Tex., Feb. 8, 2013), *available at* http://images.jw.com/com/publications/1830.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/444/.
 - Byron F. Egan, *How Recent Fiduciary Duty Cases Affect Advice to Directors and Officers of Delaware and Texas Corporations*, 34TH ANNUAL CONFERENCE ON SECURITIES REGULATION AND BUSINESS LAW 355 n.1178 (Dallas, Tex., Feb. 10, 2012), *available at* http://images.jw.com/com/publications/1712.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/444/.
 - Byron F. Egan, *How Recent Fiduciary Duty Cases Affect Advice to Directors and Officers of Delaware and Texas Corporations*, 33RD ANNUAL CONFERENCE ON SECURITIES REGULATION AND BUSINESS LAW 338 n.1131 (Dallas, Tex., Feb. 11, 2011), *available at* http://images.jw.com/com/publications/1686.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/444/.
 - Byron F. Egan, *Recent Fiduciary Duty Cases Affecting Advice to Directors and Officers of Delaware and Texas Corporations*, 32ND ANNUAL CONFERENCE ON SECURITIES REGULATION AND BUSINESS LAW 287 n.958 (Dallas, Tex., Feb. 12, 2010), *available at* http://images.jw.com/com/publications/1344.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/444/.

Voided, WORLD HERITAGE ENCYCLOPEDIA (last visited Sept. 2, 2015), http://webcache.googleusercontent.com/search?q=cache:BhBFAerIGD8J:self.guten berg.org/articles/voided+&cd=15&hl=en&ct=clnk&gl=ie.

Deirdre Mc Gowan, The Normalising Power of Marriage Law: An Irish Genealogy, 1945–2010, at 6 (PhD dissertation, Maynooth University, April 2015) (acknowledgment only),

http://eprints.maynoothuniversity.ie/6195/1/Deirdre.McGowan.Maynooth.pdf

2015 Internet Citations and Acknowledgments

Terrence Berres, Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications, MILWAUKEE FEDERALISTS (Dec. 30, 2015, 2:00 PM), http://fswi.blogspot.ie/2015/12/who-can-be-president-of-united-states.html.

Terrence Berres, 'Ex Parte Merryman': Myth, History, and Scholarship, MILWAUKEE FEDERALISTS (September 8, 2015, 2:00 PM), http://fswi.blogspot.ie/2015/09/ex-partemerryman-myth-history-and.html.

Terrence Berres, *Lincoln and 'Merryman'*, MILWAUKEE FEDERALISTS (June 19, 2015, 10:43 AM), http://fswi.blogspot.ie/2015/06/lincoln-and-merryman.html.

Terrence Berres, *A Critique of Public International Law*, MILWAUKEE FEDERALISTS (June 3, 2015, 1:33 PM), http://fswi.blogspot.ie/2015/06/a-critique-of-public-international-law.html.

Terrence Berres, *The Disqualification Clause: An exchange*, MILWAUKEE FEDERALISTS (Jan. 30, 2015, 8:53 AM), http://fswi.blogspot.ie/2015/01/the-disqualification-clause-exchange.html.

Josh Blackman, Did Senator John Glenn's 1998 Space Flight for NASA Violate the Incompatibility Clause?, JOSH BLACKMAN'S BLOG (May 13, 2015), http://tinyurl.com/17t6dx2.

F. Peter Brown, *Legal Scholar Steps Forward With Bombshell That Demolishes Attacks On Carson*, WESTERN JOURNALISM (Nov. 9, 2015, 2:03 PM), http://www.westernjournalism.com/legal-scholar-steps-forward-with-bombshell-that-demolishes-attacks-on-carson/.

Ben Carson's former colleague: He told me the story about stabbing someone before he became famous, HOT AIR (Nov. 9, 2015, 7:21 PM), http://hotair.com/archives/2015/11/09/ben-carsons-former-colleague-he-told-me-the-story-about-stabbing-someone-before-he-became-famous/.

Miscellaneous Americana for the New Year, MEMEORANDUM: POLITICAL WEB (Dec. 21, 2015, 10:15 AM ET), http://www.memeorandum.com/151221/p29#a151221p29.

'Teaching Children About World Religions and Ethics Could Help Counter Islamophobia': A Response, MEMEORANDUM: POLITICAL WEB (Nov. 27, 2015, 8:30 AM ET), http://www.memeorandum.com/151127/p7#a151127p7.

My Ben Carson Days, MEMEORANDUM: POLITICAL WEB (Nov. 9, 2015, 4:10 PM ET), http://www.memeorandum.com/151109/p71#a151109p71.

Jake Carter, *Trump Hits Carson Over Stabbing Story, Talks About Hosting 'SNL*,' RAPID NEWS NETWORK (Nov. 15, 2015, 5:31 AM), http://rapidnewsnetwork.com/trump-hits-carson-over-stabbing-story-talks-about-hosting-snl/284612/.

Alex Crown, Can Ben Carson Win Over Black Conservatives?, LID TIME (Nov. 12, 2015), http://www.lidtime.com/can-ben-carson-win-over-black-conservatives-8844/.

Dan Ernst, *Weekend Roundup*, LEGAL HISTORY BLOG (July 11, 2015, 12:30 AM), http://legalhistoryblog.blogspot.ie/2015/07/weekend-roundup_11.html/.

Dan Ernst, *Weekend Roundup*, LEGAL HISTORY BLOG (June 20, 2015, 12:30 AM), http://legalhistoryblog.blogspot.ie/2015/06/weekend-roundup_20.html.

Howard M. Friedman, *Recent Articles of Interest*, RELIGION CLAUSE (Mar. 9, 2015, 7:00 AM), http://religionclause.blogspot.ie/2015/03/recent-articles-of-interest_9.html.

Rick Garnett, *New Blog: "The New Reform Club"*, MIRROR OF JUSTICE (Oct. 1, 2015), http://mirrorofjustice.blogs.com/mirrorofjustice/2015/10/new-blog-the-new-reform-club.html.

Jonathan Gewirtz, "Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications," CHICAGO BOYZ (Dec. 29, 2015, 11:46 AM), http://chicagoboyz.net/archives/50873.html.

Jonathan Gewirtz, "A Critique of Two Left-of-Centre Views of the United States Constitution: Professor Akhil Amar & Professor Lawrence Lessig," CHICAGO BOYZ (Dec. 28, 2015, 11:12 AM), http://chicagoboyz.net/archives/50862.html.

Jonathan Gewirtz, "Miscellaneous Americana for the New Year," CHICAGO BOYZ (Dec. 21, 2015, 9:19 AM), http://chicagoboyz.net/archives/50778.html.

Jonathan Gewirtz, *Two New Posts from Seth Barrett Tillman*, CHICAGO BOYZ (Dec. 3, 2015, 5:34 PM), http://chicagoboyz.net/archives/50608.html.

Jonathan Gewirtz, "'Teaching Children About World Religions and Ethics Could Help Counter Islamophobia': A Response," CHICAGO BOYZ (Nov. 27, 2015, 8:18 AM), http://chicagoboyz.net/archives/50509.html.

Jonathan Gewirtz, "My Ben Carson Days," CHICAGO BOYZ (Nov. 9, 2015, 11:10 AM), http://chicagoboyz.net/archives/50320.html.

Jonathan Gewirtz, "Dear Young Social Justice Warrior," CHICAGO BOYZ (July 24, 2015, 6:13 AM), http://chicagoboyz.net/archives/49211.html.

Jonathan Gewirtz, "*Tillman on Values and Dignity*," CHICAGO BOYZ (July 7, 2015, 10:09 PM), http://chicagoboyz.net/archives/49051.html.

Jonathan Gewirtz, "Dear Heads of Government of the Major Allied Powers," CHICAGO BOYZ (June 2, 2015, 2:13 PM), http://chicagoboyz.net/archives/48619.html.

Jonathan Gewirtz, *The UKIP and Ritual Slaughter*, CHICAGO BOYZ (Mar. 8, 2015, 7:29 PM), http://chicagoboyz.net/archives/47767.html.

Chris Green, Schalk & Kopf and Obergefell, THE ORIGINALISM BLOG (Mar. 16, 2015, 1:43:38 PM), http://tinyurl.com/o6optes (see "Update (3/17)").

Susan Hamner, *Media Opened Door For Request to Investigate Obama College Claims*, FREEDOM OUTPOST (Nov. 10, 2015), http://freedomoutpost.com/2015/11/lamestream-enemedia-opened-door-for-request-to-investigate-obama-college-claims-per-wayne-allen-root/.

David Hardy, *Challenging the traditional view of Ex Parte Merryman*, OF ARMS & THE LAW (June 21, 2015 11:32 AM), http://armsandthelaw.com/archives/2015/06/challenging_the.php.

Rick Hasen, "Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualification," ELECTION LAW BLOG (Dec. 29, 2015, 3:01 PM), http://electionlawblog.org/?p=78607.

Rick Hasen, "A Response to Michael B. Mukasey and Cause of Action," ELECTION LAW BLOG (Aug. 25, 2015 7:13 AM), http://electionlawblog.org/?p=75568.

Rick Hasen, *Disqualification Clause Debate*, ELECTION LAW BLOG (Jan. 30, 2015, 9:15 AM), http://electionlawblog.org/?p=70021.

Andrew Hyman, *The Senate May Propose or Concur With Amendments as it Pleases?*, THE ORIGINALISM BLOG (Aug. 18, 2015, 8:40 AM), http://tinyurl.com/ojokrdz.

Andrew Hyman, *Declining to Enforce Court Orders Was All in a Day's Work for Abraham Lincoln*, THE ORIGINALISM BLOG (July 1, 2015, 9:10 AM), http://originalismblog.typepad.com/the-originalism-blog/2015/06/declining-to-enforce-court-orders-was-all-in-a-days-work-for-abraham-lincolnandrew-hyman.html.

Andrew Hyman, *The Implications of Merryman (UPDATED)*, THE ORIGINALISM BLOG (June 1, 2015, 6:59 PM), http://tinyurl.com/nlnuklk.

Nicandro Iannacci, *An invitation to constitutional conflict?*, CONSTITUTION DAILY (Feb. 2, 2015), http://blog.constitutioncenter.org/2015/02/an-invitation-to-constitutional-conflict/.

Kerry Jackson, *Clinton Emails: The Candidate's Character Disqualifies Her*, INVESTOR'S BUSINESS DAILY: POLITICS—CAPITAL HILL (Aug. 31 2015), http://www.investors.com/politics/capital-hill/hillary-clinton-character-disqualifies-herself/.

Tim Kowal, *Neither Force nor Will, but Merely Judgment*, THE NEW REFORM CLUB (Oct. 14, 2015, 1:03 AM), http://reformclub.blogspot.ie/2015/10/neither-force-nor-will-but-merely.html.

C. R. Krieger, *Safeguarding US Documents*, RIGHT-SIDE-OF-LOWELL (Dec. 29, 2015, 3:17 PM), http://right-side-of-lowell.blogspot.ie/2015/12/safeguarding-us-documents.html.

C. R. Krieger, *Purim 2015–A Meditation*, RIGHT-SIDE-OF-LOWELL (Mar. 6, 2015, 5:10 AM), http://right-side-of-lowell.blogspot.ie/2015/03/purim-2015-meditation.html.

Julian Ku, Inter-temporal International Law? Or How Would Modern International Law Have Treated "Unconditional Surrender"?, OPINIO JURIS (June 2, 2015, 11:57 AM EDT), http://tinyurl.com/nofcvh4 (see also comments by Professor Marty Lederman).

New Articles on Administrative Law & Regulation (30th installment), COMPARATIVE ADMINISTRATIVE LAW (May 9, 2015, 2:03 PM), http://tinyurl.com/oozkefr.

Walter Olson, "Letter to a Young Social Justice Warrior...," OVERLAWYERED (July 27, 2015) (also cross-posted on Nexis), http://overlawyered.com/2015/07/letter-to-a-young-social-justice-warrior/.

Professor Eugene Volokh's Law Blog Cited in NBC Report, UCLA LAW (Aug. 27, 2015), http://www.law.ucla.edu/news-and-events/in-the-news/2015/08/professor-eugene-volokhs-law-blog-cited-in-nbc-report/.

Michael Ramsey, *Seth Barrett Tillman on Amar and Lessig*, THE ORIGINALISM BLOG (Dec. 30, 2015, 6:51 AM), http://originalismblog.typepad.com/the-originalismblog/2015/12/seth-barrett-tillman-on-amar-and-lessigmichael-ramsey.html.

Michael Ramsey, *Seth Barrett Tillman on Justice Jackson and the Pharoah's Dreams*, THE ORIGINALISM BLOG (Nov. 10, 2015, 1:50 PM), http://originalismblog.typepad.com/the-originalism-blog/2015/11/seth-barrett-tillman-on-justice-jackson-and-the-pharoahs-dreamsmichael-ramsey.html.

Michael Ramsey, *A Non-Member Speaker in 18th Century Britain and under the U.S. Constitution (Part II)*, THE ORIGINALISM BLOG (Oct. 20, 2015, 2:07 PM), http://originalismblog.typepad.com/the-originalism-blog/2015/10/a-non-member-speaker-in-18th-century-britain-and-under-the-us-constitution-part-iiseth-barrett-tillm.html.

Michael Ramsey, *Seth Barrett Tillman on Ex Parte Merryman*, THE ORIGINALISM BLOG (Sept. 8, 2015, 6:01 AM), http://originalismblog.typepad.com/the-originalismblog/2015/09/seth-barrett-tillman-on-ex-parte-merrymanmichael-ramsey.html.

Michael Ramsey, *Seth Barrett Tillman on Hillary Clinton and Presidential Eligibility*, THE ORIGINALISM BLOG (Aug. 29, 2015, 6:58 AM), http://originalismblog.typepad.com/the-originalism-blog/2015/08/seth-barrett-tillman-on-hillary-clinton-and-presidential-eligibilitymichael-ramsey.html.

Michael Ramsey, *Seth Barrett Tillman: Ex Parte Merryman—A Short Reply to Andrew Hyman and Others*, THE ORIGINALISM BLOG (July 9, 2015, 6:23 AM), http://tinyurl.com/o2an58p.

Michael Ramsey, *Seth Barrett Tillman: Lincoln and Merryman*, THE ORIGINALISM BLOG (June 20, 2015, 6:53 AM), http://tinyurl.com/ppt43pf.

Michael Ramsey, *Seth Barrett Tillman on Merryman*, THE ORIGINALISM BLOG (June 2, 2015, 10:53 PM), http://tinyurl.com/no5exza.

Michael Ramsey, *The Meaning of "Legislature" on Monday*, THE ORIGINALISM BLOG (Mar. 1, 2015, 6:15 AM), http://tinyurl.com/oak7my2.

Michael Ramsey, *My Response on the Boehner/Netanyahu Invitation*, THE ORIGINALISM BLOG (Feb. 5, 2015, 6:45 AM), http://tinyurl.com/kfc762o.

Michael Ramsey, *A Response on Netanyahu's Address to Congress*, THE ORIGINALISM BLOG (Jan. 26, 2015, 2:47 PM), http://tinyurl.com/olzdxk6.

Mike Rappaport, *The Speaker of the House of Commons Appears to Have Been Required to Be a Member*, LIBRARY OF LAW & LIBERTY (Oct. 14, 2015), http://www.libertylawsite.org/2015/10/14/the-speaker-of-the-house-of-commons-appears-to-have-been-required-to-be-a-member/.

Mike Rappaport, *More of Lincoln on Departmentalism vs. Judicial Supremacy*, LIBRARY OF LAW & LIBERTY (July 13, 2015), http://www.libertylawsite.org/2015/07/13/more-of-lincoln-on-departmentalism-vs-judicial-supremacy/.

Mike Rappaport, *Ramsey and Tillman on the Receive Ambassadors Clause*, LIBRARY OF LAW & LIBERTY (Jan. 27, 2015), http://tinyurl.com/lhtgzyx.

Mike Rappaport, *The Speaker of the House of Commons Appears to Have Been Required to Be a Member*, The Originalism Blog (Oct. 15, 2015, 8:00 AM), http://originalismblog.typepad.com/the-originalism-blog/2015/10/in-a-prior-post-i-said-it-was-not-clear-whether-the-speaker-of-the-house-of-commons-was-required-to-be-a-member-a-couple-of.html.

Mike Rappaport, Ramsey and Tillman on the Receive Ambassadors Clause, THE ORIGINALISM BLOG (Jan. 27, 2015, 8:32 AM), http://tinyurl.com/okf8hzx.

- 1. Glenn Reynolds, SETH BARRETT TILLMAN: Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications, INSTAPUNDIT (Dec. 29, 2015, 10:24 AM), http://pjmedia.com/instapundit/222586/.
- 2. Glenn Reynolds, *SOME MISCELLANEOUS AMERICANA for the New Year*, INSTAPUNDIT (Dec. 21, 2015, 10:00 AM), http://pjmedia.com/instapundit/221946/.
- 3. Glenn Reynolds, *CAN NATIONS BE RUN BY ELITES WHO THINK THAT THEIR NATIONS DON'T MATTER?*, The Tale of the Swedish Prosecutor, the Citizen, and the Human Being., INSTAPUNDIT (Dec. 13, 2015, 1:30 PM), http://pjmedia.com/instapundit/221193/.
- 4. Glenn Reynolds, *SETH BARRETT TILLMAN: After Paris, questions for us all*, INSTAPUNDIT (Nov. 27, 2015, 8:00 AM), http://pjmedia.com/instapundit/219888/.
- 5. Glenn Reynolds, *SETH BARRETT TILLMAN: My Ben Carson Days*, INSTAPUNDIT (Nov. 9, 2015, 2:22 PM), http://pjmedia.com/instapundit/218430/.
- 6. Glenn Reynolds, *SETH BARRETT TILLMAN: What Law Could Learn From Popper's Model*, INSTAPUNDIT (Nov. 5, 2015, 8:08 PM), http://pjmedia.com/instapundit/218131/.
- 7. Glenn Reynolds, *SETH BARRETT TILLMAN on the decline of American martial culture*, INSTAPUNDIT (Oct. 26, 2015, 1:00 PM), http://pjmedia.com/instapundit/217264/.

- 8. Glenn Reynolds, *A NEW YEAR*, *A NEW AGE: The European Parliament's Sakharov Prize for Freedom of Thought 2015*, INSTAPUNDIT (Oct. 18, 2015, 9:56 PM), http://pjmedia.com/instapundit/216797/.
- 9. Glenn Reynolds, *SETH BARRETT TILLMAN: Why Punish Wrongdoing?*, INSTAPUNDIT (Sept. 27, 2015, 2:00 PM), http://pjmedia.com/instapundit/215286/.
- 10. Glenn Reynolds, *SETH BARRETT TILLMAN: Letter to a Young Social Justice Warrior Who Requested a Formal Apology*, INSTAPUNDIT (Aug. 10, 2015, 7:30 AM), http://pjmedia.com/instapundit/212197/.
- 11. Glenn Reynolds, *SETH BARRETT TILLMAN ON Abraham Lincoln and Ex Parte Merryman*, INSTAPUNDIT (June 19, 2015, 8:49 AM), http://pjmedia.com/instapundit/208867/.
- 12. Glenn Reynolds, *FOR PURIM: Seth Tillman: Purim & My Bangladeshi Friend*, INSTAPUNDIT (Mar. 5, 2015, 8:07 PM), http://pjmedia.com/instapundit/203195/.

Jonathan Rowe, *Tillman:* "*Miscellaneous Americana for the New Year,*" AMERICAN CREATION (Dec. 26, 2015, 12:04 PM), http://americancreation.blogspot.ie/2015/12/tillman-miscellaneous-americana-fornew.html.

Jonathan Rowe, *Tillman: "Justice Jackson's Biblical Metaphor in Youngstown,"* AMERICAN CREATION (Nov. 6, 2015, 8:15 AM), http://americancreation.blogspot.ie/2015/11/tillman-justice-jacksons-biblical.html.

Separation of Powers, QESSAYS.COM (2015), http://tinyurl.com/nucr4op.

Tom Smith, *The New Reform Club: My Ben Carson Days*, THE RIGHT COAST (Nov. 9, 2015), http://rightcoast.typepad.com/rightcoast/2015/11/the-new-reform-club-my-ben-carson-days.html.

Lawrence B. Solum, *Tillman on Ex Parte Merryman*, LEGAL THEORY BLOG (Sept. 1, 2015, 3:10 AM), http://lsolum.typepad.com/legaltheory/2015/09/tillman-on-ex-partemerryman.html.

Lawrence B. Solum, *Tillman on the Eligibility of Persons Convicted of Violating Section* 2071 for the Presidency, LEGAL THEORY BLOG (Aug. 27, 2015, 9:43 AM), http://lsolum.typepad.com/legaltheory/2015/08/tillman-on-the-eligibility-of-persons-convicted-of-violating-section-2071-for-the-presidency.html.

Lawrence B. Solum, *Tillman on Ex Parte Merryman*, LEGAL THEORY BLOG (July 9, 2015, 11:14 PM), http://lsolum.typepad.com/legaltheory/2015/07/tillman-on-ex-partemerryman.html.

Michael Stern, *Not So Fast, Speaker Winfrey*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Oct. 12, 2015, 5:37 PM), http://www.pointoforder.com/2015/10/12/not-so-fast-speaker-winfrey/.

Michael Stern, *Professor Seth Barrett Tillman: Hillary Can Run from Jail*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Aug. 25, 2015, 10:28 AM), http://www.pointoforder.com/2015/08/25/professor-seth-barrett-tillman-hillary-can-run-from-jail/.

Michael Stern, *Quinnipiac Law Review Symposium on the Disqualification Clause*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Jan. 22, 2015, 6:15 PM), http://www.pointoforder.com/2015/01/22/quinnipiac-law-review-symposium-on-the-disqualification-clause/.

Karen Tani, "Ex Parte Merryman: Myth, History, and Scholarship," LEGAL HISTORY BLOG (Sept. 8, 2015, 12:30 PM), http://legalhistoryblog.blogspot.ie/2015/09/tillman-exparte-merryman-myth-history.html.

Seth Barrett Tillman, *Legal Scholar: My West Point offer was just like Ben Carson's*, LEGAL INSURRECTION (Nov. 9, 2015, 11:40 AM), http://legalinsurrection.com/2015/11/legal-scholar-my-west-point-offer-was-just-like-ben-carsons/#more-149086.

Will Truman, *Linkluster US Representatives*, HIT COFFEE (Dec. 29, 2015), http://hitcoffee.com/file/10865/.

Will Truman, *Linky Friday #145: Politics In Everything*, ORDINARY TIMES ON CULTURE AND POLITICS (Dec. 18, 2015), http://ordinary-gentlemen.com/blog/2015/12/18/linky-friday-145-politics-in-everything/.

Eugene Volokh & Seth Barrett Tillman, *No, Hillary Clinton wouldn't be legally ineligible for the Presidency even if she had violated government records laws*, THE WASHINGTON POST—THE VOLOKH CONSPIRACY (Aug. 26, 2015, 12:54 PM) (also crossposted on Nexis), https://www.washingtonpost.com/news/volokh-conspiracy/wp/2015/08/26/no-hillary-clinton-wouldnt-be-legally-ineligible-for-the-presidency-even-if-she-had-violated-government-records-laws/ (original post and update from Attorney General Mukasey).

Pete Williams, Former AG Michael Mukasey Says he's Wrong About Clinton E-mails, NBC NEWS (Aug. 27, 2015, 4:38 PM ET), http://www.nbcnews.com/news/usnews/former-ag-michael-mukasey-says-hes-wrong-about-clinton-e-n417291 (quoting Tillman).

2015 Internet: Tillman's Posts

New Reform Club

Seth Barrett Tillman, *Why The Debate on "Office" and "Officers" Matters*, THE NEW REFORM CLUB (Dec. 29, 2015, 2:21 PM), http://reformclub.blogspot.ie/2015/12/whydebate-on-office-and-officers.html.

Seth Barrett Tillman, *A Critique of Two Left-of-Centre Views of the United States Constitution: Professor Akhil Amar & Professor Lawrence Lessig*, THE NEW REFORM CLUB (Dec. 28, 2015, 4:48 AM), http://reformclub.blogspot.ie/2015/12/a-critique-of-two-left-of-centre-views.html, http://tinyurl.com/pco6t7u.

Seth Barrett Tillman, *Miscellaneous Americana for the New Year*, THE NEW REFORM CLUB (Dec. 20, 2015, 4:02 PM), http://reformclub.blogspot.ie/2015/12/miscellaneous-americana-for-new-year.html.

Seth Barrett Tillman, *The Guardian and San Bernardino*, THE NEW REFORM CLUB (Dec. 3, 2015, 4:53 PM), http://reformclub.blogspot.ie/2015/12/the-guardian-and-san-bernardino.html.

Seth Barrett Tillman, *The Tale of the Swedish Prosecutor, the Citizen, and the Human Being*, The New Reform Club (Dec. 3, 2015, 8:52 AM), http://reformclub.blogspot.ie/2015/12/the-tale-of-swedish-prosecutor-citizen.html

Seth Barrett Tillman, 'Teaching Children About World Religions and Ethics Could Help Counter Islamophobia': A Response, THE NEW REFORM CLUB (Nov. 26, 2015, 12:34 AM), http://reformclub.blogspot.ie/2015/11/teaching-children-about-world-religions.html.

Seth Barrett Tillman, *My Ben Carson Days*, THE NEW REFORM CLUB (Nov. 9, 2015, 9:01 AM), http://reformclub.blogspot.ie/2015/11/my-ben-carson-days.html.

Seth Barrett Tillman, *Justice Jackson's Biblical Metaphor in Youngstown*, THE NEW REFORM CLUB (Nov. 5, 2015, 3:47 AM), http://reformclub.blogspot.ie/2015/11/justice-jacksons-biblical-metaphor-in.html.

Seth Barrett Tillman, *What Law Could Learn From Popper's Model of Science*, THE NEW REFORM CLUB (Nov. 4, 2015, 12:30 PM), http://reformclub.blogspot.ie/2015/11/what-law-could-learn-from-poppers-model.html.

Seth Barrett Tillman, The *Decline of American Martial Culture—Flies of a Summer (Part III)*, NEW REFORM CLUB (Oct. 23, 2015, 8:23 AM), http://reformclub.blogspot.ie/2015/10/the-decline-of-american-martial.html.

Seth Barrett Tillman, *The European Parliament's Sakharov Prize for Freedom of Thought 2015*, THE NEW REFORM CLUB (Oct. 18, 2015, 3:33 PM), http://reformclub.blogspot.ie/2015/10/the-european-parliaments-sakharov-prize.html.

Seth Barrett Tillman, *Constitutional Interpretation and the Standard Originalist Narrative*, THE NEW REFORM CLUB (Oct. 12, 2015, 9:58 AM), http://reformclub.blogspot.ie/2015/10/constitutional-interpretation-and.html.

Seth Barrett Tillman, *Teaching the History of the American Civil War: Flies of a Summer (Part II)*, THE NEW REFORM CLUB (Oct. 9, 2015, 4:01 AM), http://reformclub.blogspot.ie/2015/10/teaching-history-of-american-civil-war.html.

Seth Barrett Tillman, *The Veil: Tolkien, Rowling, and the American Civil War*, THE NEW REFORM CLUB (Oct. 6, 2015, 4:58 PM), http://reformclub.blogspot.ie/2015/10/the-veil.html.

Seth Barrett Tillman, *Beautiful English Prose and the Reigning Literary Zeitgeist*, THE NEW REFORM CLUB (Oct. 1, 2015, 6:52 AM), http://reformclub.blogspot.ie/2015/10/beautiful-english-prose-and-some-self.html.

Seth Barrett Tillman, *American Culture: The Flies of a Summer (Part I)*, THE NEW REFORM CLUB (Sept. 29, 2015, 6:33 PM), http://reformclub.blogspot.ie/2015/09/american-culture-flies-of-summer.html.

Seth Barrett Tillman, *Why Punish Wrongdoing?*, THE NEW REFORM CLUB (Sept. 26, 2015, 6:24 PM), http://reformclub.blogspot.ie/2015/09/why-punish-wrongdoing.html.

Seth Barrett Tillman, *Tillman on Values and Dignity*, THE NEW REFORM CLUB (July 3, 2015, 5:57 PM), http://reformclub.blogspot.ie/2015/07/tillman-on-values-and-dignity.html.

Originalims Blog

Seth Barrett Tillman, *A Non-member Speaker, the Debate, and its Lessons*, THE ORIGINALISM BLOG (Oct. 12, 2015, 6:04 AM), http://originalismblog.typepad.com/the-originalism-blog/2015/10/a-non-member-speaker-the-debate-and-its-lessonsseth-barrett-tillman.html.

Seth Barrett Tillman, *A Comment on the Presidential Eligibility Clause Debate*, THE ORIGINALISM BLOG (Mar. 19, 2015, 11:26 PM), http://tinyurl.com/pl2fvvp (posted by Michael Ramsey).

Seth Barrett Tillman, *A Comment on Justice Alito's Concurrence in the Amtrak Case*, THE ORIGINALISM BLOG (Mar. 13, 2015, 11:22 AM), http://tinyurl.com/ots9nbq (posted by Michael Ramsey).

Twitter

WILLIAM BAUDE (@WILLIAMBAUDE) ON TWITTER (Sept. 8, 2015, 10:17 AM), https://twitter.com/WilliamBaude/status/641299222395011072 ("The standard restatement of ... Ex parte Merryman ... is wrong' http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2646888 ... by Seth Barrett Tillman, of course.").

WILLIAM BAUDE (@WILLIAMBAUDE) ON TWITTER (Aug. 27, 2015, 8:24 AM), https://twitter.com/WilliamBaude/status/636922155570171904 ("Michael Mukasey concedes that Seth Barrett Tillman is right ... (as Seth usually is).").

WILLIAM BAUDE (@WILLIAMBAUDE) ON TWITTER (Aug. 26, 2015, 2:36 PM), https://twitter.com/WilliamBaude/status/636653415632928768.

WILLIAM BAUDE (@WILLIAMBAUDE) ON TWITTER (Aug. 24, 2015, 7:34 PM), https://twitter.com/WilliamBaude/status/636003637823717376.

RICK HASEN (@RICKHASEN) ON TWITTER, Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem... (Dec. 29, 2015, 3:01 PM), https://twitter.com/rickhasen/status/681973412928040961.

RICK HASEN (@RICKHASEN) ON TWITTER (Aug. 25, 2015, 7:15 AM), https://twitter.com/rickhasen/status/636180129945882624?lang=en.

RICK HASEN (@RICKHASEN) ON TWITTER (Aug. 24, 2015, 7:20 PM), https://twitter.com/rickhasen/status/636000064867987456?lang=en.

ROB KITCHIN (@ROBKITCHIN) ON TWITTER, *Great to see @MaynoothUni @MaynoothLaw lecturer Seth Barrett Tillman's paper in Top 10 on SSRN in 2015* (Dec. 29, 2015, 1:20 PM), https://twitter.com/RobKitchin/status/681947809952743424.

REAL CLEAR POLITICS ON TWITTER (Nov. 28, 2015), http://dyn.realclearpolitics.com/twitter/archive/message2.php?message=670225735760547840&date=1448629242.

LAWRENCE SOLUM (@LSOLUM) ON TWITTER (Nov. 4, 2015, 10:03 AM), https://twitter.com/lsolum/status/661967061019721728.

LAWRENCE SOLUM (@LSOLUM) ON TWITTER (Oct. 20, 2015, 5:41 PM), https://twitter.com/lsolum/status/656631239122751492.

WALTER OLSON (@WALTEROLSON) ON TWITTER (July 24, 2015, 6:28 AM), https://twitter.com/walterolson/status/624571774634733569.

WALTER OLSON (@WALTEROLSON) ON TWITTER (July 24, 2015, 6:18 AM), https://twitter.com/walterolson/status/624569447999741952.

RAND SIMBERG (@RAND_SIMBERG) ON TWITTER (Aug. 10, 2015, 2:00 PM), https://twitter.com/Rand_Simberg/status/630846276834177024.

DANIEL SCHUMAN (@OPENATAGLANCE) ON TWITTER (Aug. 25, 2015, 8:39 AM), https://twitter.com/openataglance/status/636201309113307136.

DEPARTMENT WEBSITE

Seth Tillman on Hillary Clinton's Bid for the US Presidency and the US Records Preservation Law, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (Aug.28, 2015, 16:30 PM), https://www.maynoothuniversity.ie/law/news/seth-tillman-hillary-clintons-bid-us-presidency-and-us-records-preservation-law.

Seth Tillman Published in the Claremont Review of Books, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (June 25, 2015, 11:45 AM), https://www.maynoothuniversity.ie/news-events/seth-tillman-published-claremont-review-books.

Seth Tillman on RTÉ Today with Seán O'Rourke, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (Jan. 16, 2015, 12:00 AM), https://www.maynoothuniversity.ie/law/news/seth-tillman-rt-today-se-n-orourke.

Seth Tillman in The Washington Post, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (Nov. 19, 2014, 12:00 AM), https://www.maynoothuniversity.ie/law/news/seth-tillman-washington-post.

Seth Tillman in The Sunday Business Post, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (Nov. 10, 2014, 12:00 AM), https://www.maynoothuniversity.ie/law/news/seth-tillman-sunday-business-post.

Seth Tillman on Today with Sean O'Rourke, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (Aug. 8, 2014, 12:00 AM), https://www.maynoothuniversity.ie/law/news/seth-tillman-today-sean-o-rourke.

Seth Tillman Speaks about Court of Appeal Bill 2014 on RTÉ Radio 1, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (July 30, 2014, 12:00 AM), https://www.maynoothuniversity.ie/law/news/seth-tillman-speaks-about-court-appeal-bill-2014-rt-radio-1.

Seth Tillman on Ireland's New Court of Appeal, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (July 29, 2014, 12:00 AM), https://www.maynoothuniversity.ie/law/news/seth-tillman-irelands-new-court-appeal.

Counsel to the Legislature of Hong Kong Seeks Seth Tillman's Views on Legislative Procedure, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (July 14, 2014, 12:00 AM), https://www.maynoothuniversity.ie/law/news/counsel-legislature-hong-kong-seeks-seth-tillmans-views-legislative-procedure.

Tillman Interviewed for The Irish Times, MAYNOOTH UNIVERSITY DEPARTMENT OF LAW (Sept. 16, 2013, 12:00 AM), https://www.maynoothuniversity.ie/law/news/tillman-interviewed-irish-times.

EXTANT 2014 CITATIONS AND ACKNOWLEDGMENTS

- [1] The Environmental NGO Partners to the Environmental Law Implementation Group—Aarhus Submission 31 n.43, 37 (Sept. 26, 2014) (citing Tillman's *Irish Times* opinion editorial, and Tillman's *Irish Independent* opinion editorial) (consultation submission to the Department of Environment, Community and Local Government), available at http://www.environ.ie/en/Environment/AarhusConvention/PublicConsultation/SubmissionsReceived/FileDownLoad,39283,en.pdf, also available at http://works.bepress.com/seth_barrett_tillman/551.
- [2] Environmental Pillar Submission to the Public Consultation on Access to Justice and Implementation of Article 9 of the Aarhus Convention 17 & n.14, 38 (Sept. 26, 2014) (citing Tillman's Irish Times opinion editorial, and Tillman's Irish Independent opinion editorial) (consultation submission to the Department of Environment, Community and Local Government), available http://www.environ.ie/en/Environment/AarhusConvention/PublicConsultation/Sub missionsReceived/FileDownLoad,39252,en.pdf, available also at http://works.bepress.com/seth_barrett_tillman/550/.
- [3] RONALD COLLINS & DAVID SKOVER, WHEN MONEY SPEAKS: THE MCCUTCHEON CASE, CAMPAIGN FINANCING LAWS, AND THE FIRST AMENDMENT, § Bibliography, at 379 (2014), available at http://works.bepress.com/seth_barrett_tillman/441/.
- [4] 1 ARTHUR N. FIELD & JEFFREY M. SMITH, LEGAL OPINIONS IN BUSINESS TRANSACTIONS § 9:4:3 n.63, at 240 n.63 (3d ed. 2014), available at http://works.bepress.com/seth_barrett_tillman/270/.
- DONALD W. GLAZER ET AL., GLAZER AND FITZGIBBON ON LEGAL OPINIONS & n.17 2014), available § 10.6.4.1 (3d ed. Cum. Supp. at http://tinyurl.com/obzucn4, also available at http://works.bepress.com/seth_barrett_tillman/480/ (published by Wolters Kluwer).

- [6] David F. Forte, *House Journal–Article I, Section 5, Clause 3*, The Heritage Guide To the Constitution 95, 97 (David F. Forte & Matthew Spalding eds., 2d ed. 2014) (citing Tillman's *The Annals of Congress, the Original Public Meaning of the Succession Clause, and the Problem of Constitutional Memory*), available at http://works.bepress.com/seth_barrett_tillman/518.
- [7] Joan L. Larsen, *Incompatibility Clause—Article I, Section 6, Clause 2*, THE HERITAGE GUIDE TO THE CONSTITUTION 105, 107 (David F. Forte & Matthew Spalding eds., 2d ed. 2014) (citing Calabresi-Tillman exchange on *PENNumbra & Prakash-Tillman* exchange on *DJCLPP*), available at http://works.bepress.com/seth barrett tillman/518.
- [8] David F. Forte, *Presentment of Resolutions—Article I, Section 7, Clause 3*, THE HERITAGE GUIDE TO THE CONSTITUTION 114, 115 (David F. Forte & Matthew Spalding eds., 2d ed. 2014) (citing Tillman's *A Textualist Defense*), *available at* http://works.bepress.com/seth_barrett_tillman/518.
- [9] John Feerick, *Presidential Succession—Article II*, *Section 1*, *Clause 6*, THE HERITAGE GUIDE TO THE CONSTITUTION 249, 251 (David F. Forte & Matthew Spalding eds., 2d ed. 2014) (citing Tillman's *The Annals of Congress, the Original Public Meaning of the Succession Clause, and the Problem of Constitutional Memory*), *available at* http://works.bepress.com/seth_barrett_tillman/518.
- [10] Matthew Spalding & Trent England, *Amendments—Article V*, THE HERITAGE GUIDE TO THE CONSTITUTION 371, 373 (David F. Forte & Matthew Spalding eds., 2d ed. 2014) (citing Tillman's *A Textualist Defense*), *available at* http://works.bepress.com/seth_barrett_tillman/518.
- [11] JOSEPH M. PERILLO, PERILLO'S CONTRACTS § 1.8(b) n.8 (7th ed. 2014), available at http://works.bepress.com/seth_barrett_tillman/361/, also available at http://tinyurl.com/ojttl2a.

- 1 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 8.12 n.2 (5th ed. Supp. 2014) (citing *Interpreting Precise Constitutional Text*) (now listed as a 2015 publication), available at http://works.bepress.com/seth_barrett_tillman/304/.
- [12] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 9.1(b)(i) & n.7 (5th ed. Supp. 2014) (citing Interpreting Precise Constitutional Text), available at http://works.bepress.com/seth_barrett_tillman/514/.
- [13] Richard Albert, *Constructive Unamendability in Canada and the United States*, 67 SUP. CT. L. REV. (2d) 181, 196 n.92 (2014) (peer reviewed) (Canada), *available at* http://works.bepress.com/seth_barrett_tillman/502/.
- [14] C. Stephen Bigler & John Mark Zeberkiewicz, *Restoring Equity: Delaware's Legislative Cure for Defects in Stock Issuances and Other Corporate Acts*, 69 BUS. LAW. 393, 393 n.1, 394, 395 n.7, 400 & n.46 (2014) (peer reviewed), *available at* https://www.rlf.com/Publications/5587.
- [15] Roy E. Brownell II, Part 1, A Constitutional Chameleon: The Vice President's Place within the American System of Separation of Powers: Text, Structure, Views of the Framers and the Courts, 24 KAN. J.L. & PUB. POL'Y 1, 1 n.*, 14 n.61, 36 n.177, 54 n.294 (2014), available at http://works.bepress.com/seth_barrett_tillman/474/.
- [16] Roy E. Brownell II, *The Independence of the Vice Presidency*, 17 NYU J. LEG. & PUB. POL'Y 297, 297 n.*, 308 n.40, 373 n.478 (2014).
- [17] Bruce Edward Cain, *Is "Dependence Corruption" the Solution to America's Campaign Finance Problems?*, 102 CALIF. L. REV. 37, 38 n.9 (2014), available at http://works.bepress.com/seth_barrett_tillman/401/.
- [18] Steven G. Calabresi & Gary Lawson, *The Rule of Law as a Law of Law*, 90 NOTRE DAME L. REV. 483, 498 n.116 (2014), *available at* http://works.bepress.com/seth_barrett_tillman/468.

- [19] Benjamin Cassady, "You've Got Your Crook, I've Got Mine": Why the Disqualification Clause Doesn't (Always) Disqualify, 32 QUINNIPIAC L. REV. 209, 211 n.4, 287 n.380 (2014).
- [20] Yasmin Dawood, *Classifying Corruption*, 9 DUKE J. CONST. L. & PUB. POL'Y 103, 114 n.68 (2014), *available at* http://ssrn.com/abstract=2401297, *also available at* http://works.bepress.com/seth_barrett_tillman/460/.
- [21] David Frisof, Note, *Plausible Absurdities and Practical Formalities: The Recess Appointments Clause in Theory and Practice*, 112 MICH. L. REV. 627, 630 n.17, 642 & nn.82-83, 643 & nn.84-85 (2014).
- [22] Christopher R. Green, Constitutional Theory and the Activismometer: How to Think About Indeterminacy, Restraint, Vagueness, Executive Review, and Precedent, 54 SANTA CLARA L. REV. 403, 461 n.133 (2014).
- [23] Peter Charles Hoffer, *The Pleasures and Perils of Presentism: A Meditation on History and Law*, 33 QUINNIPIAC L. REV. 1, 1 n.* (2014), *available at* http://works.bepress.com/seth_barrett_tillman/520/, *also available at* http://tinyurl.com/ktftzqt.
 - Andrew Hyman, *The Substantive Role of Congress Under the Equal Protection Clause*, 42 S.U. L. REV. 79, 79 n.* (2014) (acknowledgment only), *available at* http://ssrn.com/abstract=2468984, *also available at* http://works.bepress.com/seth_barrett_tillman/504/.
- [24] Anthony Johnstone, *Outside Influence*, 13 ELECTION L.J. 117, 120 n.18 (2014), *available at* http://works.bepress.com/seth_barrett_tillman/467.
- [25] Frederick B. Jonassen, "So Help Me?": Religious Expression and Artifacts in the Oath of Office and the Courtroom Oath, 12 CARDOZO PUB. L. POL'Y & ETHICS J. 303, 370 & n.348 (2014).
- [26] Brian C. Kalt, *The Application of the Disqualification Clause to Congress: A Response to Benjamin Cassady*, "You've Got Your Crook, I've Got Mine": Why the Disqualification Clause Doesn't (Always) Disqualify, 33 QUINNIPIAC L. REV. 7, 7 n.*, 8 n.5 (2014), *available at* http://ssrn.com/abstract=2490963, *also available at* http://works.bepress.com/seth_barrett_tillman/505/.
- [27] Gary Lawson et al., *The Fiduciary Foundations of Federal Equal Protection*, 94 B.U. L. REV. 415, 422 n.29 (2014).

- [28] Lawrence Lessig, The 2013 Jorde Lecture, What an Originalist Would Understand 'Corruption' to Mean, 102 CALIF. L. REV. 1, 5 n.12 (2014).
- [29] Edward D. Mazo, *The Disappearance of Corruption and the New Path Forward in Campaign Finance*, 9 DUKE J. CONST. L. & PUB. POL'Y 259, 273 n.68 (2014).
- [30] Scott McLemee, Review (continued) of Zephyr Teachout, Corruption in America: From Benjamin Franklin's Snuff Box to Citizens United, INSIDE HIGHER ED (Oct. 1, 2014), available at http://tinyurl.com/khbzwg8, also available at http://works.bepress.com/seth_barrett_tillman/519.
- [31] Buckner F. Melton, Jr., Let Me Be Blunt: In Blount, the Senate Never Said that Senators Aren't Impeachable, 33 QUINNIPIAC L. REV. 33, 33 n.**, 54 n.81 (2014), available at http://ssrn.com/abstract=2509665, also available at http://works.bepress.com/seth_barrett_tillman/508/.
- [32] Mike Stern, Foreward, *An Exchange on the Disqualification Clause*, 33 QUINNIPIAC L. REV. i, iv n.10 (2014) (citing multiple Tillman-authored publications).
- [33] Dru Stevenson, Against Confidentiality, 48 U.C. DAVIS L. REV. 337, 361 n.121 (2014).
- [34] Renata E. B. Strause & Daniel P. Tokaji, *Between Access and Influence: Building a Record for the Next Court*, 9 DUKE J. CONST. L. & PUB. POL'Y 179, 191 n.75 (2014), *available at* http://ssrn.com/abstract=2427679, *also available at* http://works.bepress.com/seth barrett tillman/473/.
- [35] Zephyr Teachout, Closing Statement, Constitutional Purpose and the Anti-Corruption Principle, 108 NW. U. L. REV. ONLINE 200, 200 n.*, 201 & n.3, 202, 205 n.16, 216 (2014), http://colloquy.law.northwestern.edu/main/2014/02/constitutional-purpose-and-the-anti-corruption-principle.html.

- [36] Donald W. Glazer, Recent Developments, *Opinions on DGCL Section 204 Stock: A Rose is a Rose is a Rose*, IN OUR OPINION: THE NEWSLETTER OF THE LEGAL OPINIONS COMMITTEE (ABA Business Law Section, Chicago, IL), Spring 2014, at 10, *available at* http://tinyurl.com/kknflgf, *also available at* http://works.bepress.com/seth_barrett_tillman/476/.
- [37] ONDŘEJ PREUSS, IS CHANGE IN THE ESSENTIAL ATTRIBUTES OF A DEMOCRATIC RULE OF LAW INADMISSIBLE? 107 n.411, 242 (Charles University, Prague, Czech Republic, PhD 2014), *available at* https://is.cuni.cz/webapps/zzp/detail/112230/, *also available at* http://works.bepress.com/seth_barrett_tillman/535/.

Paul Gronke, Editorial, *The Party Line*, 13 ELECTION L.J. 227, 227 (2014) (peer reviewed) (acknowledgment only), *available at* http://works.bepress.com/seth_barrett_tillman/483/.

UNITED STATES CODE ANNOTATED § Article I, Section 9, Clause 8 (West 2014).

- [38] Stephen Carruthers, Public Bodies and Reviewable Decisions, at slide 5 (Oct. 6, 2014) (citing Tillman's *Irish Times* opinion editorial), *available at* https://prezi.com/vxis0zuugjcd/administrative-law-scope-of-judicial-review/, *also available at* http://works.bepress.com/seth_barrett_tillman/549/.
- [39] Mattie McGrath TD, Press Release, 'Court of Appeal Act will only entrench systemic delays', 30 July 2014, available at http://works.bepress.com/seth_barrett_tillman/506, also available at http://www.mattiemcgrath.ie/feature.asp?item=950.

Patrick J. Charles, Historicism, Originalism and the Constitution: The Use and Abuse of the Past in American Jurisprudence 232 (2014) (citing Mike Rappaport, *Tillman on Historians and Originalists*, Library of Law & Liberty (Aug. 23, 2013), http://tinyurl.com/mf6j5gl), *available at* http://tinyurl.com/qjbf4rg.

ZEPHYR TEACHOUT, CORRUPTION IN AMERICA: FROM BENJAMIN FRANKLIN'S SNUFF BOX TO CITIZENS UNITED 360 (2014) (acknowledgment only, listed under "Seth Barrett Tilman [sic]"), available at http://tinyurl.com/kvjbxvm, also available at http://works.bepress.com/seth_barrett_tillman/536.

S. Ernie Walton, Preserving the Convention: Why the UK's Threat to Leave Could Save it 13 n.92 (2014) (citing Tillman website), *available at* http://www.coe.int/t/dghl/standardsetting/cddh/reformechr/GT-GDR-F/Walton.pdf (placing paper on Council of Europe website).

2014 Internet Citations and Acknowledgments

Mohamed Abdelaal, *What's New in Comparative Public Law*, I•CONNECT (Aug. 25, 2014), http://www.iconnectblog.com/2014/08/whats-new-in-comparative-public-law-32/.

Terrence Berres, *A Critique of Public International Law*, CENTER FOR THE STUDY OF THE GREAT IDEAS (Oct. 6, 2014, 8:00 AM), http://tinyurl.com/lzhwk3b.

Terrence Berres, *Originalism & The Scope of the Constitution's Disqualification Clause*, MILWAUKEE FEDERALISTS (Aug. 22, 2014, 3:35 PM), http://tinyurl.com/l57cnlh.

Terrence Berres, *Tillman on Ireland's intermediate appellate court and procedural reform*, MILWAUKEE FEDERALISTS (July 31, 2014, 11:03 AM), http://fswi.blogspot.ie/2014/07/tillman-on-irelands-intermediate.html.

Terrence Berres, *Wisconsin Federalinks Mon July 28th 2014*, MILWAUKEE FEDERALISTS (July 28, 2014, 8:00 AM), http://fswi.blogspot.ie/2014/07/wisconsin-federalinks-mon-july-28th-2014.html.

Terrence Berres, *Wisconsin Federalinks Mon July 14th*, MILWAUKEE FEDERALISTS (July 14, 2014, 8:00 AM), http://tinyurl.com/pzj7nex.

Terrence Berres, Wisconsin Federalinks Tues July 8th, MILWAUKEE FEDERALISTS (July 8, 2014, 8:00 AM), http://tinyurl.com/mwsr3w2.

Terrence Berres, Why Professor Lessig's 'Dependence Corruption' Is Not a Founding-Era Concept, MILWAUKEE FEDERALISTS (Mar. 12, 2014, 7:05 PM), http://tinyurl.com/o93fkrq.

Terrence Berres, *Constitutional Purpose and the Anti-Corruption Principle*, MILWAUKEE FEDERALISTS (Jan. 23, 2014, 1:51 PM), http://tinyurl.com/qgj99ch.

Terrence Berres, *Tillman on the Origination Clause and Recess Appointment Clause cases*, MILWAUKEE FEDERALISTS (Jan. 15, 2014, 7:49 PM), http://tinyurl.com/p9bkhga.

William Baude, *Mike Ramsey: "I hesitate to out-textualist Professor Tillman ... but ...,"* WILLIAM BAUDE (@CRESCAT) ON TWITTER (Sept. 24, 2014, 4:40 PM), https://twitter.com/crescat/status/514922289063014400.

William Baude, *Printz, Commandeering, and The Federalist*, THE VOLOKH CONSPIRACY (Jan. 14, 2014, 9:07 AM), http://tinyurl.com/l97e6wj (also cross-posted on Nexis).

Bob Bauer, *Theory and Practice, "Principles" and "Purposes"—and the Uses of the "Anti-Corruption Principle,"* MORE SOFT MONEY HARD LAW (Jan. 29, 2014), http://tinyurl.com/o8zb2zr.

Josh Blackman, *Does the Compact Clause Require Presentment?*, JOSH BLACKMAN'S BLOG (Nov. 16, 2014), http://tinyurl.com/pfnadnp.

Josh Blackman, *Obama's Midnight Recess Appointees During The Moment Between Sessions*, JOSH BLACKMAN'S BLOG (Oct. 31, 2014), http://tinyurl.com/my7ksa2.

Dan Ernst, Weekend Roundup, LEGAL HISTORY BLOG (Sept. 6, 2014, 12:30 AM), http://legalhistoryblog.blogspot.ie/2014/09/weekend-roundup.html.

Dan Ernst, *Tillman on Originalism and the Disqualification Clause*, LEGAL HISTORY BLOG (Aug. 22, 2014, 11:00 AM), http://tinyurl.com/mfxhms2.

Dan Ernst, Weekend Roundup, LEGAL HISTORY BLOG (July 12, 2014, 12:30 AM), http://tinyurl.com/n83xzrr.

Dan Ernst, Weekend Roundup, LEGAL HISTORY BLOG (Jan. 25, 2014, 7:00 AM), http://tinyurl.com/qa4cq3r.

Fri. Eve. Linkage (abbreviated), HOWL AT PLUTO: HISTORY AND THEORY OF INTERNATIONAL POLITICS, ETC. (Feb. 7, 2014, 6:38 PM), http://tinyurl.com/lkmethh (with comments) (reviewing *Purim & My Bangladeshi Friend*).

Howard M. Friedman, *Recent Articles of Interest*, RELIGION CLAUSE (Jan. 6, 2014, 7:00 AM), http://religionclause.blogspot.ie/2014/01/recent-articles-of-interest.html (also cross-posted on Nexis).

Lexis expands journal library, THE LAW BOD BLOG: NEWS & CHAT FROM THE BODLEIAN LAW Library (May 29, 2014), https://blogs.bodleian.ox.ac.uk/lawbod/2014/05/29/lexis-expands-journal-library/.

Lexington Green, Seth Barrett Tillman, "Purim & My Bangladeshi Friend," CHICAGO BOYZ (Jan. 9, 2014), http://chicagoboyz.net/archives/41177.html.

T. Greer, *Notes From All Over* (3/02/2014): Ghosts, Empire, and Tribal Honor, THE SCHOLAR'S STAGE (Feb. 3, 2014), http://tinyurl.com/p4wwl6k.

Rick Hasen, "Originalism & the Scope of the Constitution's Disqualification Clause": Seth Tillman..., RICK HASEN (RICKHASEN) ON TWITTER (Aug. 21, 2014, 7:52 AM), http://tinyurl.com/kexabor.

Rick Hasen, *More Tillman on Quorums*, ELECTION LAW BLOG (July 13, 2014, 9:49 AM), http://electionlawblog.org/?p= 63251.

Rick Hasen, Letter from Seth Barrett Tillman to Professor Anonymous, The Quorum Clause (July 2, 2014), ELECTION LAW BLOG (July 9, 2014, 6:26 AM), http://electionlawblog.org/?p=63118.

Rick Hasen, Constitutional Purpose: A Reply to Seth Barrett Tillman, ELECTION LAW BLOG (Jan. 23, 2014, 1:58 PM), http://electionlawblog.org/?p=58275.

Chris Holte, *Undue influence and Dependency Corruption or why the Supreme Court Decision was so corrupt*, HOLTESTHOUGHTS (April 21, 2014, 3:35 PM), http://holtesthoughts.blogspot.ie/2014/04/undue-influence-and-dependency.html.

Eugene Kontorovich, *The Government Property Clause and Zivotofsky*, THE WASHINGTON POST—THE VOLOKH CONSPIRACY (Nov. 14, 2014, 6:43 AM) (also crossposted on Nexis), http://tinyurl.com/mbcjvm5.

Marty Lederman, *Thoughts on Zivotofsky, Part Four: Justice Thomas as constitutional iconoclast (or, "What was so terrible about King George III, anyway?")*, JUST SECURITY (June 11, 2015, 3:59 PM), http://tinyurl.com/p8g5omq.

Marty Lederman, *The core of Zivotofsky: of passports, property, commerce, recognition... and, ultimately, diplomacy*, JUST SECURITY (Nov. 14, 2014, 9:11 PM), http://justsecurity.org/17458/zivotofsky-passports-property-diplomacy/.

Michael J. Lotus, *Seth Barrett Tillman*, "Purim & My Bangladeshi Friend" Excellent post re the deep roots of conflict in the middle east, MICHAEL J. LOTUS (MJLCHICAGO) ON TWITTER (Jan. 9, 2014, 10:13 AM), http://tinyurl.com/qxh3v6y.

Michael Ramsey, Further Thoughts on Presentment and the Compacts Clause (updated by Seth Barrett Tillman), THE ORIGINALISM BLOG (Nov. 26, 2014, 6:39 AM), http://tinyurl.com/l6wysex.

Michael Ramsey, *Seth Barrett Tillman (and Others) on Zivotofsky*, THE ORIGINALISM BLOG (Nov. 17, 2014, 6:55 AM), http://tinyurl.com/mkdavrv.

Michael Ramsey, Further Thoughts from Seth Barrett Tillman (and Derek Muller) on the Meaning of "Legislature," THE ORIGINALISM BLOG (Sept. 25, 2014, 9:34 PM), http://tinyurl.com/kkh47g6.

Michael Ramsey, Seth Barrett Tillman on the Arizona Re-Districting Case, THE ORIGINALISM BLOG (Sept. 23, 2014, 6:00 AM), http://tinyurl.com/pwkntbe.

Michael Ramsey, *Brian Kalt on Benjamin Cassady and the Disqualification Clause*, THE ORIGINALISM BLOG (Sept. 6, 2014, 6:09 AM), http://tinyurl.com/lx72o5f.

Michael Ramsey, Seth Barrett Tillman: Originalism & the Scope of the Constitution's Disqualification Clause, THE ORIGINALISM BLOG (Aug. 22, 2014, 6:12 AM), http://tinyurl.com/jvtycex.

Michael Ramsey, *Seth Barrett Tillman Comments (Harshly) on Jack Balkin*, THE ORIGINALISM BLOG (July 26, 2014, 6:58 AM), http://tinyurl.com/od96006, responding to Michael Ramsey, *Jack Balkin: How Liberals Can Reclaim the Constitution*, THE ORIGINALISM BLOG (July 16, 2014, 6:20 AM), http://tinyurl.com/lx6leue.

Michael Ramsey, *Seth Barrett Tillman on Quorums*, THE ORIGINALISM BLOG (July 18, 2014, 6:46 AM), http://tinyurl.com/q2y3ron.

Michael Ramsey, *Seth Barrett Tillman on Originalism and Campaign Finance*, THE ORIGINALISM BLOG (Apr. 8, 2014, 2:58 PM), http://tinyurl.com/op7o87t/.

Michael Ramsey, *Bob Bauer on Zephyr Teachout's Constitutional Purpose*, THE ORIGINALISM BLOG (Feb. 4, 2014, 6:15 AM), http://tinyurl.com/q2lcgt2.

Michael Ramsey, Zephyr Teachout: Constitutional Purpose, THE ORIGINALISM BLOG (Jan. 26, 2014, 6:07 AM), http://tinyurl.com/oxfpmrr.

Michael Ramsey, *NLRB v. Noel Canning and the Origination Clause Challenge to the Patient Protection and Affordable Care Act*, THE ORIGINALISM BLOG (Jan. 15, 2014, 11:09 PM), http://tinyurl.com/k5795cz.

Glenn Reynolds, SETH BARRETT TILLMAN: A Critique of Public International Law: Letter from Éamon De Valera to the Heads of Government of the Major Allied Powers—April 3, 1945, INSTAPUNDIT (Oct. 6, 2014, 12:52 PM), http://pjmedia.com/instapundit/196206/.

Noah A. Rosenblum, *Roundup:* Citizens United *and Public Corruption*, YALE L.J. (Dec. 4, 2014), http://yalelawjournal.org/forum/roundup-citizens-united-and-public-corruption, *also available at* http://works.bepress.com/seth_barrett_tillman/531/.

Jonathan Rowe, *Tillman on the Errors in the Federalist Papers*, AMERICAN CREATION (Jan. 15, 2014, 10:45 AM), http://tinyurl.com/p78nhsw.

Jonathan Rowe, Seth Barrett Tillman, Purim & My Bangladeshi Friend, Gadfly: Culture that Matters, AMERICAN CREATION (Jan. 6, 2014, 12:14 PM), http://tinyurl.com/q6txjs8.

Fergus Ryan, My colleague Seth Barrett Tillman's perceptive thoughts on the new Court of Appeal, Fergus Ryan (ferguswryan) on Twitter (July 28, 2014, 5:41 AM), http://tinyurl.com/k7plv6s.

Timothy Sandefur, *Errors in* The Federalist, FREESPACE (Jan. 14, 2014, 7:49 PM), http://tinyurl.com/la9uary.

Lawrence Solum, *Tillman on the Disqualification Clause*, LEGAL THEORY BLOG (Aug. 21, 2014, 11:11 PM), http://tinyurl.com/omhf6f7.

Lawrence Solum, *Tillman on the Quorum Clause*, LEGAL THEORY BLOG (July 9, 2014, 7:15 PM), http://tinyurl.com/pazzqhw.

Lawrence B. Solum, *Teachout on Tillman on Teachout on Corruption & Constitutional Purpose*, LEGAL THEORY BLOG (Feb. 5, 2014, 3:22 PM), http://tinyurl.com/org2yv7.

Michael Stern, *Gaming out the Coming Confirmation War*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Nov. 21, 2014, 9:25 AM), http://www.pointoforder.com/2014/11/21/gaming-out-the-coming-confirmation-war/.

Michael Stern, *In Case You Haven't Had Enough of the Disqualification Clause Already*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Sept. 4, 2014, 5:37 PM), http://tinyurl.com/kdpcafb.

Michael Stern, *Is the Presidency an Office "Under" the United States?*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Sept. 2, 2014, 6:31 PM), http://tinyurl.com/mpjlxns.

Michael Stern, *House of Cads: Legislators and the Disqualification Clause*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Sept. 2, 2014, 11:18 AM), http://tinyurl.com/kycj3or.

Michael Stern, *Tillman on the Disqualification Clause*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Aug. 24, 2014, 3:49 PM), http://www.pointoforder.com/2014/08/24/tillman-on-the-disqualification-clause/.

Michael Stern, *The Debt Limit and the Paradox of the Post-Nuclear Senate*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Feb. 12, 2014, 1:59 PM), http://www.pointoforder.com/2014/02/12/the-debt-limit-and-the-paradox-of-the-post-nuclear-senate/.

Michael Stern, Seth Barrett Tillman on the Relationship Between the Origination Clause and Recess Appointment Clause Cases, Point of Order: A Discussion of Congressional Legal Issues (Jan. 15, 2014, 11:46 AM), http://tinyurl.com/pp8tgzj.

Karen Tani, Weekend Roundup, LEGAL HISTORY BLOG (Oct. 11, 2014, 12:30 AM) http://legalhistoryblog.blogspot.ie/2014/10/weekend-roundup_11.html.

Seth Tillman Speaks about Court of Appeal Bill 2014 on RTÉ Radio 1, NUI MAYNOOTH DEPARTMENTAL NEWS (July 30, 2014), https://www.nuim.ie/news-events/seth-tillman-speaks-about-court-appeal-bill-2014-rt-radio-1.

Seth Tillman on Ireland's New Court of Appeal, NUI MAYNOOTH DEPARTMENTAL NEWS (July 28, 2014), https://www.nuim.ie/news-events/seth-tillman-irelands-new-court-appeal.

Dan Tokaji, "Originalism and the Scope of the Constitution's Disqualification Clause", ELECTION LAW BLOG (Aug. 21, 2014, 7:52 AM), http://electionlawblog.org/?p= 64490.

Eugene Volokh, *Should atheists who refuse to say 'so help me God' be excluded from the Air Force?*, THE WASHINGTON POST—THE VOLOKH CONSPIRACY (Sept. 8, 2014, update) (also cross-posted on Nexis), http://tinyurl.com/nbm6d7o.

Weekly Top 5 Papers—October 17, 2014, SSRN BLOG (Oct. 17, 2014), http://ssrnblog.com/2014/10/17/weekly-top-5-papers-october-17-2014/.

2013 CITATIONS

- [1] Appellees' Corrected Answering Brief, Klaassen v. Allegro Development Corporation, Case No. 583-2013 (Del., Dec. 5, 2013) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 Bus. Law. 1109 (2008)) (filed by Potter Anderson & Corroon LLP et al.), Filing ID 54656293, 2013 WL 6709992, at *22, 2013 DE S. Ct. Briefs LEXIS 583, at *22, available at http://works.bepress.com/seth_barrett_tillman/435/, also available at http://courts.delaware.gov/supreme/oralarguments/download.aspx?id=190.
- [2] Appellant's Brief, Mains v. Citibank, NA as Trustee for Wamu Series 2007-HE2 Trust, Case No. 10A04-1309-MF-450 (Ind. Ct. App., Dec. 23, 2013) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 BUS. LAW. 1109 (2008)) (filed by Smith Carpenter Fondrisi, & Cummins, LLC), 2013 WL 7389869, at *1, *22-*23, *available at* http://works.bepress.com/seth_barrett_tillman/461/.
- [3] THE CONSTITUTION OF THE UNITED STATES OF AMERICA: ANALYSIS AND INTERPRETATION/CENTENNIAL EDITION, S. DOC. No. 112-9, at 152 n.508, 152 n.511, 990 n.20 (Kenneth R. Thomas editor in chief, GPO 2013) (prepared by the Congressional Research Service and Library of Congress), available at http://works.bepress.com/seth_barrett_tillman/275/.
- [4] J. DAVID ALVIS ET AL., THE CONTESTED REMOVAL POWER, 1789–2010, at 221 n.72, 225 n.41 (University Press of Kansas 2013), available at http://works.bepress.com/seth_barrett_tillman/351/.
- [5] Jeremy D. Bailey, *The Jeffersonian Executive: More Energetic, More Responsible, and Less Stable* 134 n.39, *in* EXTRA-LEGAL POWER AND LEGITIMACY: PERSPECTIVES ON PREROGATIVE (Clement Fatovic & Benjamin A. Kleinerman eds., 2013) (on file with author), *available at* http://works.bepress.com/seth_barrett_tillman/228/.
- [6] FRANK B. CROSS, THE FAILED PROMISE OF ORIGINALISM 50-51, 112, 214, 227 (2013).
- [7] JOHN D. FEERICK, THE TWENTY-FIFTH AMENDMENT: ITS COMPLETE HISTORY AND APPLICATIONS 411 (3d ed. 2013), available at http://works.bepress.com/seth_barrett_tillman/161/, also available at http://tinyurl.com/nx357ux.

- [8] MARK DAVID HALL, ROGER SHERMAN AND THE CREATION OF THE AMERICAN REPUBLIC 205 n.6 (2013), available at http://works.bepress.com/seth_barrett_tillman/343/.
- [9] GARY LAWSON, FEDERAL ADMINISTRATIVE LAW 158-59 (6th ed. 2013).
- [10] MODEL BUS. CORP. ACT ANN. § 6.21, at 6-110 (4th ed. rev. 2013), available at http://works.bepress.com/seth_barrett_tillman/264/.
- [11] ONDŘEJ PREUSS, THE SUBSTANTIVE REQUIREMENTS OF A DEMOCRATIC RULE OF LAW IN CASE LAW OF THE CONSTITUTIONAL COURT 16 n.23, 109 (Charles University, Prague, Czech Republic, Juris Utrisque Doctor Dissertation 2013), available at https://is.cuni.cz/webapps/zzp/download/150018653, also available at http://works.bepress.com/seth_barrett_tillman/512/.
- [12] TASNUBHA RAHAMAN, AN ASSIGNMENT ON "SEPARATION OF POWERS" (Atish Dipankar University of Science & Technology, Dep't of Law, LLM Submission, circa 2013), http://works.bepress.com/seth_barrett_tillman/434, http://bdlawnews.com/an-assignment-on-separation-of-powers/ (last visited Dec. 15, 2013).
- [13] RAY RAPHAEL, CONSTITUTIONAL MYTHS: WHAT WE GET WRONG AND HOW TO GET IT RIGHT 277 nn.34 & 36, 278 n.38, 280 n.48, 315 (2013), available at http://works.bepress.com/seth_barrett_tillman/379/.
- [14] 5 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 20.51(b)(v)(2) n.98 (5th ed. 2013), available at http://works.bepress.com/seth_barrett_tillman/303/.
- [15] JOHN SAMPLES, CATO INSTITUTE POLICY ANALYSIS NO. 724, MOVE TO DEFEND: THE CASE AGAINST THE CONSTITUTIONAL AMENDMENTS SEEKING TO OVERTURN CITIZENS UNITED 14 n.*, 18 nn.51, 63-65, 67-68 (2013), available at http://works.bepress.com/seth_barrett_tillman/341/, also available at http://www.cato.org/sites/cato.org/files/pubs/pdf/pa724_web.pdf.

- [16] DARIUSZ STOLICKI, EXECUTIVE REVIEW 108, 235 (Krakow 2013), available at http://works.bepress.com/seth_barrett_tillman/490, also available at http://www.kkiup.wsmip.uj.edu.pl/documents/3035185/089af6c5-d27f-4287-9ece-135032fda3ef.
- [17] Simon M. Weldehaimanot, *Constitution-making in Eritrea*, *in* CONSTITUTIONALISM AND DEMOCRATIC GOVERNANCE IN AFRICA: CONTEMPORARY PERSPECTIVES FROM SUB-SAHARAN AFRICA 89, 95, 370 (Morris Kiwinda Mbondenyi & Tom Ojienda eds., 2013), *available at* http://works.bepress.com/seth_barrett_tillman/453, *also available at* http://www.pulp.up.ac.za/pdf/2013_06/2013_06.pdf.
- [18] MARIAH ZEISBERG, WAR POWERS: THE POLITICS OF CONSTITUTIONAL AUTHORITY 37 n.101 (2013), available at http://works.bepress.com/seth_barrett_tillman/385/, also available at http://tinyurl.com/c2s4gmr, and http://www-personal.umich.edu/~zeisberg/ERRATA.pdf.
- [19] John Cannan, A Legislative History of the Affordable Care Act: How Legislative Procedure Shapes Legislative History, 105 LAW LIBR. J. 131, 135 n.28 (2013), available at http://works.bepress.com/seth_barrett_tillman/393/.
- [20] Zachary D. Clopton & Steven E. Art, *The Meaning of the Seventeenth Amendment and A Century of State Defiance*, 107 Nw. U. L. REV. 1181, 1203 n.84 (2013).
- [21] Stephen M. Durden, *Textualisms*, 2 BRIT. J. AM. LEGAL STUD. 59, 71 n.64, 74 n.86, 83 n.132, 84 n.134, 86 n.147 (2013) (peer reviewed), *available at* http://works.bepress.com/seth_barrett_tillman/384/.
- [22] Richard L. Hasen, Is "Dependence Corruption" Distinct from a Political Equality Argument for Campaign Finance Laws? A Reply to Professor Lessig, 12 ELECTION L.J. 305. 314 n.77 (2013)(peer reviewed). available at http://works.bepress.com/seth_barrett_tillman/369, also available at http://ssrn.com/abstract=2220851.

- [23] Sung Hui Kim, The Last Temptation of Congress: Legislator Insider Trading and the Fiduciary Norm Against Corruption, 98 CORNELL L. Rev. 845, 909 n.375 (2013).
- [24] Ronald J. Krotoszynski, Jr., Deconstructing Deem and Pass: A Constitutional Analysis of the Enactment of Bills by Implication, 90 WASH. U. L. REV. 1071, 1094 n.92 (2013).
- [25] Konstantinos Margaritis, *The Framework for Fundamental Rights Protection in Europe under the Prospect of EU Accession to ECHR*, 6 J. Pol. & L. 64, 65, 79 (2013) (peer reviewed journal) (Can.).
- [26] Peter Margulies, Defining, Punishing, and Membership in the Community of Nations: Material Support and Conspiracy Charges in Military Commissions, 36 FORDHAM INT'L L.J. 1, 25 n.122 (2013).
- [27] D. Theodore Rave, *Politicians as Fiduciaries*, 126 HARV. L. REV. 671, 671 n.*, 721 n.288 (2013), *available at* http://works.bepress.com/seth_barrett_tillman/305/.
- [28] Ryan M. Scoville, *Legislative Diplomacy*, 112 MICH. L. REV. 331, 383 n.286 (2013).
- [29] Matthew C. Stephenson, Can the President Appoint Principal Executive Officers Without a Senate Confirmation Vote?, 122 YALE L.J. 940, 971 n.98 (2013).
- [30] M. Patrick Yingling, Conventional and Unconventional Corruption: Analysis and Solutions for the United States and Kenya, 51 DUQUESNE L. REV. 263, 278 n.69, 283 n.113 (2013).
- [31] James M. Hobbs, Note, *The Future of Recess Appointments After the Decision of the D.C. Circuit in* Noel Canning v. NLRB, 162 U. PA. L. REV. ONLINE 1, 8 n.46 (2013).
- [32] Sopan Joshi, Note, *The Presidential Role in the Constitutional Amendment Process*, 107 Nw. U. L. Rev. 963, 977 n.88 & n.91, 978 n.94, 981 n.114 (2013).

- [33] Jay M. Zitter, *Construction and Application of Supreme Court's Holding in* Citizens United v. Federal Election Comm'n, 65 A.L.R. 6TH 503 (updated 2013), *available at* http://works.bepress.com/seth_barrett_tillman/406/.
- [34] BNA CORPORATE PRACTICE SERIES NO. 16-6, Regulation of Corporate Political Activity (2013).
 - UNITED STATES CODE ANNOTATED §§ Article I, Section 3, Clause 7; Article I, Section 6, Clause 2; Article I, Section 9, Clause 8; Article VI, Clause 3 (West 2013).
- [35] UNITED STATES CODE SERVICE §§ **Article I**, **Section 3**, **Clause 7**; Article I, Section 6, Clause 2; Article I, Section 9, Clause 8; Article VI, Clause 3 (LexisNexis 2013).
- [36] Norman M. Powell & John J. Paschetto, *Recent Amendments to Delaware's Entity Laws: Delaware Simplifies Two-Step Corporate Takeovers and Confirms that Default Fiduciary Duties Apply to LLC's, Among other Changes*, COMMERCIAL LAW NEWSLETTER (ABA Business Law Section, Chicago, IL), Summer 2013, at 9, 10 n.4, *available at* http://tinyurl.com/peyskkx, *also available at* http://works.bepress.com/seth_barrett_tillman/445/.
- [37] Luke Beck, Presentation, *Under the Commonwealth: The Royal Succession and the Religious Tests Clause of the Australian Constitution*, AFTER *WILLIAMS* [*V CWLTH*] COLLOQUIUM (University of Southern Queensland Oct. 4, 2013) (on file with author), *available at* http://works.bepress.com/seth_barrett_tillman/396/, *also available at* http://www.usq.edu.au/business-law/events/afterwilliams.

(continued)

- Byron F. Egan, *Misbehaving Directors, Including Directors Duties to Maintain the Confidentiality of Information*, TEXAS BAR CLE: 11TH ANNUAL ADVANCED BUSINESS LAW COURSE 392 n.1252 (Houston, Tex., Nov. 8, 2013), *available at* http://images.jw.com/com/publications/1916.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/448/.
- Byron F. Egan, *Navigating Fiduciary Duties in Private Company Mergers and Acquisitions*, 9TH ANNUAL MERGERS AND ACQUISITIONS INSTITUTE 392 n.1252 (Dallas, Tex., Oct. 17, 2013), *also available at* http://images.jw.com/com/publications/1899.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/446/.
 - Byron F. Egan, *Fiduciary Duties of Directors and Officers in M&A Transactions*, 8TH ANNUAL M&A NUGGET-PALOOZA 355 n.1178 (Dallas, Tex., Apr. 10, 2012), *available at* http://images.jw.com/com/publications/1729.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/446/.
 - Byron F. Egan, *Rule of Law or Rule of Awe*, 5TH ANNUAL MERGERS AND ACQUISITIONS INSTITUTE 283 n.952 (Dallas, Tex., Oct. 16, 2009), *available at* http://images.jw.com/com/publications/1263.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/446/.
- [38] Ryan S. Killian, Faithfully Interpreting "Faithfully" 4 n.20, 10 n.69, 12 n.82, 14 n.[†] (Mar. 1, 2013) (unpublished manuscript, on file with author), *available at* http://ssrn.com/abstract=2226297, *also available at* http://works.bepress.com/seth_barrett_tillman/380/.
- [39] Memorandum from Lawrence Lessig to Colleagues, Harvard Faculty Workshop 6 n.11 (Cambridge, Mass., June 9, 2013), available at http://works.bepress.com/seth_barrett_tillman/455, also available at http://tinyurl.com/pp2hwpe.
- [40] James W. Lucas, To Originate the Amendment of Errors: Reforming Article V to Facilitate State and Popular Engagement in Constitutional Amendment 15 n.79 (June 6, 2013), *available at* http://works.bepress.com/seth_barrett_tillman/543, *also available at* http://ssrn.com/abstract=2275124 (http://tinyurl.com/nsy4u4s).

Yong Chul Park, Aarhus University Syllabus for "Corruption & Law" (Spring 2013) (on file with Professor Park) (assigning Teachout-Tillman exchange), available at http://works.bepress.com/seth_barrett_tillman/355/, also available at http://kursuskatalog.au.dk/en/coursecatalog/Course/show/38489/, also available at http://www.summerschoolsineurope.eu/course/1766/corruption-and-law.

Thirty-third Amendment of the Constitution Bill 2013 (Ireland), WIKIPEDIA, http://en.wikipedia.org/wiki/Thirty-

third_Amendment_of_the_Constitution_Bill_2013_(Ireland), also available at http://works.bepress.com/seth_barrett_tillman/421/ (last visited September 23, 2013).

2013 Internet Citations and Acknowledgments

An Assignment on "Separation of Powers," BANGLADESH LAW NEWS (last visited Dec. 13, 2013), http://bdlawnews.com/an-assignment-on-separation-of-powers/.

Authentication and Proclamation: Proposing a Constitutional Amendment, JUSTIA US LAW (last visited Nov. 8, 2013), http://law.justia.com/constitution/us/article-5/02-proposing-a-constitutional-amendment.html.

"No Budget, No Pay" and the Twenty-Seventh Amendment, ALEXANDRIA CROSSROADS OF CIVILIZATION (Feb. 4, 2013), http://tinyurl.com/b6263c3.

Randy Barnett, *The Nuclear Option and Political Responsibility for Obamacare*, THE VOLOKH CONSPIRACY (Nov. 26, 2013, 10:57 AM), http://tinyurl.com/qaggj9k (also cross-posted on Nexis).

Randy Barnett, *Interesting Post by Seth Tillman: "Why Professor Lessig's 'dependence corruption' is not a founding-era concept,"* RANDY BARNETT (RANDYEBARNETT) ON TWITTER (Oct. 23, 2013, 5:15 PM), http://tinyurl.com/lhztfma.

Randy Barnett, *Some Comments on Secession by Seth Barrett Tillman*, THE VOLOKH CONSPIRACY (July 18, 2013, 7:45 PM), http://tinyurl.com/o7gxb2k (also cross-posted on Nexis).

Terrence Berres, *Purim & My Bangladeshi Friend*, MILWAUKEE FEDERALISTS (Dec. 31, 2013, 9:42 AM), http://tinyurl.com/p3x7o9g.

Terrence Berres, Why Professor Lessig's 'dependence corruption' is not a founding-era concept, MILWAUKEE FEDERALISTS (Oct. 23, 2013, 9:10 AM), http://tinyurl.com/pnwzr34.

Terrence Berres, 'The Constitution: Analysis & Interpretation' 2012, MILWAUKEE FEDERALISTS (Sept. 16, 2013, 4:51 PM), http://tinyurl.com/pyzshal.

Terrence Berres, *Comparative Public Law, Originalism, and Foreign Parliamentary Materials*, MILWAUKEE FEDERALISTS (Sept. 2, 2013, 3:31 PM), http://tinyurl.com/qxsmweu.

Terrence Berres, Are Supreme Court Justices 'Officers of and under the United States'?, MILWAUKEE FEDERALISTS (June 10, 2013, 10:47 AM), http://tinyurl.com/q64myw5.

Terrence Berres, *Model Legislative Veto Act*, MILWAUKEE FEDERALISTS (May 12, 2013, 9:53 AM), http://tinyurl.com/ca84bnr.

Terrence Berres, *Michael Ramsey's Answers to Seth Barrett Tillman's Six Puzzles*, MILWAUKEE FEDERALISTS (Mar. 6, 2013, 3:22 PM), http://tinyurl.com/cvynuw6.

Terrence Berres, *Answers to Six Puzzles*, MILWAUKEE FEDERALISTS (Feb. 22, 2013, 2:42 PM), http://tinyurl.com/b2994h7.

Terrence Berres, *What's the problem, office(r)?*, MILWAUKEE FEDERALISTS (Feb. 15, 2013, 11:16 AM), http://tinyurl.com/c6f8rg7.

Terrence Berres, *Amendment XIV and Federal Pension Obligations*, MILWAUKEE FEDERALISTS (Jan. 22, 2013, 11:18 AM), http://tinyurl.com/an23vv7.

Terrence Berres, *Tillman's exchanges on: Dual Office-Holding; Unitary Executive; Foreign Emoluments*, MILWAUKEE FEDERALISTS (Jan. 16, 2013, 3:00 PM), http://tinyurl.com/amydstc.

Josh Blackman, Are Supreme Court Justices "Officers of the United States"?, JOSH BLACKMAN'S BLOG (June 4, 2013), http://tinyurl.com/o9cyvvk.

Constitutional Separation of Powers, FOR QUALITY ESSAYS (last visited Dec. 12, 2013), http://tinyurl.com/o24r6h4.

Dan Ernst, *Tillman on American Originalism and Australian Law*, LEGAL HISTORY BLOG (Sept. 2, 2013, 12:18 PM), http://tinyurl.com/ohomjfv.

Dan Ernst, *More Originialist Exchanges from Seth Barrett Tillman*, LEGAL HISTORY BLOG (Jan. 16, 2013, 4:30 PM), http://tinyurl.com/avjdgga.

Michael Froomkin, *More on the Temporary Debt Limit Waiver*, DISCOURSE.NET (Jan. 24, 2013), http://tinyurl.com/by84j9n.

Stefania Gialdroni, *Journal: New issue of the Legal History eJournal*, EUROPEAN SOCIETY FOR COMPARATIVE LEGAL HISTORY (Feb. 7, 2013), http://tinyurl.com/b9qb4om.

Chris Green, *A Few Thoughts on the Tillman Puzzles*, THE ORIGINALISM BLOG (Mar. 7, 2013, 5:23 PM), http://tinyurl.com/ckfpppd.

David Hardy, *Lawyers, historians, and originalism*, OF ARMS & THE LAW (Aug. 23, 2013, 1:26 PM), http://tinyurl.com/m2e8w2o.

Rick Hasen, "Rebutting the Claim that an 'Anti-Corruption' Principle Should Re-Write the First Amendment," ELECTION LAW BLOG (Oct. 27, 2013, 2:32 PM), http://electionlawblog.org/?p=56298.

Rick Hasen, "Why Professor Lessig's 'dependence corruption' is not a founding-era concept," ELECTION LAW BLOG (Oct. 23, 2013, 7:50 AM), http://electionlawblog.org/?p=56206.

Rick Hasen, "Rick Hasen's Faulty Originalism," ELECTION LAW BLOG (Oct. 12, 2013, 4:05 PM), http://electionlawblog.org/?p=55945.

Rick Hasen, "Model Legislative Veto Act," ELECTION LAW BLOG (May 17, 2013, 7:48 AM), http://electionlawblog.org/?p=50559.

Rick Hasen, "Model Legislative Veto Act," LEGISLATION NEWS (May 17, 2013, 7:48 AM), http://tinyurl.com/cm38j5q.

David Jargiello, *The "Bloodhound" Case: Thoughts on Interested Boards, Washouts and Other Stuff*, JARGIELLO TUMBLR (June 28, 2013) http://jargiello.tumblr.com/post/54128816029.

The Line Item Veto, JUSTIA US LAW (last visited Nov. 8, 2013), http://law.justia.com/constitution/us/article-1/15-bills-and-resolutions.html.

Minority Unionists, DELENDA EST CARTHAGO (Sept. 9, 2013, 3:30 AM), http://academywatch.blogspot.ie/2013/09/minority-unionists.html.

Rob Natelson, *Rebutting the Claim that an "Anti-Corruption" Principle Should Re-Write the First Amendment*, INDEPENDENCE INSTITUTE'S OUR AMERICAN CONSTITUTION (Oct. 27, 2013), http://tinyurl.com/kk9syh5.

Michael Ramsey, *Ryan Scoville: Legislative Diplomacy*, THE ORIGINALISM BLOG (Dec. 10, 2013, 6:17 AM), http://tinyurl.com/oud55kj.

Michael Ramsey, *Symposium on "America's Unwritten Constitution*," THE ORIGINALISM BLOG (Dec. 2, 2013, 6:20 AM), http://tinyurl.com/nm7zz3p.

Michael Ramsey, *Seth Barrett Tillman on Executive Authority to Refuse to Enforce a Statute*, THE ORIGINALISM BLOG (Nov. 20, 2013, 9:15 AM), http://tinyurl.com/pzmvge6.

Michael Ramsey, Seth Barrett Tillman: Why Professor Lessig's "Dependence Corruption" is Not a Founding-Era Concept, THE ORIGINALISM BLOG (Oct. 24, 2013, 6:29 AM), http://tinyurl.com/ph9bfh6.

Michael Ramsey (with Seth Barrett Tillman), *A Note on the Origination Clause*, THE ORIGINALISM BLOG (Oct. 11, 2013, 6:54 AM), http://tinyurl.com/13z7u72.

Michael Ramsey, *Larry Lessig on the McCutcheon Oral Argument*, THE ORIGINALISM BLOG (Oct. 11, 2013, 6:00 AM), http://tinyurl.com/k4sh5jr.

Michael Ramsey, *Seth Barrett Tillman: Are Supreme Court Justices 'Officers of and under the United States'?*, THE ORIGINALISM BLOG (June 10, 2013, 10:23:00 PM), http://tinyurl.com/k8xzhmb.

Michael Ramsey, *Seth Barrett Tillman on Presidents Vetoing Constitutional Amendments*, THE ORIGINALISM BLOG (June 1, 2013, 6:55:00 AM), http://tinyurl.com/jwtsvlx.

Michael Ramsey, Seth Barrett Tillman: Model Legislative Veto Act, THE ORIGINALISM BLOG (May 18, 2013, 6:59:00 AM), http://tinyurl.com/b5g4uaj.

Michael Ramsey, *Michael Stern on Seth Barrett Tillman's Six Puzzles*, THE ORIGINALISM BLOG (Mar. 11, 2013, 6:17 AM), http://tinyurl.com/dy5xhr8.

Michael Ramsey, My Answers to Seth Barrett Tillman's Six Puzzles, THE ORIGINALISM BLOG (Mar. 6, 2013, 6:48 AM), http://tinyurl.com/clcmnnm.

Michael Ramsey, *Seth Barrett Tillman's Answers on "Officers" and "Offices"*, the Originalism Blog (Feb. 25, 2013, 7:00 AM), http://tinyurl.com/adl38hj.

Michael Ramsey, Seth Barrett Tillman: Six Puzzles for Professor Akhil Amar, THE ORIGINALISM BLOG (Feb. 19, 2013, 7:00 AM), http://tinyurl.com/ah2oeny.

Michael Ramsey, *Andrew Hyman on Presentment and Proposed Amendments*, THE ORIGINALISM BLOG (Jan. 26, 2013, 7:00 AM), http://tinyurl.com/bg3xuxf.

Michael Ramsey, *Seth Barrett Tillman: Amendment XIV and Federal Pension Obligations*, THE ORIGINALISM BLOG (Jan. 22, 2013, 7:00 AM), http://tinyurl.com/an2nv3f.

Michael Ramsey, *Akhil Amar on Scalia & Garner (and Ed Whelan and Bryan Garner on Amar)*, THE ORIGINALISM BLOG (Jan 9, 2013, 07:00 AM), http://tinyurl.com/a89oubn.

Mike Rappaport, *Tillman on Historians and Originalists*, THE ORIGINALISM BLOG (Sept. 5, 2013, 8:16 AM), http://tinyurl.com/oa425oj.

Mike Rappaport, *Tillman on Historians and Originalists*, LIBRARY OF LAW & LIBERTY (Aug. 23, 2013), http://tinyurl.com/mf6j5gl.

Michael Rappaport, *Does the Constitution Require Constitutional Amendments to be Presented to the President?*, THE ORIGINALISM BLOG (Jan. 21, 2013, 7:25 AM), http://tinyurl.com/b8dyd3q.

Glenn Reynolds, *Seth Barrett Tillman on the Nuclear Option*, Instapundit (Nov. 27, 2013, 7:24 AM), http://pjmedia.com/instapundit/180026/.

Glenn Reynolds, *Seth Barrett Tillman: Why Professor Lessig's "dependence corruption" is not a founding-era concept*, INSTAPUNDIT (Oct. 23, 2013, 8:04 AM), http://pjmedia.com/instapundit/177970/.

Glenn Reynolds, *A Comment from Judge Robert Steigmann*, INSTAPUNDIT (July 14, 2013, 11:56 PM), http://pjmedia.com/instapundit/172442/ (see update).

Glenn Reynolds, *Offices and Officers: Six Puzzles For Professor Akhil Amar*, INSTAPUNDIT (Feb. 18, 2013, 8:38 AM), http://pjmedia.com/instapundit/163624/.

Jonathan Rowe, *More From Tillman on Stone*, AMERICAN CREATION (Aug. 30, 2013, 4:39 PM), http://tinyurl.com/p7qparg, (Aug. 30, 2013, 6:37 PM), http://tinyurl.com/pxqeqys.

Jonathan Rowe, *Geoff Stone's Christian Nation Sequel*, AMERICAN CREATION (Aug. 29, 2013, 7:04 PM), http://tinyurl.com/qftobq5, (Aug. 29, 2013, 9:04 PM), http://tinyurl.com/nvfsrvd.

Lawrence B. Solum, *Tillman on Lessig on Corruption*, LEGAL THEORY BLOG (Dec. 2, 2013, 3:10 PM), http://tinyurl.com/oub2b42/.

Lawrence B. Solum, *Tillman on Amar on "Office" & "Officers" in the Constitution*, LEGAL THEORY BLOG (Feb. 20, 2013, 3:43 PM), http://tinyurl.com/b3k9x4c.

Lawrence B. Solum, *Tillman on McConnell on Section 4 of the 14th Amendment*, LEGAL THEORY BLOG (Jan. 21, 2013, 11:26 PM), http://tinyurl.com/avnuezl.

Tom Smith, Why Professor Lessig's "dependence corruption" is not a founding-era concept, THE RIGHT COAST (Oct. 23, 2013, 11:31 AM), http://tinyurl.com/l2tukvv.

Michael Stern, *The Filibuster and Obamacare: My Comments on Seth Tillman's Comments*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Nov. 26, 2013, 2:05 PM), http://tinyurl.com/m6qe6dt.

Michael Stern (with Seth Barrett Tilllman), *Tillman on the Origination Clause*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Oct. 10, 2013, 8:12 PM), http://tinyurl.com/md7qzp9.

Michael Stern, *Six Answers for Six Puzzles*, Point of Order: A Discussion of Congressional Legal Issues (Mar. 7, 2013, 7:43 AM), http://tinyurl.com/c328jsv.

Michael Stern, Six Answers for Six Puzzles, Point of Order: A Discussion of Congressional Legal Issues (Mar. 7, 2013, 7:43 AM), http://tinyurl.com/c328jsv.

Michael Stern, *Tillman's Puzzles for Amar (or Who You Callin "Atextual"?*), POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Feb. 22, 2013, 10:02 AM), http://tinyurl.com/ae2dwlv.

Michael Stern, *How Might the Administration Respond to the Noel Canning Decision?*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Jan. 26, 2013, 8:47 PM), http://tinyurl.com/alh5o7n.

Karen Tani, Weekend Roundup, LEGAL HISTORY BLOG (Oct. 26, 2013, 12:30 AM), http://tinyurl.com/p3sj2sr.

Elektra Tig, Six Answers for Seth Barrett Tillman, ELEKTRATIG (Mar. 6, 2013, 7:37 PM), http://tinyurl.com/cfpsxtq.

Elektra Tig, Six Puzzles for Professor Akhil Amar, ELEKTRATIG (Feb. 18, 2013, 9:55 AM), http://tinyurl.com/b9dfva2.

Zephyr Teachout, *Parchment Barriers: Why Tillman and Natelson Are Wrong about the Anti-Corruption Principle*, CONCURRING OPINIONS (Oct. 28, 2013, 11:44 AM), http://tinyurl.com/pdsrysa (also cross-posted on Nexis).

Eugene Volokh, *The Nuclear Option and Political Responsibility for Obamacare*, EUGENE VOLOKH ON TWITTER (Nov. 26, 2013, 8:11 AM), http://tinyurl.com/osjxc5s.

Eugene Volokh, *Conan the Librarian*, THE VOLOKH CONSPIRACY (Sept. 17, 2013, 11:13 PM), http://www.volokh.com/2013/09/17/conan-librarian/ (also cross-posted on Nexis).

2012 CITATIONS

- [1] Finnegan v. Baker, Civ. A. No. SUCV2009-03772-BLS1, slip op. at 55 n.4, 2012 WL 6629636, at *24 n.4, 2012 Mass. Super. LEXIS 306, at *68 n.4 (Mass. Super. Ct., Oct. 18, 2012) (Lauriat, J.) (citing C. Stephen Bigler & Seth Barrett Tillman, Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law, 63 BUS. LAW. 1109 (2008)), aff'd No. 13-P-1995 (Mass. Ct. App., Aug. 14, 2015) (Brown, J.), available at http://works.bepress.com/seth_barrett_tillman/354/.
- [2] Plaintiffs' Motion for Partial Summary Judgment, Avent v. Paragon Gaming, LLC, No. CV2010017742 (Ariz. Super. Ct., Aug. 29, 2012) (Anderson, J.) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 BUS. LAW. 1109 (2008)), 2012 WL 8170773, § III[A], 2012 AZ Sup. Ct. Motions LEXIS 1, *available at* http://works.bepress.com/seth_barrett_tillman/398/.
- [3] Plaintiffs' Response to Defendants' Separate Statement of Facts in Support of Their Motion for Summary Judgment, Avent v. Paragon Gaming, LLC, No. CV2010017742 (Ariz. Super. Ct., Sept. 28, 2012) (Anderson, J.) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 BUS. LAW. 1109 (2008)), 2012 WL 8170810, ¶¶ 51 & 112, 2012 AZ Sup. Ct. Motions LEXIS 10, *available at* http://works.bepress.com/seth_barrett_tillman/399/.
- [4] VIVIAN S. CHU, CONG. RESEARCH SERV., RL 33009, RECESS APPOINTMENTS: A LEGAL OVERVIEW CRS-11 n.78 (Jan. 6, 2012).
- [5] RICHARD A. BOOTH, FINANCING THE CORPORATION § 3:18 n.3 -- Formalities of stock issuance (Supp. 2012), available at http://works.bepress.com/seth_barrett_tillman/339/.
- [6] BRIAN C. KALT, CONSTITUTIONAL CLIFFHANGERS: A LEGAL GUIDE FOR PRESIDENTS AND THEIR ENEMIES xi, 84 n.1, 89 n.16, 93 n.*, 114 n.12, 115 n.15, 116 n.16 (2012), available at http://works.bepress.com/seth_barrett_tillman/152/.
- [7] SANFORD LEVINSON, FRAMED: AMERICA'S FIFTY-ONE CONSTITUTIONS AND THE CRISIS OF GOVERNANCE 227, 421, 439 (2012).

- [8] LEE R. PETILLON & ROBERT JOE HULL, REPRESENTING START-UP COMPANIES § 2:39 (Supp. Oct. 2012), available at http://works.bepress.com/seth_barrett_tillman/412/.
- [9] TARA ROSS, ENLIGHTENED DEMOCRACY: THE CASE FOR THE ELECTORAL COLLEGE 245 n.55 (2d ed. 2012), *available at* http://works.bepress.com/seth_barrett_tillman/395/.
- [10] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 9.11(b) (4th ed. Supp. 2012), available at http://works.bepress.com/seth_barrett_tillman/260/.
- [11] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 10.9(a) (4th ed. Supp. 2012), available at http://works.bepress.com/seth_barrett_tillman/259/.
- [12] Antonin Scalia & Bryan A. Garner, Reading Law: The Interpretation of Legal Texts 113, 504, 563 (2012), available at http://works.bepress.com/seth_barrett_tillman/329/.
- [13] Christopher Bisping, Conquering the Legal World? The Use of English in Foreign Courts, 20 EURO. REV. OF PRIVATE L. 541, 542 n.2 (2012) (peer reviewed), available at http://works.bepress.com/seth_barrett_tillman/394/.
- [14] Roy E. Brownell II, Can the President Recess Appoint a Vice President?, 42 PRESIDENTIAL STUD. Q. 622, 622 n* & n.1, 625 n.3, 627-28, 635 (2012) (peer reviewed), available at http://works.bepress.com/seth_barrett_tillman/241/, also available at http://tinyurl.com/c9d9k8q/.
- [15] Josh Chafetz, Congress's Constitution, 160 U. PA. L. REV. 715, 744 n.155 (2012).
- [16] Report, Ensuring the Stability of Presidential Succession in the Modern Era, 81 FORDHAM L. REV. 1, 170 (2012), available at http://works.bepress.com/seth_barrett_tillman/345/.
- [17] Alex Glashausser, The Extension Clause and the Supreme Court's Jurisdictional Independence, 53 B.C. L. REV. 1225, 1256 n.178, 1259 n.192, 1261 n.197 (2012).
- [18] Jamal Greene, *The Case for Original Intent*, 80 GEO. WASH. L. REV. 1683, 1683 n.*, 1694 & nn.74 & 78 (2012).

- [19] Frederick B. Jonassen, Kiss the Book... You're President...: "So Help Me God" and Kissing the Book in the Presidential Oath of Office, 20 WM. & MARY BILL RTS. J. 853, 945, 946 n.436 (2012).
- [20] John F. Manning, *The Necessary and Proper Clause and its Legal Antecedents*, 92 B.U. L. Rev. 1349, 1354 n.23 (2012) (reviewing Gary Lawson, Geoffrey P. Miller, Robert G. Natelson & Guy I. Seidman, The Origins of the Necessary and Proper Clause (2010)).
- [21] Edward Rubin, The Affordable Care Act, the Constitutional Meaning of Statutes, and the Emerging Doctrine of Positive Constitutional Rights, 53 WM. & MARY L. REV. 1639, 1658 n.101 (2012).
- [22] Tuan Samahon, Blackmun (and Scalia) at the Bat: The Court's Separation of Powers Strike out in Freytag, 12 NEVADA L.J. 691, 698 n.58 (2012).
- [23] Zephyr Teachout, Rebuttal, *Gifts, Offices, and Corruption*, 107 Nw. U. L. REV. COLLOQUY 30, 30 n.* & n.2, 43 n.55 (2012), *available at* http://www.law.northwestern.edu/lawreview/colloquy/2012/9/.
- [24] Luke Beck, Note, Williams v Commonwealth, *School Chaplains and the Religious Tests Clause of the Constitution*, 38 Monash U. L. Rev. 271, 290 n.130 (2012) (peer reviewed), *available at* http://works.bepress.com/seth_barrett_tillman/332/.
- [25] Michael T. Martínez, First Amendment and Media Law Bibliography, MEDIA LAW NOTES (Asso. for Education in Journalism & Mass Communication, Law & Policy Division. Columbia. SC). Summer 2012. 8. available at at http://www.aejmc.net/law/lawnotes/MLN_Summer2012.pdf, also available at http://works.bepress.com/seth barrett tillman/383/.

UNITED STATES CODE ANNOTATED § Article I, Section 9, Clause 8 (West 2012).

UNITED STATES CODE SERVICE § Article I, Section 9, Clause 8 (LexisNexis 2012).

- Byron F. Egan, *Fiduciary Duties of Directors and Officers in Delaware and Texas*, CEO NETWEAVERS DIRECTORS GROUP 355 n.1178 (Dallas, Tex., Mar. 8, 2012), *available at* http://images.jw.com/com/publications/1715.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/449/.
- [26] Zachary Seth Brugman, The Bipartisan Promise of 1776: The Republican Form and Its Manner of Election 62 n.322 (Dec. 22, 2012) (unpublished manuscript) (on file with author), available at http://ssrn.com/abstract=2192705, also available at http://works.bepress.com/seth_barrett_tillman/353/.
- [27] Woody R. Clermont, Hitting the Reset Button on Freedom of Conscience: Reading the Writing on the Wall 37 n.198 (2012) (unpublished manuscript, on file with the author), available at http://ssrn.com/abstract=2408017, also available at http://works.bepress.com/seth_barrett_tillman/465.
- [28] Frank B. Cross, The Practical Meaning of Originalism 40 n.291 (Mar. 1, 2012) (unpublished manuscript) (on file with author), *available at* http://works.bepress.com/frank_cross/5/, *also available at* http://works.bepress.com/seth_barrett_tillman/331/.
- [29] Michael Kent Curtis, *Citizens United*, *Davis v. FEC*, and *Arizona Free Enterprise* in Context: *Lochner* on Steroids and Democracy on Life Support 56 n.254 (Apr. 5, 2012) (unpublished manuscript) (on file with author), *available at* http://ssrn.com/abstract_id=2029209, *also available at* http://works.bepress.com/seth_barrett_tillman/321/.
- [30] Mike McNerney, Trust or Profit: An Examination of Whether Military Officers may Serve as Members of Congress or Presidential Electors 11 n.31, 17 n.52 (2012) (unpublished manuscript) (on file with author), available at http://ssrn.com/abstract=2190184, also available at http://works.bepress.com/seth_barrett_tillman/352/.

- [31] Ephraim Unell, Not "The Most Powerful Argument" About the Meaning of Free Exercise: Congressional Power, "Facial" Review, and why Rosenkranz' Subjects Theory Does Not Support Smith 1 n.*, 42 n.161 (2012),available at available http://ssrn.com/abstract=2060613, also at http://works.bepress.com/seth_barrett_tillman/368/.
- [32] David R. Upham, An Essay on the President's Constitutional Duty to Prioritize Expenditures 5 n.19 (July 18, 2012) (unpublished manuscript) (on file with author), available at http://ssrn.com/abstract=2112507, also available at http://works.bepress.com/seth_barrett_tillman/340/.

Postgraduate: A new direction for the law, SUNDAY BUSINESS POST, May 20, 2012

William C. Snyder, Syracuse University College of Law & Institute for National Security and Counterterrorism Syllabus for National Security Law (Fall 2012) (citing Tillman's William C. Snyder, Syracuse University College of Law & Institute for National Security and Counterterrorism Syllabus for "National Security Law" 15 (Fall 2012) (citing Congress Tillman's Model **Continuity** of Statute). available at http://700.nationalsecuritylaw.info/library.php. available also at http://works.bepress.com/seth_barrett_tillman/437/.

William C. Snyder, Syracuse University College of Law & Institute for National Security and Counterterrorism Syllabus for "Prosecuting Terrorists" 15 (Fall 2012) (citing Tillman's *Model Continuity of Congress Statute*), available at http://prosecutingterrorists.com/library.php, also available at http://works.bepress.com/seth_barrett_tillman/438/.

2012 Internet Citations and Acknowledgments

Terrence Berres, *Unitary executive incompatible with the incompatibility clause?*, MILWAUKEE FEDERALISTS (Nov. 5, 2012, 4:52 PM), http://tinyurl.com/c9mx6ry.

Terrence Berres, *Gifts and contributions and corruption*, MILWAUKEE FEDERALISTS (Sept. 4, 2012, 6:00 AM), http://tinyurl.com/d7uuurg.

Terrence Berres, *Open records over there*, MILWAUKEE FEDERALISTS (Sept. 2, 2012, 6:00 AM), http://tinyurl.com/d88u9ps.

Terrence Berres, *Incompatibility clause continued*, MILWAUKEE FEDERALISTS (Sept. 1, 2012, 6:00 AM), http://tinyurl.com/cnbxbxx.

Terrence Berres, Seth Barrett Tillman: Paul Ryan Could Be a Congressman AND Vice President, MILWAUKEE FEDERALISTS (Aug. 14, 2008, 6:11 PM), http://tinyurl.com/caycwt9.

Terrence Berres, *Charting the Backwaters*, MILWAUKEE FEDERALISTS (Jan. 19, 2012, 6:00 PM), http://tinyurl.com/7e3gnxd.

Terrence Berres, Citizens United and the Scope of Professor Teachout's Anti-Corruption Principle, MILWAUKEE FEDERALISTS (Mar. 9, 2012, 6:32 AM), http://fswi.blogspot.com/2012/03/citizens-united-and-scope-of-professor.html.

Josie F. Brown, First Amendment Scholarship Update – Speech Topics, FIRST AMENDMENT LAW PROF BLOG (Sept. 7, 2012), http://tinyurl.com/99hf7ww.

Josie F. Brown, *First Amendment Scholarship Update - Speech*, FIRST AMENDMENT LAW PROF BLOG (Mar. 11, 2012), http://tinyurl.com/75fot6s.

Josie F. Brown, *First Amendment Scholarship Update*, FIRST AMENDMENT LAW PROF BLOG (July 8, 2012), http://tinyurl.com/7gm66lj.

Charles Bayless, Citizens United and the Scope of Professor Teachout's Anti-Corruption Principle by Seth Barrett Tillman, COMMONPLACE OF A MAGPIE (Mar. 16, 2012, 9:34 AM), http://tinyurl.com/6msagqu.

Nina Chen, Duly and Validly Issued, Fully Paid and Nonassessable: Importance of Statutory Formalities for Stock Issuances, FOUNDER'S TOOLBOX (June 13, 2012), http://tinyurl.com/d9ftoc8.

Michael C. Dorf (with Seth Barrett Tillman), *Coda on Dual Service in Congress and as VP: Seth Barrett Tillman Replies*, DORF ON LAW (Aug. 23, 2012, 8:11 AM), http://tinyurl.com/ch6hz6t/, LexisNexis: PracticeView Database (Aug. 25, 2012), http://tinyurl.com/d22b8od (also cross-posted on Nexis).

Michael C Dorf, *How Far Do Text and Early History Take Us? A Comment on Seth Barrett Tillman's Intriguing Argument*, DORF ON LAW (Aug. 20, 2012, 12:20 AM), http://tinyurl.com/8kb7udg; LexisNexis: PracticeView Database (Aug. 22, 2012), http://tinyurl.com/9ujj8h3 (also cross-posted on Nexis).

Michael C. Dorf (with Seth Barrett Tillman), Congressman and Vice President and President of the Senate: Can Paul Ryan hold them all at the same time? -- First in a Series of Guest Posts by Seth Barrett Tillman, DORF ON LAW (Aug. 20, 2012, 12:19 AM), http://tinyurl.com/94cgyjc; LexisNexis: PracticeView Database (Aug. 22, 2012), http://tinyurl.com/cgqh4n7 (also cross-posted on Nexis).

Dan Ernst, Weekend Roundup, LEGAL HISTORY BLOG (Sept. 8, 2012, 6:00 AM), http://tinyurl.com/d4xmabt.

Dan Ernst, *Tillman on Teachout, Amar and the Foreign Emoluments Clause*, LEGAL HISTORY BLOG (Jan. 20, 2012, 12:30 AM), http://tinyurl.com/6rk4okf.

Dan Ernst, *Weekend Round-Up*, LEGAL HISTORY BLOG (Mar. 10, 2012, 6:00 AM), http://legalhistoryblog.blogspot.com/2012/03/weekend-round-up.html.

David F. Forte, *Presentment of Resolutions*, THE HERITAGE FOUNDATION (last visited April 21, 2012), http://tinyurl.com/bs3jl44.

Rick Hasen, *More Tillman on Teachout on the "Anti-Corruption Principle,"* ELECTION LAW BLOG (Sept. 3, 2012, 7:34 PM), http://electionlawblog.org/?p=39512.

Rick Hasen, *Tillman, Dorf, Tillman on Dual Officeholding*, ELECTION LAW BLOG (August 20, 2012, 3:24 PM), http://electionlawblog.org/?p=38829.

Rick Hasen, *How About Paul Ryan for VP And for the House?*, ELECTION LAW BLOG (Aug. 12, 2012, 11:49 AM), http://electionlawblog.org/?p=38429.

Rick Hasen, *Either/Or: Professors Zephyr Rain Teachout and Akhil Reed Amar – Contradictions and Reconciliation*, ELECTION LAW BLOG (Jan. 17, 2012, 1:11 PM), http://electionlawblog.org/?p=28125.

Rick Hasen, *Opening Statement, Citizens United and the Scope of Professor Teachout's Anti-Corruption Principle*, ELECTION LAW BLOG (April 5, 2012, 5:27 PM), http://electionlawblog.org/?p=32683.

Marty Lederman, *Re: President Obama's Recent Recess Appointments...*, CONLAWPROF (Jan. 5, 2012, 06:12:52 AM & 07:13:07), http://tinyurl.com/7ahlfjv, http://tinyurl.com/6u7ccun.

Sandy Levinson, Would a serious country place John Boehner two heartbeats from the Presidency?, BALKINIZATION (December 22, 2012, 6:26 PM), http://tinyurl.com/c6h8pvx.

Links – 23 August, 2012, THE BOOK MARK CHRONICLES (Aug. 23, 2012), http://willb.org/links-23-august-2012/index.html.

Paul MacMahon, *Public Access to Irish Court Documents*, EX TEMPORE (Aug. 23, 2012, 8:40 AM), http://www.extempore.ie/2012/08/23/public-access-to-irish-court-documents/.

Rossa McMahon, We can't all access the courts. We should at least have access to court documents, A CLATTER OF THE LAW (Aug. 23, 2012), http://tinyurl.com/cvhd6ga.

John J. Miller, *The Congressman Who Was Veep*, NATIONALREVIEWONLINE'S THE CORNER (Aug. 13, 2012, 2:46 PM), http://tinyurl.com/9kgncz7.

Rob Natelson, *The Constitution's Officers*, INDEPENDENCE INSTITUTE (Apr. 21, 2012), http://constitution.i2i.org/2012/04/21/the-constitution%e2%80%99s-officers/.

Rob Natelson, *The Constitution's Officers*, TENTH AMENDMENT CENTER (Apr. 23, 2012, 11:35 AM), http://tinyurl.com/767zntx.

Eoin O'Dell, *Open justice and access to court documents*, CEARTA (Aug. 23, 2012, 12:15 PM), http://www.cearta.ie/2012/08/open-justice-and-access-to-court-documents/.

Stefan Padfield, *Tillman on Citizens United and the Scope of Professor Teachout's Anti-Corruption Principle*, THE RACE TO THE BOTTOM (Dec. 8, 2012, 10:53 AM), http://tinyurl.com/b3mjfh6.

Sandeep Prasanna, *Parsing the Constitution*, THE DIACRITICS (Mar. 9, 2012, 8:38 PM), http://thediacritics.com/2012/03/09/parsing-the-constitution/.

Michael Ramsey, *Michael Stern: May the President Accept a Title of Foreign Nobility?*, THE ORIGINALISM BLOG (Nov. 12, 2012, 7:00 AM), http://tinyurl.com/bn365m7.

Michael Ramsey, My Response to Professor Tillman on the Unitary Executive, THE ORIGINALISM BLOG (Nov. 7, 2012, 7:00 AM), http://tinyurl.com/cew39lz.

Michael Ramsey, *Michael Stern and Seth Barrett Tillman on the Vice President's Impeachment Trial*, THE ORIGINALISM BLOG (Nov. 4, 2012, 7:00 AM) (editing http://www.mail-archive.com/conlawprof@lists.ucla.edu/msg23644.html), http://tinyurl.com/cv8gxgq.

Michael Ramsey, Seth Barrett Tillman: The Original Public Meaning of the Foreign Emoluments Clause, THE ORIGINALISM BLOG (Sept. 6, 2012, 7:00 AM), http://tinyurl.com/c5xxg7h.

Michael Ramsey, *More on the Incompatibility Clause*, THE ORIGINALISM BLOG (Aug. 24, 2012, 7:00 AM), http://tinyurl.com/cpkxtb8/.

Michael Ramsey, *Professors Dorf and Tillman discuss Paul Ryan and Incompatibility*, THE ORIGINALISM BLOG (Aug. 21, 2012, 07:00 AM), http://tinyurl.com/cow2ujz.

Michael Ramsey, Seth Tillman: Paul Ryan Could Be a Congressman AND Vice President, THE ORIGINALISM BLOG (Aug. 12, 2012, 8:30:00 AM), http://tinyurl.com/8wcegnx.

Michael Ramsey, Seth Barrett Tillman: Citizens United and the Scope of Professor Teachout's Anti-Corruption Principle, THE ORIGINALISM BLOG (Mar. 11, 2012, 7:00:00 AM), http://tinyurl.com/88j9luj.

Michael Ramsey, Seth Barrett Tillman on Amar, Teachout and the Foreign Emoluments Clause, THE ORIGINALISM BLOG (Jan. 23, 2012, 7:00:00 AM), http://tinyurl.com/7rjkgha.

Michael Ramsey, *Teachout Responds to Tillman on Citizens United and the Anti-Corruption Principle*, THE ORIGINALISM BLOG (June 15, 2012, 7:00:00 AM), http://tinyurl.com/cb7gkdv.

Michael Rappaport, *More on Private Property and the Government*, LIBRARY OF LAW & LIBERTY (Dec. 19, 2012), http://tinyurl.com/c62j3dc.

Michael Rappaport, Can the Federal Government Take State Property?, THE ORIGINALISM BLOG (Dec. 18, 2012, 7:50 AM), http://tinyurl.com/c6jjxud.

Mike Rappaport, *More on Why Lincoln Signed the 13th Amendment*, LIBRARY OF LAW & LIBERTY (Dec. 20, 2012, 7:45 AM), http://tinyurl.com/bwypaaa.

Mike Rappaport, *More on Why Lincoln Signed the 13th Amendment*, THE ORIGINALISM BLOG (Dec. 20, 2012, 7:45 AM), http://tinyurl.com/cqnvtgq.

Recess Appointments, LAW LIBRARY BLOG (last visited Mar. 23, 2012), http://liblog.law.stanford.edu/recess-appointments/.

Glenn Reynolds, *This Doesn't Reflect Well on Ireland: Why Irish Soldiers Who Fought Hitler Hide Their Medals: Another Update*, INSTAPUNDIT (Jan. 2, 2012, 6:16 PM), http://pjmedia.com/instapundit/134529/.

Glenn Reynolds, *Seth Barrett Tillman:* Citizens United *and the Scope of Professor Teachout's Anti-Corruption Principle*, INSTAPUNDIT (Mar. 16, 2012, 12:08 PM), http://pjmedia.com/instapundit/139063/.

Tom Smith, *How about a double helping of Paul Ryan?*, THE RIGHT COAST (Aug. 15, 2012, 8:00 AM), http://tinyurl.com/cuufypo.

Lawrence B. Solum, *Tillman on the Foreign Emoluments Clause*, LEGAL THEORY BLOG (Sept. 4, 2012, 11:26 AM), http://tinyurl.com/cvnte93.

Lawrence B. Solum, *Tillman on the Incompatibility Clause*, LEGAL THEORY BLOG (August 22, 2012, 7:40 AM), http://tinyurl.com/c6gosro.

Lawrence B. Solum, *Tillman on Teachout on the Anti-Corruption Principle*, LEGAL THEORY BLOG (Mar. 7, 2012, 12:46 AM), http://tinyurl.com/845smkb.

Lawrence B. Solum, *Tillman on Teachout & Amar on the Foreign Emoluments Clause*, LEGAL THEORY BLOG (Jan. 25, 2012, 7:10 AM), http://tinyurl.com/7xykcft.

Michael Stern, *May the President Accept a Foreign Title of Nobility?*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Nov. 8, 2012, 12:56 PM), http://tinyurl.com/c4e9qrh.

Michael Stern, Constitutional Settlement through a Senate Rule, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Aug. 28, 2012, 9:09 AM), http://pointoforder.com/ (click calendar entry for "August 28, 2012"), http://tinyurl.com/bl9gpbc.

Michael Stern, Can the Chairman of the House Budget Committee Preside Over the Senate?, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Aug. 14, 2012, 12:01 PM), http://pointoforder.com/ (click calendar entry for "August 14, 2012"), http://tinyurl.com/br6uhrj.

Michael Stern, *A Recess By Any Other Name*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Mar. 21, 2012, 8:47 PM), http://www.pointoforder.com/2012/03/21/a-recess-by-any-other-name/.

Karen Tani, Weekend Round-Up, LEGAL HISTORY BLOG (June 16, 2012, 4:00 AM), http://legalhistoryblog.blogspot.ie/2012/06/weekend-round-up.html (citing Tillman & Teachout).

2011 CITATIONS

THE CONSTITUTION OF THE UNITED STATES OF AMERICA: ANALYSIS AND INTERPRETATION/2010 SUPPLEMENT, S. DOC. No. 111-39, at 4 nn.2 & 5, 55 (Kenneth R. Thomas et al. eds., 2011) (prepared by the Congressional Research Service and Library of Congress), *available at* http://works.bepress.com/seth_barrett_tillman/274/.

VIVIAN S. CHU, CONG. RESEARCH SERV., RL 33009, RECESS APPOINTMENTS: A LEGAL OVERVIEW CRS-10 n.72 (May 12, 2011).

2011 Montana House Bill 448, Exhibit 1, at 9 n.42 (Mar. 3, 2011), available at http://leg.mt.gov/bills/2011/Minutes/Senate/Exhibits/jus60a01.pdf, also available at http://works.bepress.com/seth_barrett_tillman/457.

2011 North Dakota House Energy and Natural Resources Bill, HB 1287, Attachment 1, at 19 n.42 (Feb. 3, 2011), available at http://www.legis.nd.gov/files/resource/62-2011/library/hb1287.pdf, also available at http://works.bepress.com/seth_barrett_tillman/456.

- [1] Plaintiffs' Reply Brief in Support of Their Motion for Partial Summary Judgment, Kevin Shahbazi v. TD Security, LLC, No. 5628-VCL (Del. Ch. Jan. 26, 2011) (filed by Prickett, Jones & Elliott, P.A.), Dkt. No. 126, 2011 WL 283258, *35, 2011 DE Ch. Ct. Motions LEXIS 2, at *64, available at http://works.bepress.com/seth_barrett_tillman/215/.
- [2] Defendant McAfee's Opposition Brief to Plaintiffs' Motion for Partial Summary Judgment at 26, 28, Kevin Shahbazi v. TD Security, LLC, No. 5628-VCL (Del. Ch. Jan. 7, 2011) (filed by Morris, Nichols, Arsht & Tunnell LLP) (formerly under seal), Dkt. No. 90, 2011 WL 590871, 2011 DE Ch. Ct. Motions LEXIS 3, at *44, *48, available at http://works.bepress.com/seth barrett tillman/216/.
- [3] 1 R. Franklin Balotti & Jesse A. Finkelstein, Delaware Law of Corporations and Business Organizations § 10.2 "All or Substantially All" the Asserts Under Section 271, at n.15 (2011).

- [4] ITTAI BAR-SIMAN-TOV, SEPARATING LAW-MAKING FROM SAUSAGE-MAKING: THE CASE FOR JUDICIAL REVIEW OF THE LEGISLATIVE PROCESS 76 n.265, 354 (Columbia, JSD Dissertation 2011), available at http://works.bepress.com/seth_barrett_tillman/403/, also available at http://academiccommons.columbia.edu/item/ac:161896.
- [5] Robert W. Bennett, *Originalism and The Living American Constitution*, in Robert W. Bennett & Lawrence B. Solum, Constitutional Originalism: A Debate 185 n.35 (2011).
 - JAMES D. COX & THOMAS LEE HAZEN, BUSINESS ORGANIZATIONS LAW § 16.10, at 506 n.3 (3d ed. 2011), *available at* http://tinyurl.com/ntxgaoj.
- [6] NICK DRANIAS, GOLDWATER INSTITUTE POLICY REPORT, FEDERALISM DO-IT-YOURSELF 72 n.456 (2011), available at http://works.bepress.com/seth_barrett_tillman/268/, also available at http://tinyurl.com/msrjalt.
 - NICK DRANIAS, GOLDWATER INSTITUTE POLICY REPORT, WHAT IS AN INTERSTATE COMPACT 9 n.42 (2011), available at http://works.bepress.com/seth_barrett_tillman/224/.
- [7] 28 EGON GUTTMAN, MODERN SECURITIES TRANSFERS § 11:2 Issue of the security-Lack of genuineness as defense of issuer against purchaser of a certificated security, at 11-8 n.7 (4th ed. Supp. 2011), available at http://works.bepress.com/seth_barrett_tillman/262/.
- [8] PAUL HORWITZ, THE AGNOSTIC AGE: LAW, RELIGION, AND THE CONSTITUTION 237 n.78 (2011), available at http://works.bepress.com/seth_barrett_tillman/377.
- [9] 8 LARY LAWRENCE, LAWRENCE'S ANDERSON ON THE UNIFORM COMMERCIAL CODE § 8-101:4 [Rev] (3d ed. Supp. June 2011).
- [10] ROBERT G. NATELSON, THE ORIGINAL CONSTITUTION: WHAT IT ACTUALLY SAID AND MEANT 233-34 (2d ed. 2011).
- [11] PIER LUIGI PETRILLO, DEMOCRAZIE SOTTO PRESSIONE 199 n.480, 433 (2011), available at http://works.bepress.com/seth_barrett_tillman/282/, also available at http://tinyurl.com/3ow6f6v/.
- [12] MARK S. RHODES, TRANSFER OF STOCK § 21:2 n.1 (7th ed. Supp. 2011).

- [13] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE §§ 9.11(a) n., 9.21 n.1 (4th ed. Supp. 2011).
- [14] 6 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 23.35(a) n.1 (4th ed. Supp. 2011).
- [15] JAY WEXLER, THE ODD CLAUSES: UNDERSTANDING THE CONSTITUTION THROUGH TEN OF ITS MOST CURIOUS PROVISIONS 8-9, 52-53, 198, 201 (2011), available at http://works.bepress.com/seth_barrett_tillman/132/.
- [16] Richard Albert, *The Constitutional Politics of Presidential Succession*, 39 HOFSTRA L. REV. 497, 497 n.*, 508 n.71 (2011).
- [17] Luke Beck, *The Constitutional Prohibition on Religious Tests*, 35 MELBOURNE U. L. REV. 323, 349 n.192 (2011) (peer reviewed).
- [18] Ryan C. Black et al., Assessing Congressional Responses to Growing Presidential Powers: The Case of Recess Appointments, 41 PRESIDENTIAL STUD. Q. 570, 575 n.11, 589 (2011) (peer reviewed).
- [19] Michael C. Dorf & Lisa T. McElroy, Coming Off The Bench: Legal and Policy Implications of Proposals to Allow Retired Justices to sit by Designation on the Supreme Court, 61 DUKE L.J. 118 n.151 (2011).
- [20] Nat Ofo, *Amending the Constitution of the Federal Republic of Nigeria 1999*, 4 AFR. J. LEGAL STUD. 123, 136 n.39 (2011) (peer reviewed).
- [21] James E. Pfander & Daniel D. Birk, *Article III and the Scottish Enlightenment*, 124 HARV. L. REV. 1613, 1632 n.88 (2011).
- [22] Tuan Samahon, The Czar's Place in Presidential Administration, and What the Excepting Clause Teaches Us About Delegation, 2011 U. CHI. LEGAL F. 169, 195 n.127.
- [23] Louis J. Sirico, Jr., *The Supreme Court and the Constitutional Convention*, 27 J.L. & POL. 63, 63 n.7 (2011).

- [24] Steven D. Smith, Constitutional Divide: The Transformative Significance of the School Prayer Decisions, 38 PEPP. L. REV. 945, 984 n.246 (2011).
- [25] Hanah Metchis Volokh, *A Read-the-Bill Rule for Congress*, 76 Mo. L. REV. 135, 135 n.*, 180 n.231, 181 n.238 (2011).
- [26] John Mark Zeberkiewicz & Tiffany N. Piland, *Valid Issuance of Capital Stock*, 44 REV. SECS. & COMMODITIES REG. 191, 195 n.30 (2011) (practitioner-edited journal).
- [27] Konstantinos G. Margaritis, European Union accession to the European Convention on Human Rights: an institutional "marriage" 25 n.121 (University of Denver Human Rights & Human Welfare Working Paper No. 65, 2011) (peer reviewed), available at http://www.du.edu/korbel/hrhw/workingpapers/2011/65-margaritis-2011.pdf.
- [28] Roland E. Brandel *et al.*, *Developing and Delivering Substantive Law Content*, 2011 BUSINESS BAR LEADERS CONFERENCE (ABA Business Law Section, Chicago, IL), May 10-11, 2011, at 49-51, *available at* http://works.bepress.com/seth_barrett_tillman/276/, *also available at* http://tinyurl.com/3nuslo8.
- [29] James F. Fotenos, *Notes From the Listserve*, LEGAL OPINION NEWSLETTER (ABA Section of Business Law, Chicago, IL), Spring 2011, at 10-12, *available at* http://works.bepress.com/seth_barrett_tillman/239/.
 - Roy E. Brownell II, Constitutional Chameleon: The Vice President's Place in Both the Political Branches 3 n.*, 17 n.60, 72 n.455, 82 n.531 (2011) (unpublished manuscript) (on file with author), *available at* http://works.bepress.com/seth_barrett_tillman/235/.
 - Woody R. Clermont & Kionne L. McGhee, Hitting the Reset Button on the Religion Clauses: A Call for a Return to Textual Exegesis 32 n.184 (2011) (unpublished manuscript, on file with the authors), *available at* http://works.bepress.com/woody_clermont/16/, *also available at* http://works.bepress.com/seth_barrett_tillman/290/.

2011 Internet Citations and Acknowledgments

Scott Brown Violated the Constitution !!!! (maybe), BEACON BROADSIDE (Sept. 16, 2011, 9:53 AM), http://tinyurl.com/65ocey9.

Mark L. Movsesian, *Tillman on the Religious Test Clause*, CENTER FOR LAW & RELIGION FORUM (Nov. 29, 2011), http://tinyurl.com/bq3ycut.

Lawrence B. Solum, *Tillman on Chafetz on Impeachment & Assassination*, LEGAL THEORY BLOG (Nov. 7, 2011, 5:15 AM), http://tinyurl.com/7detj59.

Michael Stern, *Could Judge Porteous Become President?*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Feb. 2, 2011, 8:30 AM), http://pointoforder.com/ (click calendar entry for "February 2, 2011").

Michael Stern, *I'm Not Dead* *I'm Just in Congress*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Jan. 6, 2011, 4:59 AM), http://pointoforder.com/(click calendar entry for "January 6, 2011").

Michael Stern, *Are Lindsey Graham and Scott Brown Incompatible?*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Sept. 10, 2011, 19:43 PM), http://pointoforder.com/ (click calendar entry for "September 20, 2011"), http://tinyurl.com/3r7qbt4/.

Eugene Volokh, *Recent Case Discussing Rights Under Magna Carta*, THE VOLOKH CONSPIRACY (Sept. 13, 2011, 1:13 AM), http://volokh.com/2011/09/13/recent-case-discussing-rights-under-magna-carta/.

Jay Wexler, *Hello, and Has Scott Brown Violated the Constitution?*, PRAWFSBLAWG (Oct. 3, 2011, 2:49 PM), http://tinyurl.com/6c6e5df.

Jay Wexler, *Scott Brown Violated the Constitution* !!!! (maybe), ODD CLAUSES WATCH (Sept. 6, 2011, 12:22 PM), http://oddclauses.wordpress.com/2011/09/06/scott-brown-violated-the-constitution-maybe/.

2010 ACADEMIC AND PROFESSIONAL CITATIONS

- [1] Defendants' Joint Answering Post-Trial Brief at 12 n.6, Blades v. Wisehart, No. 5317-VCS (Del. Ch. July 1, 2010) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 BUS. LAW. 1109 (2008)) (filed by Pinckney, Harris & Weidinger, LLC), Dkt. No. 226, 2010 WL 2678652, 2010 DE Ch. Ct. Briefs LEXIS 10, at *21 n.6, *available at* http://works.bepress.com/seth_barrett_tillman/169/.
- [2] 11 JOY MARLENE BRYAN & SIMON M LORNE, ACQUISITIONS AND MERGERS: NEGOTIATED AND CONTESTED TRANSACTIONS § 3:64.76, at 3-364.2 to 3-364.2.42 (2010) (available on Westlaw).
- [3] William J. Carney et al., *Delaware Corporate Law: Failing Law, Failing Markets, in* THE LAW AND ECONOMICS OF CORPORATE GOVERNANCE: CHANGING PERSPECTIVES 23, 39 n.67 (Alessio M. Pacces ed., Cheltenham, Edward Elgar Publishing Ltd. 2010).
- [4] 3 JAMES D. COX & THOMAS LEE HAZEN, TREATISE ON THE LAW OF CORPORATIONS §§ 16.13, at 312 n.6, 16.17, at 321 n.4 (West 3d ed. 2010).
 - NICK DRANIAS, GOLDWATER INSTITUTE POLICY REPORT, THE FEDERALIST TOOLKIT 105 n.451 (2010), *available at* http://works.bepress.com/seth_barrett_tillman/214/.
 - NICK DRANIAS, GOLDWATER INSTITUTE POLICY REPORT, THE POWER AND PROMISE OF INTERSTATE COMPACTS 5 n.42 (2010), available at http://works.bepress.com/seth_barrett_tillman/277/.
- [5] MACIEJ GUTOWSKI, WZRUSZALNOSC CZYNNOSCI PRAWNEJ, at XIII (Warsaw, Wydawnictwo C.H. Beck 2010), available at http://works.bepress.com/seth_barrett_tillman/330/.
- [6] GARY LAWSON, TEACHER'S MANUAL TO FEDERAL ADMINISTRATIVE LAW 38 (5th ed. 2010).
- [7] Geoffrey P. Miller, *The Corporate Law Background of the Necessary and Proper Clause*, *in* THE ORIGINS OF THE NECESSARY AND PROPER CLAUSE 144, 146 n.4 (Gary Lawson et al. eds., 2010).
- [8] ROBERT G. NATELSON, THE ORIGINAL CONSTITUTION: WHAT IT ACTUALLY SAID AND MEANT 228 (2010).

- [9] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 9.10(e) n.20 (4th ed. Supp. 2010).
 - 1 JOHN R. VILE, ENCYCLOPEDIA OF CONSTITUTIONAL AMENDMENTS, PROPOSED AMENDMENTS, AND AMENDING ISSUES, 1789-2010, at 243 (3d ed. 2010).
- [10] 2 JOHN R. VILE, ENCYCLOPEDIA OF CONSTITUTIONAL AMENDMENTS, PROPOSED AMENDMENTS, AND AMENDING ISSUES, 1789-2010, at 620 (3d ed. 2010).
- [11] Jeremy D. Bailey, *The Traditional View of Hamilton's* Federalist *No. 77 and an Unexpected Challenge: A Response to Seth Barrett Tillman*, 33 HARV. J.L. & PUB. POL'Y 169, 169 n.* & passim (2010).
- [12] Mary Sarah Bilder, *James Madison, Law Student and Demi-Lawyer*, 28 LAW & HIST. REV. 389, 439 n.263 (2010) (peer reviewed) (citing *Fragment* while still a working paper).
- [13] Aaron-Andrew P. Bruhl, *Burying the "Continuing Body" Theory of the Senate*, 95 IOWA L. REV. 1401, 1401 n.*, 1431 n.110, 1439 n.134, 1440 n.138, 1447 n.160 (2010).
- [14] Josh Chafetz, Impeachment and Assassination, 95 MINN. L. REV. 347, 347 n.†, 411 n.493 (2010).
- [15] Marc O. DeGirolami, *The Vanity of Dogmatizing*, 27 CONST. COMMENT. 201, 222 n.56 (2010) (peer reviewed).
- [16] John P. Figura, Against the Creation Myth of Textualism: Theories of Constitutional Interpretation in the Nineteenth Century, 80 MISS. L.J. 587, 596 n.40 (2010).
- [17] Steven K. Green, *Understanding the "Christian Nation" Myth*, 2010 CARDOZO L. REV. DE NOVO 245, 256 n.39, 258 n.49, 267 & n.82.
- [18] Hon. D. Arthur Kelsey, *The Resurgent Role of Legal History in Modern U.S. Supreme Court Opinions*, VA. BAR ASSO. NEWS J., Fall 2010, at 16 n.11 (2010) (practitioners' journal), *available at* http://lextrajectus.com/html/unit_1.html.
- [19] James J. Knicely & John W. Whitehead, *In God We Trust: The Judicial Establishment of American Civil Religion*, 43 JOHN MARSHALL L. REV. 869, 883 n.76 (2010).

- [20] Geoffrey P. Miller, *The Corporate Law Background of the Necessary and Proper Clause*, 79 GEO. WASH. L. REV. 1, 1 n.*, 2 n.4 (2010).
- [21] Bruce G. Peabody, Response to Geoffrey R. Stone, Seth Barrett Tillman, and Alan Brownstein, *Analogize This: Partial Constitutional Text, Religion, and Maintaining Our Political Order*, 2010 CARDOZO L. REV. DE NOVO 204, 204 n.* & passim, available at http://tinyurl.com/lom8f2x, also available at http://ssrn.com/abstract=1537141, also available at http://works.bepress.com/seth_barrett_tillman/138/.
- [22] Edward Rubin, Assisted Suicide, Morality, and Law: Why Prohibiting Assisted Suicide Violates the Establishment Clause, 63 VAND. L. REV. 763, 807 n.177 (2010).
- [23] Michael Coenen, Note, The Significance of Signatures: Why the Framers Signed the Constitution and What They Meant by Doing So, 119 YALE L.J. 966, 991 n.69, 992 n.71 (2010).
- [24] Jesse Schaefer, Comment, Beyond a Definition: Understanding the Nature of Void and Voidable Contracts, 33 CAMPBELL L. REV. 193, 193 n.1 (2010).
- [25] Verbal Tenses, Passive Voice and Reported Speech: Grammar, Uses, Exercises 37 n.7, 38 (Nov. 19, 2010), available at http://www.youblisher.com/files/publications/12/70612/pdf.pdf.
- [26] BNA CORPORATE PRACTICE SERIES No. 82-1, Third-Party Legal Opinions (2010).
 - UNITED STATES CODE ANNOTATED §§ Article II, Section 1, Clause 7; Article II, Section 2, Clause 2; Amendment I; Amendment XI; 1 U.S.C.A. § 106; 2 U.S.C.A. § 8; 3 U.S.C.A. § 19 (West 2010).
 - UNITED STATES CODE SERVICE §§ Article II, Section 2, Clause 2; Amendment I; Amendment XI; 1 U.S.C.S. § 106; 2 U.S.C.S. § 8; 3 U.S.C.S. § 19 (LexisNexis 2010).
- [27] John Cannan, *Points of Order: Congressional Rules Governing the Legislative Process*, LAW LIBRARY LIGHTS (Law Librarian's Society, Washington, D.C.), Winter 2010, at 11 n.2, *available at* http://tinyurl.com/ykwz7qd.

Byron F. Egan, *Duties of Owners and Governing Persons Among Different Types of Entities*, ADVANCED BUSINESS LAW STRATEGIES COURSE 310 n.1032 (San Antonio, Tex., Oct. 22, 2010), *available at* http://images.jw.com/com/publications/1497.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/452.

[28] Michael L. Rosin, Aliens Would Have Cost Bush the Election: The Fragility of Narrow Electoral College Victories 3 n.9 (2010) (unpublished manuscript), *available at* http://works.bepress.com/michael_rosin/2/, *also available at* http://works.bepress.com/seth_barrett_tillman/159/.

Marni von Wilpert, Preventing Corruption in the Legislature Through the Structure of the Constitution *passim* (2010) (unpublished manuscript) (on file with student author), *available at* http://works.bepress.com/seth_barrett_tillman/211/.

LeElle B. Krompass, *Preface*, 33 HARV. J.L. & PUB. POL'Y i, i (2010) (acknowledgment only), *available at* http://works.bepress.com/seth_barrett_tillman/489/.

2010 Internet Citations and fowledgments

Attack of the Undead Bills, MDLAWLIB'S BLOG (Nov. 2, 2010), http://mdlawlib.wordpress.com/2010/11/02/attack-of-the-undead-bills/.

Brent Barton (Oregon House of Representatives), *For the Nerdy*, FACEBOOK (June, 21 2010, 1:46 PM), http://tinyurl.com/ntgkvne.

Terrence Berres, *A Fragment on Shall and May*, MILWAUKEE FEDERALISTS (June 18, 2010, 2:00 PM), http://fswi.blogspot.com/2010/06/fragment-on-shall-and-may.html.

Terrence Berres, *Originalism, the Annals of Congress, and the Problem of Constitutional Memory*, MILWAUKEE FEDERALISTS (Jan. 14, 2010, 6:00 AM), http://tinyurl.com/ygl6xes.

Terrence Berres, *The Originalist Who Came In From The Cold*, MILWAUKEE FEDERALISTS (Oct. 26, 2010, 6:00 AM), http://tinyurl.com/38suow8.

Terrence Berres, *Peabody on Stone, Brownstein, and Tillman*, MILWAUKEE FEDERALISTS (Jan. 19, 2010, 6:00 AM), http://tinyurl.com/yzna7u5.

Terrence Berres, *Tillman and Bailey on Federalist No.* 77, MILWAUKEE FEDERALISTS (Jan. 7, 2010, 6:00 AM), http://tinyurl.com/yesw9qc.

Josie F. Brown, *First Amendment Scholarship Update*, FIRST AMENDMENT LAW PROF BLOG (Jan. 17, 2010), http://tinyurl.com/ylfau5c.

Josie F. Brown, *First Amendment Scholarship Update*, FIRST AMENDMENT LAW PROF BLOG (Dec. 28, 2010), http://tinyurl.com/38eaql5.

Patrick J. Charles, *The Public Meaning of "Shall" and "May" in the Constitution*, THE CHARLES LAW & HISTORY BLOG (Dec. 1, 2010), http://tinyurl.com/2c664ky.

Patrick J. Charles, *Tillman on Impeachments and Original Public Meaning*, THE CHARLES LAW & HISTORY BLOG (Dec. 29, 2010), http://tinyurl.com/2cbryn3.

Dan Ernst, *Mother (Constitution), May, Shall, or Will I?*, LEGAL HISTORY BLOG (June 15, 2010, 12:54 AM), http://tinyurl.com/274wu36.

Dan Ernst, *Tillman on Originalism and the Annals of Congress*, LEGAL, HISTORY BLOG (Jan. 6, 2010, 1:21 AM), http://tinyurl.com/ykv2cj5.

A Fragment on Shall and May, LEGAL WRITING PROF BLOG (July 19, 2010), http://tinyurl.com/2v666yu.

Howard M. Friedman, *Recent Articles of Interest*, RELIGION CLAUSE (Dec. 27, 2010, 7:00 AM), http://religionclause.blogspot.com/2010/12/recent-articles-of-interest_27.html (also cross-posted on Nexis).

Rick Hasen, *Course Syallabus: Issues in Commonwealth and American Legislative Practice*, ELECTION LAW BLOG (Nov. 10, 2010 2:47 PM), http://electionlawblog.org/archives/017918.html.

Rick Hasen, *Tillman and Tillman on "Shall and May"*, ELECTION LAW BLOG (June 18, 2010, 1:49 PM), http://tinyurl.com/3a6kj6k.

Random Round-Up 08-20, SHOUT FIRST, ASK QUESTIONS LATER (Aug. 20, 2010, 3:10 PM), http://tinyurl.com/3998gyo.

Michael Rappaport, *A Fragment on Shall and May*, THE ORIGINALISM BLOG (Nov. 29, 2010, 12:25:00 AM), http://tinyurl.com/2619zvc.

Michael Rappaport, *The Originalist Who Came in from the Cold*, THE ORIGINALISM BLOG (Nov. 28, 2010, 12:26 AM), http://tinyurl.com/2alghkd.

Glenn Reynolds, *Seth Barrett Tillman on Impeachment And Assassination*, INSTAPUNDIT (Oct. 17, 2010, 4:33 PM), http://pajamasmedia.com/instapundit/108096/.

Ruthann Robson, *Alito and Ethics: Revised*, CONSTITUTIONAL LAW PROF BLOG (Nov. 11, 2010), http://lawprofessors.typepad.com/conlaw/2010/11/alito-and-ethics.html.

Jonathan Rowe, *New Paper From Seth Tillman on Originalism*, AMERICAN CREATION (Dec. 29, 2010 4:57 PM), http://tinyurl.com/26w6u9q, (Dec. 29, 2010 6:54 PM), http://tinyurl.com/27bff4p.

Jonathan Rowe, *Peabody on the Stone, Tillman et al.*, *Christian Nation Debate*, AMERICAN CREATION (Jan. 23, 2010, 6:43 PM), http://tinyurl.com/yctt2ky, (Jan 23, 2010, 8:39 PM), http://tinyurl.com/ybmpxdm, (Jan. 23, 2010, 8:46 PM), http://tinyurl.com/yeg3a5d.

Signing Statements: George W. Bush, PRESIDENTIAL SIGNING STATEMENTS 2001-PRESENT, http://www.coherentbabble.com/signingstatements/links.htm (last visited Aug. 25, 2010).

Lawrence B. Solum, *Peabody on Religion & Constitutional Interpretation*, LEGAL THEORY BLOG (Jan. 19, 2010, 3:34 PM), http://tinyurl.com/yj4ywen.

Lawrence B. Solum, *Tillman on Chafetz on Impeachment & Assassination*, LEGAL THEORY BLOG (Oct. 4, 2010, 11:09 PM), http://tinyurl.com/2agwmxn.

Lawrence B. Solum, *Tillman on "Offices" & "Officers" and the Annals of Congress*, LEGAL THEORY BLOG (Jan. 4, 2010, 2:09 PM), http://tinyurl.com/yco6gvw.

Lawrence B. Solum, *Tillman & Tillman on "Shall" and "May" in the Constitution*, LEGAL THEORY BLOG (June 14, 2010, 8:44 PM), http://tinyurl.com/26un6b6.

Cheryl Stephens, "Shall" or "May" in US Constitutional Interpretation, PLAIN LANGUAGE ASSOCIATION INTERNATIONAL (Aug. 23, 2010, 1:20 PM), http://groups.yahoo.com/group/plainlanguage/message/15431.

Michael Stern, *Is Former Judge Porteous Eligible To Serve In Congress?*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Dec. 29, 2010, 4:25 AM), http://pointoforder.com/ (click calendar entry for "December 29, 2010").

Michael Stern, *Tillman on the Perils of Legislative History*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Jan. 27, 2010, 6:52 AM), http://tinyurl.com/ybsomkn.

Michael Stern, *The Tillmans on Shall and May*, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (June 27, 2010, 16:04 PM), http://tinyurl.com/29gessb.

Elektra Tig, A Fragment on Shall and May, ELEKTRATIG (Aug. 19, 2010, 8:38 PM), http://tinyurl.com/25pf6gy.

Void And Voidable, DEEPERWEB RESEARCH (last visited Sept. 13, 2010), http://www.deeperweb.com/business-research/contract-law/void-and-voidable-research-trends-surveys.html.

Eugene Volokh, "When Numbers Get Serious, You See Their Shape Everywhere," THE VOLOKH CONSPIRACY (May 17, 2010, 3:04 PM), http://tinyurl.com/ojq44kj (also crossposted on Nexis).

What happens when a corporation issues more shares than are authorized under the Articles of Incorporation?, QUORA (circa Sept. 14, 2010), http://tinyurl.com/26r3eyc.

2009 CITATIONS

- [1] Brief of Law Professors as Amici Curiae in Support of Petitioners at 14 n.6, Free Enter. Fund v. Pub. Co. Accounting Oversight Bd., 130 S. Ct. 3138 (Aug. 3, 2009) (No. 08-861) (citing Seth Barrett Tillman, *The Puzzle of Hamilton's* Federalist *No.* 77, 33 HARV. J.L. & PUB. POL'Y 149 (2010)), 2009 WL 2372919, at *14 n.6, 2009 U.S. S. Ct. Briefs LEXIS 661, at *25 n.6, *available at* http://works.bepress.com/seth_barrett_tillman/134/.
- [2] ROBERT W. BENNETT, CHI ELEGGE IL PRESIDENTE DEGLI STATI UNITI? IL PROBLEMA DEL COLLEGIO ELETTORALE 359 n.5 (2009), available at http://tinyurl.com/3wwxx79/.
- [3] 11 JENNIFER L. BERGER ET AL., FLETCHER CYCLOPEDIA OF THE LAW OF CORPORATIONS §§ 5123 n.2, 5123.50 n.5, 5124 n.19, 5145 nn.3, 7, 5146 n.2, 5286 n.5, 5287 nn.6, 14 (perm. ed., 2003 rev. vol. Cum. Supp. 2009).
- [4] WILLIAM J. CARNEY, MERGERS AND ACQUISITIONS: THE ESSENTIALS 281 n.146 (2009).
 - DONALD W. GLAZER ET AL., GLAZER AND FITZGIBBON ON LEGAL OPINIONS §§ 10.6, 10.6.4.1, at 52-53 (3d ed. Cum. Supp. 2009) (counted among 2014 citations).
 - STEPHEN B. PRESSER & JAMIL S. ZAINALDIN, LAW AND JURISPRUDENCE IN AMERICAN HISTORY 179 (8th ed. 2013).
 - 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 9.1(b)(i) & n.6.1 (4th ed. Supp. 2009) (counted among 2014 citations).
- [5] Richard Albert, *The Fusion of Presidentialism and Parliamentarism*, 57 AM. J. COMP. L. 531, 549 n.132 (2009) (peer reviewed).
- [6] Ittai Bar-Siman-Tov, Legislative Supremacy in the United States? Rethinking the Enrolled Bill Doctrine, 97 GEO. L.J. 323, 364 n.265 (2009).
- [7] Robert F. Blomquist, Response to Geoffrey R. Stone and Seth Barrett Tillman, *Beyond Historical Blushing: A Plea for Constitutional Intelligence*, 2009 CARDOZO L. REV. DE NOVO 245, 245 n.10, 246 n.11, *available at* http://tinyurl.com/nqqtzld, *also available at* http://works.bepress.com/seth_barrett_tillman/136/, *also available at* http://ssrn.com/abstract=1483893.

- [8] Steven G. Calabresi & Christopher S. Yoo, *Remove* Morrison v. Olson, 62 VAND. L. REV. EN BANC 103, 112 n.44 (2009); 2009 VAND. L. REV. EN BANC 103, 112 n.44.
- [9] William J. Carney & George B. Shepherd, *The Mystery of Delaware Law's Continuing Success*, 2009 U. ILL. L. REV. 1, 32 n.176, 36 n.190.
- [10] Blake Denton, While the Senate Sleeps: Do Contemporary Events Warrant a New Interpretation of the Recess Appointments Clause?, 58 CATH. U. L. REV. 751, 754 n.19 (2009).
- [11] David M. Driesen, *Toward A Duty-Based Theory of Executive Power*, 78 FORDHAM L. REV. 71, 102 n.176 (2009).
- [12] Byron F. Egan, *Fiduciary Duties of Corporate Directors and Officers in Texas*, 43 TEX. J. Bus. L. 45, 321 n.918 (2009) (peer reviewed for article selection).
- [13] David Fontana, *The Second American Revolution in Separation of Powers*, 87 TEX. L. REV. 1409, 1414 n.27 (2009).
- [14] Jamal Greene, Heller *High Water? The Future of Originalism*, 3 HARV. L. & POL'Y REV. 325, 325 n.3 (2009).
- [15] William Josephson, Senate Election of the Vice President and House of Representatives Election of the President, 11 U. PA. J. CONST. L. 597, 652 n.210 (2009).
- [16] Brian C. Kalt, Response, *Keeping Recess Appointments in Their Place*, 103 Nw. U. L. REV. COLLOQUY 292 passim (2009), http://tinyurl.com/8osj45, republishing 101 Nw. U. L. REV. COLLOQUY 88 passim (2007), http://www.law.northwestern.edu/lawreview/colloquy/2007/3/.
- [17] Brian C. Kalt, *Keeping Tillman Adjournments in Their Place: A Rejoinder to Seth Barrett Tillman*, 103 Nw. U. L. REV. COLLOQUY 305 *passim* (2009), http://tinyurl.com/7r7cap, republishing 101 Nw. U. L. REV. COLLOQUY 108 *passim* (2007), http://www.law.northwestern.edu/lawreview/colloquy/2007/6/.
- [18] Gary Lawson, *The Constitution's Congress*, 89 B.U. L. REV. 399, 400 n.8 (2009).

- [19] D. Richard McDonald & Jeanne M. Moloney, *Correcting Incomplete Corporate Records*, MICH. BUS. L.J., Fall 2009, at 31 n.2, 34 nn.36, 41 (2009) (practitioners' journal), *available at* http://works.bepress.com/seth_barrett_tillman/209/, *also available at* http://ssrn.com/abstract=2202476.
- [20] Mike McNerney, *The Limits of Presidential Recess Appointment Power*, 1 LEG. & POL'Y ROUNDTABLE 68, 83 & n.82 (2009), *available at* http://www.wcl.american.edu/org/roundtable/documents/McNerneyfinal.pdf (this journal is now known as the *Legislation & Policy Brief*).
- [21] Jonathan Remy Nash, *The Majority that Wasn't: Stare Decisis, Majority Rule, and the Mischief of Quorum Requirements*, 58 EMORY L.J. 831, 831 n.*, 860 n.112 (2009).
- [22] Sheila B. Scheuerman, *Due Process Forgotten: The Problem of Statutory Damages and Class Actions*, 74 Mo. L. REV. 103, 140 n.295 (2009).
- [23] Steve Sheppard, Response to Geoffrey R. Stone and Seth Barrett Tillman, *What Oaths Meant to the Framers' Generation: A Preliminary Sketch*, 2009 CARDOZO L. REV. DE NOVO 273, 274, 275 n.10, 282, *available at* http://ssrn.com/abstract=2188463, *also available at* http://tinyurl.com/nzcb2dd, *also available at* http://works.bepress.com/seth_barrett_tillman/139/.
- [24] David C. Weiss, *The International Boundary Commission, Treaty Interpretation, and the President's Removal Power*, 41 LOY. U. CHI. L.J. 39, 75 n.246 (2009).
- [25] James D. Myers, Note, *Bringing the Vice President Into the Fold: Executive Immunity and the Vice Presidency*, 50 B.C. L. REV. 897, 902 n.31 (2009).
- [26] David J. Shaw, Note, An Officer and a Congressman: The Unconstitutionality of Congressmen in the Armed Forces Reserve, 97 GEO. L.J. 1739, 1742 n.10, 1743 nn.19-20 (2009).
- [27] DELAWARE CODE ANNOTATED, 6 Del. C. §§ 8-202, 8-210, 8 Del. C. §§ 102, 151, 161 (West 2009).
 - UNITED STATES CODE ANNOTATED § Article I, Section 6, Clause 2 (West 2009).
 - UNITED STATES CODE SERVICE §§ Article I, Section 6, Clause 2; Article II, Section 2, Clause 3; Article II, Section 3; Amendment XII (LexisNexis 2009).

- [28] Articles, AALS SECTION ON LAW AND RELIGION NEWSLETTER (Am. Asso. of Law Schools, Washington, DC), Dec. 2009, at 34, available at http://tinyurl.com/38qhhr8.
- [29] Revisiting The Void/Voidable Distinction For Stock Issued Defectively, BOWNE SECURITIES CONNECT, ABSTRACTS OF INSIGHTFUL CURRENT ARTICLES FROM LEGAL PERIODICALS (Bowne & Co. Inc., NY, NY), Mar. 2009, available at http://tinyurl.com/bkvdwy, also available at http://tinyurl.com/czmpvm.

Byron F. Egan, *Fiduciary Duty Issues in M&A Transactions*, PENN STATE–DICKINSON SCHOOL OF LAW: EXECUTIVE PROGRAM IN MERGERS AND ACQUISITIONS 257 n.768 (N.Y., N.Y., May 7, 2009), *available at* http://tinyurl.com/kfk3fmd, *also available at* http://works.bepress.com/seth_barrett_tillman/447/.

Byron F. Egan, *Rule of Law or Rule of Awe: Corporate Governance Issues Relating to Government Involvement*, CORPORATE GOVERNANCE COMMITTEE: ABA SECTION OF BUSINESS LAW 251 n.759 (Vancouver, BC, Apr. 16, 2009), *available at* http://images.jw.com/com/publications/1132.pdf, *also available at* http://works.bepress.com/seth_barrett_tillman/451.

Michael L. Rosin, A Compound Ratio: How the Electoral College Got Its Proportions and How That Has Mattered 467 n.1829 (2009) (unpublished manuscript) (on file with author), *available at* http://works.bepress.com/seth_barrett_tillman/130/.

Richard Albert, Boston College of Law Syllabus for "The Law of Democracy" 2, 5 (Fall 2009) (on file with Professor Albert) (assigning Tillman publications and colloquies), available at http://works.bepress.com/seth_barrett_tillman/191/.

2009 Internet Citations and Acknowledgments

Terrence Berres, *Blushing Our Way Past Historical Fact and Fiction*, MILWAUKEE FEDERALISTS (June 15, 2009, 12:00 PM), http://tinyurl.com/l9hef6.

Terrence Berres, *A Christian Nation?*, MILWAUKEE FEDERALISTS (Oct. 19, 2009, 6:00 AM), http://tinyurl.com/yj6mxbt.

Terrence Berres, *The Puzzle of Hamilton's Federalist No.* 77, MILWAUKEE FEDERALISTS (June 29, 2009, 6:00 AM), http://tinyurl.com/m5suru.

Terrence Berres, *Reading Rat Second Sunday*, THE PROVINCIAL EMAILS (July 12, 2009, 1:00 AM), http://tinyurl.com/ljzfwg.

Terrence Berres, *The Traditional View of Hamilton's Federalist No. 77 and an Unexpected Challenge*, MILWAUKEE FEDERALISTS (Sept. 18, 2009, 6:00 AM), http://tinyurl.com/n52hkc.

Terrence Berres, What Oaths Meant to the Framers' Generation, MILWAUKEE FEDERALISTS (Nov. 19, 2009, 6:00 AM), http://tinyurl.com/yeqvfj2.

Alfred L. Brophy, *Tillman on Stone on the Nature of the Founders' Christianity*, THE FACULTY LOUNGE (April 25, 2009, 8:18 AM), http://tinyurl.com/chz92h.

Josie F. Brown, *First Amendment Scholarship Survey*, FIRST AMENDMENT LAW PROF BLOG (April 19, 2009), http://tinyurl.com/dbcoje.

Josie F. Brown, *First Amendment Scholarship Update*, FIRST AMENDMENT LAW PROF BLOG (Oct. 18, 2009), http://tinyurl.com/yhc3cml.

Dan Ernst, *Fed 77 Smackdown*, LEGAL HISTORY BLOG (Oct. 2, 2009, 1:50 AM), http://legalhistoryblog.blogspot.com/2009/10/fed-77-smackdown.html.

Howard M. Friedman, *Recent Articles and Books of Interest*, RELIGION CLAUSE (April 27, 2009, 7:15 AM), http://tinyurl.com/d5ckx9 (also cross-posted on Nexis).

Rick Garnett, *Blomquist*, *Tillman*, *et al. on the Founders and Religion*, MIRROR OF JUSTICE (Oct. 20, 2009, 11:44 AM), http://tinyurl.com/yzv89z3.

Rick Garnett, Fact and Fiction about the Framers and Faith, MIRROR OF JUSTICE (April 22, 2009, 12:22 PM), http://tinyurl.com/cggnyv.

Richard Heald, Separation of Powers (or is it?), CONSTI WEBLOG:WHAT'S HOT AND WHAT'S NOT (Jan. 6, 2009, 5:23:11 AM), http://tinyurl.com/ndzkd5 (an English law blog).

Sanford Levinson, *Presidential and Vice Presidential Inability*, CONLAWPROF (Oct. 14, 2009, 12:58:07 PM), http://tinyurl.com/yjhqe92.

Andrew Owens, *Note to the Future*, BLAHSEBLAH (Oct. 5, 2009, 07:00 PM), http://tinyurl.com/yz7dz92.

Glenn Reynolds, Seth Barrett Tillman: The Puzzle of Hamilton's Federalist No. 77: It Turns out Hamilton was Right After All, Instapundit (Feb. 22, 2009, 10:03 AM), http://tinyurl.com/d7o3lo.

Jonathan Rowe, *Blomquist and Sheppard on Tillman and Stone*, AMERICAN CREATION (Nov. 1, 2009, 2:26 PM), http://tinyurl.com/y9lf600, (Nov. 1, 2009), http://tinyurl.com/yjbdpq5, (Nov. 1, 2009, 3:16 PM), http://tinyurl.com/ykxuxyg.

Jonathan Rowe, *Tillman Keeps Stone on His Toes*, AMERICAN CREATION (April 22, 2009, 9:01 PM), http://tinyurl.com/dbdzwc, (April 22, 2009), http://tinyurl.com/cbgegu, (April 22, 2009, 9:17 PM), http://tinyurl.com/da93r5.

Lawrence B. Solum, *Bailey on Tillman on Hamilton on Removal of Executive Officers*, LEGAL THEORY BLOG (Sept. 15, 2009, 3:20 AM), http://tinyurl.com/qdbhsg.

Lawrence B. Solum, *Tillman on Hamilton on "Displacing" Federal Officers*, LEGAL THEORY BLOG (Feb. 3, 2009, 9:17 AM), http://tinyurl.com/bbnz5x.

Lawrence B. Solum, *Tillman on Stone*, LEGAL THEORY BLOG (May 7, 2009, 10:03 AM), http://tinyurl.com/c8mypr.

Lawrence B. Solum, *Tillman on Stone on Book Burning at Harvard*, LEGAL THEORY BLOG (April 17, 2009, 10:40 AM), http://tinyurl.com/dlyfz9.

Michael Stern, *Tillman and Bailey on Federalist No.* 77, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Oct. 7, 2009, 19:34 PM), http://tinyurl.com/ya82lx6.

Elektra Tig, "It is not a vote!," ELEKTRATIG (Oct. 4, 2009, 7:38 AM), http://elektratig.blogspot.com/2009/10/it-is-not-vote.html.

Elektra Tig, *Two Articles*, ELEKTRATIG (Feb. 22, 2009, 11:01 AM), http://tinyurl.com/dkpy2v.

Mark Tushnet, RE: Any thoughts on whether it would require a special Act of Congress to authorize President Obama's accepting the Nobel Peace Prize?, CONLAWPROF (Oct. 11, 2009, 13:42:57 PM), http://tinyurl.com/yhuk6yd.

Mark Tushnet, *RE:* Any thoughts on whether it would require a special Act of Congress to authorize President Obama's accepting the Nobel Peace Prize?, CONLAWPROF (Oct. 9, 2009, 17:30:57 PM), http://tinyurl.com/yj8ebap.

Howard Wasserman, *The Future of Legislative Appointments (Updated)*, PRAWFSBLAWG (Jan. 4, 2009, 3:14 PM), http://tinyurl.com/8pdhb6 (also cross-posted on Nexis).

Guan Yang, GUAN'S THOUGHTS (Jan. 28, 2009), http://tinyurl.com/d4qdw4.

2008 CITATIONS

- [1] Plaintiffs' Reply in Support of their Motion for Default Judgment, Motion for Judgment on the Pleadings and Motion for Attorneys' Fees and Costs at 12, Noe v. Kropf (Del. Ch. Dec. 9, 2008) (No. 4050-CC) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 Bus. Law. 1109 (2008)) (filed by Greenberg Traurig, LLP), 2008 WL 5202998, 2008 DE Ch. Ct. Motions LEXIS 36, at *18, *available at* http://works.bepress.com/seth_barrett_tillman/107/.
- [2] Intervenor Turnaround Advisors LLC's (1) Opposition to Plaintiffs' Motion for Default Judgment, Motion for Judgment in the Pleadings and Motion for Attorneys' Fees and Costs; and (2) Opening Brief in Support of its Motion for Attorneys' Fees and Costs at 14 nn.42, 45 & 47, 16 n.55, 18 nn.65 & 67, 19 nn.69-72, Noe v. Kropf (Del. Ch. Dec. 4, 2008) (No. 4050-CC) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 BUS. LAW. 1109 (2008)) (filed by Fish & Richardson P.C.), 2008 WL 5196082, 2008 DE Ch. Ct. Motions LEXIS 35 *passim*, *available at* http://works.bepress.com/seth_barrett_tillman/106/.
- [3] Plaintiffs' Motion for Default Judgment, Motion for Judgment on the Pleadings, and Motion for Attorneys' Fees and Costs at 14, Noe v. Kropf (Del. Ch. Nov. 12, 2008) (No. 4050-CC) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable?* -- Curing Defects in Stock Issuances Under Delaware Law, 63 BUS. LAW. 1109 (2008)) (filed by Greenberg Traurig, LLP), 2008 WL 4903893, 2008 DE Ch. Ct. Motions LEXIS 34, at *22, available at http://works.bepress.com/seth_barrett_tillman/97/.
- [4] Turnaround Advisors, LLC's Reply Brief in Support of its Combined Motion to Intervene and to Vacate Order to Expedite Proceedings *passim*, Noe v. Kropf, 2008 WL 4603577, 2008 Del. Ch. LEXIS 148 (Del. Ch. Oct. 3, 2008) (No. 4050-CC) (citing C. Stephen Bigler & Seth Barrett Tillman, *Void or Voidable? -- Curing Defects in Stock Issuances Under Delaware Law*, 63 BUS. LAW. 1109 (2008)) (filed by Fish & Richardson P.C.), 2008 WL 4532882, 2008 DE Ch. Ct. Motions LEXIS 30 *passim*, *available at* http://works.bepress.com/seth_barrett_tillman/90/.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA: ANALYSIS AND INTERPRETATION/2008 SUPPLEMENT, S. DOC. NO. 110-17, at 3 n.2, 4 n.5, 49 (Kenneth R. Thomas & Henry Cohen eds., 2008) (prepared by the Congressional Research Service and Library of Congress), *available at* http://www.gpoaccess.gov/constitution/pdf2002/2008supplement.pdf.

- [5] MICHAEL J. GERHARDT, THE POWER OF PRECEDENT 174 n.147 (2008) (also cited in 2011 revised paperback edition).
- [6] MICHAEL I. MEYERSON, LIBERTY'S BLUEPRINT: HOW MADISON AND HAMILTON WROTE THE FEDERALIST PAPERS, DEFINED THE CONSTITUTION, AND MADE DEMOCRACY SAFE FOR THE WORLD 158, 272, 296 (2008).
- [7] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 10.6(e) n.37 (4th ed. Supp. 2008).
 - Steven G. Calabresi, Rebuttal, *Does the Incompatibility Clause Apply to the President?*, in Seth Barrett Tillman & Steven G. Calabresi, Debate, *The Great Divorce: The Current Understanding of Separation of Powers and the Original Meaning of the Incompatibility Clause*, 157 U. PA. L. REV. PENNUMBRA 134, 141-45 (2008), *available at* http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1294671.
 - Steven G. Calabresi, Closing Statement, A Term of Art or the Artful Reading of Terms?, in Seth Barrett Tillman & Steven G. Calabresi, Debate, The Great Divorce: The Current Understanding of Separation of Powers and the Original Meaning of the Incompatibility Clause, 157 U. PA. L. REV. PENNUMBRA 134, 154-59 (2008), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1294671.
- [8] Josh Chafetz, Leaving the House: The Constitutional Status of Resignation from the House of Representatives, 58 DUKE L.J. 177, 177 n.[†], 210 n.219 (2008).
- [9] Jacob E. Gersen & Eric A. Posner, *Soft Law: Lessons from Congressional Practice*, 61 STAN. L. REV. 573, 573 n.**, 617 n.199, 618 n.202 (2008).
- [10] Saikrishna Bangalore Prakash, Response, *Why the Incompatibility Clause Applies to the Office of President*, 4 DUKE J. CONST. L. & PUB. POL'Y 143 *passim* (2009), *available at* http://tinyurl.com/yglucrc; 4 DUKE J. CONST. L. & PUB. POL'Y SIDEBAR 35 *passim* (2008), *available at* http://tinyurl.com/yasefj4.
- [11] Bradley A. Smith, *Vanity of Vanities: National Popular Vote and the Electoral College*, 7 ELECTION L.J. 196, 210 n.99 (2008) (peer reviewed).
- [12] Edward T. Swaine, *Putting Missouri v. Holland on the Map*, 73 Mo. L. REV. 1007, 1016 n.53 (2008).

UNITED STATES CODE ANNOTATED §§ Article I, Section 6, Clause 2; Article I, Section 7, Clause 2; Article II, Section 2, Clause 3; Article II, Section 3; Amendment XII (West 2008).

UNITED STATES CODE SERVICE §§ Article I, Section 6, Clause 2; Article I, Section 7, Clause 2 (LexisNexis 2008).

- [13] *Practice Points*, ESOURCE: THE MONTHLY ELECTRONIC NEWSLETTER OF THE ABA SECTION OF BUSINESS LAW (Am. Bar. Asso., Chicago, IL), Nov. 2008, *available at* http://tinyurl.com/bl6bv2, *also available at* http://tinyurl.com/b29mcq.
- [14] H. Abbie Erler, *Article 5 and Executive Leadership: Predicting Calls for Amendments*, MIDWEST POLITICAL SCIENCE ASSOCIATION ANNUAL NATIONAL CONFERENCE 15 n.29, 16 n.32 (Chicago, IL, Apr. 3, 2008), http://tinyurl.com/ncf7qst, also available at http://works.bepress.com/seth_barrett_tillman/454.

2008 Internet Citations and Acknowledgments

Craig J. Albert, *Two, two, two votes in one (redux)*, DORF ON LAW (Aug. 20, 2008, 4:14 PM), http://www.michaeldorf.org/2008/08/two-two-two-votes-in-one-redux.html.

Stephen Bainbridge, *Defective Stock Issuances Under Delaware Law*, BUSINESSASSOCIATIONSBLOG.COM (Feb. 7, 2008), http://tinyurl.com/mwfecj (crossposted here; no longer available on Bainbridge's site).

Terrence Berres, *A Fragment on Shall and May*, MILWAUKEE FEDERALISTS (Mar. 14, 2008, 4:50 PM), http://fswi.blogspot.com/2008/03/fragment-on-shall-and-may.html.

Terrence Berres, *The Great Divorce*, MILWAUKEE FEDERALISTS (Dec. 12, 2008, 6:00 AM), http://tinyurl.com/dkc6go.

Terrence Berres, Why Our Next President May Keep His Or Her Senate Seat, MILWAUKEE FEDERALISTS (April 5, 2008, 12:31 PM), http://tinyurl.com/ddpjba.

Alfred L. Brophy, *Stone on the Nature of the Founders' Christianity*, THE FACULTY LOUNGE (Oct. 22, 2008, 8:46 AM, update April 20, 2009), http://tinyurl.com/apwvw2.

Josh Chafetz, 20th Amendment Trivia, CONLAWPROF (Nov. 10, 2008, 12:17:44 PST), http://lists.ucla.edu/pipermail/conlawprof/2008-November/033299.html, also available at http://tinyurl.com/mg8odcn.

Josh Chafetz, *Responding to Some of Your Comments*, THE VOLOKH CONSPIRACY (July 24, 2008, 8:48 AM), http://volokh.com/archives/archive_2008_07_20-2008_07_26.shtml#1216899514 (also cross-posted on Nexis).

December Responses: PENNumbra, CONCURRING OPINIONS (Nov. 30, 2008, 11:33 PM), http://tinyurl.com/6omlo6 (also cross-posted on Nexis).

Rick Hasen, Could President-Elect Obama Remain Senator and Become President?, ELECTION LAW BLOG (Dec. 1, 2008, 1:29 PM), http://electionlawblog.org/archives/012568.html.

David Hricik, *Interesting Short Piece on Shall and May in the Constitution*, STATUTORY CONSTRUCTION BLOG (Feb. 18, 2008), http://tinyurl.com/22q6pa.

David Hricik, Senator-President Obama, McCain, or Clinton?, STATUTORY CONSTRUCTION BLOG (Feb. 29, 2008), http://tinyurl.com/yscrle.

Brian Kalt, Can the Senate Refuse to Seat Blagojevich's Appointee?, CONCURRING OPINIONS (Dec. 30, 2008, 11:22 PM), http://tinyurl.com/q55uzo (comment 6).

Ethan Leib, Can Senators Keep Their Senate Seats When Elected President?, PRAWFSBLAWG (Feb. 28, 2008, 8:06 PM), http://prawfsblawg.blogs.com/prawfsblawg/2008/02/can-senators-ke.html.

Chris Lund, *Another Comment on the Election* ..., PRAWFSBLAWG (Nov. 5, 2008, 11:50 AM), http://prawfsblawg.blogs.com/prawfsblawg/2008/11/another-comment.html (also cross-posted on Nexis).

John J. Miller, *Double Dipping*, NATIONALREVIEWONLINE'S THE CORNER (Nov. 5, 2008, 3:55 PM), http://tinyurl.com/5eyt6c.

John J. Miller, *And In My Spare Time, I'm a Senator from Arizona*, NATIONALREVIEWONLINE'S THE CORNER (Feb. 29, 2008, 7:51 AM), http://tinyurl.com/2laaws.

Francis G. X. Pileggi, *Article on Defective Issuance of Shares Under Delaware Law*, DELAWARE CORPORATE AND COMMERCIAL LITIGATION BLOG (Feb. 7, 2008), http://tinyurl.com/27e22g, (Aug. 25, 2008), http://tinyurl.com/9gpzlp.

Popular Names of Constitutional Provisions, UNIVERSITY OF WASHINGTON SCHOOL OF LAW LIBRARY, (last visited Dec. 29, 2008, 2:04 PM), http://lib.law.washington.edu/ref/consticlauses.html.

'President Elect' Blogs, USALIBERALS.COM, http://www.usaliberals.com/president_elect/news.htm (last visited Dec. 4, 2008) (no longer available).

Glenn Reynolds, *Seth Barrett Tillman and Steve Calabresi Debate*, INSTAPUNDIT (Dec. 2, 2008, 2:43 PM), http://pajamasmedia.com/instapundit/28824/.

Daniel L. Solove, *Introducing Guest Blogger Brian Kalt*, CONCURRING OPINIONS (Dec. 1, 2008, 12:30 AM), http://tinyurl.com/35dzkbw (also cross-posted on Nexis).

Lawrence B. Solum, *Tillman on Calabresi on the Incompatibility Clause*, LEGAL THEORY BLOG (Nov. 3, 2008, 3:40 PM), http://tinyurl.com/c4cd8a.

Lawrence B. Solum, *Tillman on Defects in Stock Issuances Under Delaware Law*, LEGAL THEORY BLOG (Feb. 8, 2008, 8:15 AM), http://tinyurl.com/2733ws, (Nov. 4, 2008, 5:45 AM), http://tinyurl.com/ccm9z9.

Lawrence B. Solum, *Tillman on the Incompatibility Clause*, LEGAL THEORY BLOG (Feb. 29, 2008, 1:33 AM), http://lsolum.typepad.com/legaltheory/2008/02/tillman-on-the.html.

Michael Stern, Can Joe Biden Be Vice President and Senator at the Same Time?, POINT OF ORDER: A DISCUSSION OF CONGRESSIONAL LEGAL ISSUES (Dec. 20, 2008, 14:47 PM), http://pointoforder.com/ (click calendar entry for "December 20, 2008").

John R. Vile, *Presidential Veto*, ABC-CLIO SCHOOLS – HISTORY AND THE HEADLINES, http://tinyurl.com/33pmxz (last visited Feb. 24, 2008).

Eugene Volokh, Why Isn't Vice-President-Elect Biden Affected by the Emoluments Clause?, The Volokh Conspiracy (Dec. 8, 2008, 12:29 PM), http://www.volokh.com/posts/1228757349.shtml (click "debate").

Jay Wexler, *Could Obama Have Stayed a Senator?*, ROAD TRIP TO THE BATTLEGROUNDS OF THE CHURCH/STATE WARS BLOG (Nov. 21, 2008, 12:31 PM), http://tinyurl.com/936qb9.

THE CONSTITUTION OF THE UNITED STATES OF AMERICA: ANALYSIS AND INTERPRETATION/2006 SUPPLEMENT, S. DOC. No. 110-6, at 1 n.2, 2 n.5, 31 (Kenneth R. Thomas *et al.* eds., 2007) (prepared by the Congressional Research Service and Library of Congress), *at* http://www.gpoaccess.gov/constitution/pdf2002/2006supplement.pdf.

- [1] T.J. HALSTEAD, CONG. RESEARCH SERV., RL 33009, RECESS APPOINTMENTS: A LEGAL OVERVIEW CRS-11 n.74 (updated July 11, 2007).
- [2] DAN T. COENEN, THE STORY OF *THE FEDERALIST*: HOW HAMILTON AND MADISON RECONCEIVED AMERICA 254 n. 140, 346 nn.129-130 (2007).
- [3] MICHAEL J. GERHARDT ET AL., CONSTITUTIONAL THEORY: ARGUMENTS AND PERSPECTIVES 210 (3d ed. 2007).
- [4] 1 MICHIE'S JURISPRUDENCE OF VIRGINIA & WEST VIRGINIA § 2 n.3 (2007).
- [5] 1 RALPH A. ROSSUM & G. ALAN TARR, AMERICAN CONSTITUTIONAL LAW: THE STRUCTURE OF GOVERNMENT 140 (7th ed. 2007).
- [6] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE §§ 9.8(a) n.5 (4th ed. 2007).
- [7] 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 10.8 nn.5, 8 (3d ed. Supp. 2007).
- [8] Richard Albert, *The Constitutional Imbalance*, 37 N.M. L. REV. 1, 1 n.*, 2 n.7, 6 n.34 (2007).
- [9] Aaron-Andrew P. Bruhl, Response, *Against Mix-and-Match Lawmaking*, 16 CORNELL J.L. & PUB. POL'Y 349 *passim* (2007).
- [10] Aaron-Andrew P. Bruhl, If the Judicial Confirmation Process is Broken, Can a Statute Fix It?, 85 NEB. L. REV. 960, 960 n.*, 987 n.85, 1004 n.146 (2007).

- [11] Dan T. Coenen, A Rhetoric for Ratification: The Argument of The Federalist and Its Impact on Constitutional Interpretation, 56 DUKE L.J. 469, 507 n.218, 527 n.349, 542 n.403 (2007).
- [12] Matthew J. Festa, *Dueling Federalists: Supreme Court Decisions with Multiple Opinions citing* The Federalist, 1986-2007, 31 SEATTLE U. L. REV. 75, 75 n.1, 77 n.10 (2007).
 - Brian C. Kalt, Response, *Keeping Recess Appointments in Their Place*, 101 Nw. U. L. REV. COLLOQUY 88 passim (2007), http://www.law.northwestern.edu/lawreview/colloquy/2007/3/ (counted among 2009 citations).
 - Brian C. Kalt, *Keeping Tillman Adjournments in Their Place: A Rejoinder to Seth Barrett Tillman*, 101 Nw. U. L. REV. COLLOQUY 108 *passim* (2007), http://www.law.northwestern.edu/lawreview/colloquy/2007/6/ (counted among 2009 citations).
- [13] Gregory E. Maggs, A Concise Guide to the Federalist Papers as a Source of the Original Meaning of the United States Constitution, 87 B.U. L. Rev. 801, 801 n.*, 831 & n.147 (2007).
- [14] Buckner F. Melton, Jr. & Carol Willcox Melton, *The Supreme Court and The Federalist: A Supplement, 2001-2006*, 95 Ky. L.J. 749, 751 n.23 (2007).
- [15] Michael J. Gerhardt, *Non-Judicial Precedent* 81 n.347 (UNC Legal Studies Research Paper No. 1011505, 2007), *available at* http://papers.ssrn.com/abstract_id=1011505, *also available at* http://works.bepress.com/seth_barrett_tillman/221/.

2007 Internet Citations and Acknowledgments

Howard J. Bashman, *Senate Termination of Presidential Recess Appointments*, HOW APPEALING (Jan. 29, 2007, 11:10 AM), http://howappealing.law.com/012907.html#021780 (also cross-posted on Nexis).

Howard J. Bashman, *Available online from SSRN*, HOW APPEALING (Jan. 23, 2007, 5:50 PM), http://howappealing.law.com/012307.html#021597 (also cross-posted on Nexis).

Brookings Institution and American Enterprise Institute, *Proposals for Reform*, CONTINUITY OF GOVERNMENT COMMISSION, http://tinyurl.com/c9x67g, http://tinyurl.com/cg68kk, http://tinyurl.com/clt35c (last visited Dec. 24, 2007).

Michael Froomkin, Subpoena Power of the House or Senate, CONLAWPROF (July 24, 2007, 11:38:51 PDT), http://tinyurl.com/ygexca3.

Rick Hasen, Terminating Presidential Recess Appointments: A Reply to Professor Kalt, ELECTION LAW BLOG (Feb. 12, 2007, 8:34 AM), http://tinyurl.com/d25dvr.

Rick Hasen, *Tillman and Kalt on the Senate's Power to End Presidential Recess Appointments*, ELECTION LAW BLOG (Jan. 24, 2007, 4:33 PM), http://electionlawblog.org/archives/007693.html.

David Hricik, *Another Interesting Article*, STATUTORY CONSTRUCTION BLOG (Sept. 24, 2007), http://lawprofessors.typepad.com/statutory/2007/09/another-interes.html.

Law, Economics, Science and Education, BOOKFORUM.COM BLOG (May 18, 2007, 2:48 AM), http://www.bookforum.com/online/189.

Ethan Leib, *The Article II Argument*, PRAWFSBLAWG (Oct. 9, 2007, 1:19 PM), http://prawfsblawg.blogs.com/prawfsblawg/2007/10/the-article-ii-.html.

Sanford Levinson, *Are Non-binding Congressional Resolutions Permissible?*, CONLAWPROF (Feb. 19, 2007, 13:29:51 PST), http://lists.ucla.edu/pipermail/conlawprof/2007-February/028973.html.

People: Lawyers, Law Professors, Historians, and Scholars, CONSTITUTION SOCIETY, http://www.constitution.org/cs_peopl.htm (last visited Sept. 11, 2007).

Francis G. X. Pileggi, *The Future of Delaware Corporate Litigation*, DELAWARE CORPORATE AND COMMERCIAL LITIGATION BLOG (Oct. 25, 2007), http://tinyurl.com/2bs6qx.

PUBLICSQUARE.NET: COMMON GROUND, UNCOMMON DEBATE, http://tinyurl.com/2as4jr, http://tinyurl.com/3e3em2, http://tinyurl.com/2o99b3, http://tinyurl.com/2e3o78 (last visited July 22, 2007) (reproducing four-part Kalt-Tillman exchange).

Senate Termination of Presidential Recess Appointments, OPENCONGRESS (Jan. 24, 2007), http://tinyurl.com/r8n98h.

Signing Statements: George W. Bush, PRESIDENTIAL SIGNING STATEMENTS 2001-PRESENT, http://www.coherentbabble.com/signingstatements/links.htm (last visited Aug. 25, 2010).

Lawrence B. Solum, *Balotti & Tillman on Delaware Corporate Law*, LEGAL THEORY BLOG (May 16, 2007, 3:21 AM), http://tinyurl.com/d5hhll.

Lawrence B. Solum, *Tillman & Kalt on Colloquy*, LEGAL THEORY BLOG (Feb. 12, 2007, 9:49 AM), http://tinyurl.com/dg227j.

Lawrence B. Solum, *Tillman on Noncontemporaneous Lawmaking*, LEGAL THEORY BLOG (May 14, 2007, 5:08 PM), http://tinyurl.com/ddfejh.

Lawrence B. Solum, *Tillman & Tillman on Shall & May in the United States Constitution*, LEGAL THEORY BLOG (Nov. 28, 2007, 12:20 AM), http://lsolum.typepad.com/legaltheory/2007/11/tillman-tillman.html.

Tuesday Roundup, AMERICAN CONSTITUTION SOCIETY: ACSBLOG (Jan. 30, 2007, 5:06 PM), http://www.acslaw.org/acsblog/tuesday-roundup-1-30-2007.

- [1] ROBERT W. BENNETT, TAMING THE ELECTORAL COLLEGE 184 n.5 (2006).
- [2] CHRISTOPHER BROOKS, CHISHOLM TO ALDEN: JAMES WILSON'S *Artificial Person* IN AMERICAN SUPREME COURT HISTORY, 1793-1999, at viii, 304 n.13 (Logos Verlag Berlin 2006).
- [3] HAROLD BRUFF, BALANCE OF FORCES: SEPARATION OF POWERS LAW IN THE ADMINISTRATIVE STATE 223 n.5, 267 n.67, 478 n.1 (2006).
- [4] ROBERT F. WILLIAMS, STATE CONSTITUTIONAL LAW: CASES AND MATERIALS 789 (4th ed. 2006) (a fifth edition is due circa May 2015).
- [5] Jack Michael Beermann, *Congressional Administration*, 43 SAN DIEGO L. REV. 61, 126 n.306 (2006).
- [6] Kirsten Matoy Carlson, *Is Hindsight 20-20? Reconsidering the Importance of Pre- Constitutional Documents*, 30 AM. INDIAN L. REV. 1, 5 n.20 (2006) (peer reviewed).
- [7] Melvyn R. Durchslag, The Supreme Court And The Federalist Papers: Is There Less Here Than Meets The Eye?, 14 WM. & MARY BILL RTS. J. 243, 247 n.17 (2006).
- [8] Sanford Levinson, Comment, Assuring Continuity of Government, 4 PIERCE L. REV. 201 passim (2006); 4 U.N.H. L. REV. 201 passim (2006).
- [9] Earl F. Martin, America's Anti-Standing Army Tradition and the Separate Community Doctrine, 76 Miss. L.J. 135, 142 n.30 (2006).
- [10] Jide Nzelibe, A Positive Theory of the War-Powers Constitution, 91 IOWA L. REV. 993, 1016 n.67 (2006).
- [11] Robert Sarvis, Legislative Delegation and Two Conceptions of the Legislative Power, 4 PIERCE L. REV. 317, 341 n.82 (2006); 4 U.N.H. L. REV. 317, 341 n.82 (2006).
- [12] Vale Krenik, Note and Comment, No one can Serve Two Masters: A Separation of Powers Solution for Conflicts of Interest within the Department of Health and Human Services, 12 TEX. WESLEYAN L. REV. 585, 626 n.406 (2006).

UNITED STATES CODE ANNOTATED §§ Article I, Section 7, Clause 3; Article V (West 2006).

UNITED STATES CODE SERVICE §§ Article I, Section 7, Clause 3; Article V (LexisNexis 2006).

[13] Karen Crabbs Fernandes, Delegation and the Administrative State: The New Process of Governing and its Effect on the Democratic Soul 26 n.41, 82 n.163, 197 n.404, 226 (Oct. 24, 2006) (unpublished Ph.D. dissertation, Georgetown University Dep't of Government) (on file with author), *available at* http://tinyurl.com/27zn4f5.

2006 Internet Citations and Acknowledgments

Rick Hasen, Levinson and Tillman Debate How to Assure the Continuity of Congress in the Event of a Catastrophe, ELECTION LAW BLOG (May 5, 2006, 8:17 AM), http://electionlawblog.org/archives/005551.html.

Rick Hasen, *Tillman on Continuity of Congress*, ELECTION LAW BLOG (Mar. 16, 2006, 1:57 PM), http://electionlawblog.org/archives/005182.html.

Rick Hasen, *Tillman on Ross's Defense of the Electoral College*, ELECTION LAW BLOG (Mar. 24, 2006, 8:19 AM), http://electionlawblog.org/archives/005251.html.

Ethan Leib, *Mix-and-Match Lawmaking*, PRAWFSBLAWG (Dec. 14, 2006, 4:17 PM), http://prawfsblawg.blogs.com/prawfsblawg/2006/12/mixandmatch_law.html.

John J. Miller, *The New Era, Again*, NATIONALREVIEWONLINE'S THE CORNER (Feb. 22, 2006, 5:58 AM), http://tinyurl.com/yvwyts.

- EDWIN MEESE III ET AL., THE HERITAGE GUIDE TO THE CONSTITUTION vii, ix, 93, 287 (2005).
- [1] DAVID BRIAN ROBERTSON, THE CONSTITUTION AND AMERICA'S DESTINY 219 n.46 (2005).
 - 2 RONALD D. ROTUNDA & JOHN E. NOWAK, TREATISE ON CONSTITUTIONAL LAW: SUBSTANCE AND PROCEDURE § 10.8 n.8 (3d ed. Supp. 2005).
- [2] PETER M. SHANE & HAROLD H. BRUFF, SEPARATION OF POWERS LAW: CASES AND MATERIALS 176 n.1 (2d ed. 2005).
- [3] 2 JOHN R. VILE, THE CONSTITUTIONAL CONVENTION OF 1787: A COMPREHENSIVE ENCYCLOPEDIA OF AMERICA'S FOUNDING 621, 949 (2005).
- [4] Richard Albert, *The Evolving Vice Presidency*, 78 TEMPLE L. REV. 811, 820 n.48 (2005).
- [5] Roger P. Alford, Roper v. Simmons and Our Constitution in International Equipoise, 53 UCLA L. REV. 1, 10 n.46 (2005).
- [6] Roger P. Alford, *In Search of a Theory for Constitutional Comparativism*, 52 UCLA L. REV. 639, 650 n.52 (2005).
- [7] Gary Lawson, Comment, Burning Down the House (and Senate): A Presentment Requirement for Legislative Subpoenas under the Orders, Resolutions, and Votes Clause, 83 Tex. L. Rev. 1373 passim (2005).
- [8] Yvette Barksdale, *Recent Articles of Interest*, ADMIN. & REG. LAW NEWS (ABA Section of Administrative Law and Regulatory Practice, Chicago, IL), Summer 2005, at 27, *available at* http://tinyurl.com/pkzh9f.

2005 Internet Citations and Acknowledgments

Julian Ku, *More on Breyer v. Scalia*, OPINIO JURIS (Jan. 23, 2005, 6:07 PM), http://lawofnations.blogspot.com/2005/01/more-on-breyer-v-scalia_23.html.

Raffi Melkonian, *A Constitutional Review*, CRESCAT SENTENTIA (May 31, 2005, 11:34 PM), http://www.crescatsententia.net/archives/2005/05/31/.

Eugene Volokh, *Crime and the Constitution*, THE VOLOKH CONSPIRACY (Mar. 15, 2005, 1:06 PM), http://tinyurl.com/5jscqp (click "Show the answer").

- [1] Thomas E. Baker, Constitutional Theory in a Nutshell, 13 WM. & MARY BILL RTS. J. 57, 123 n.386 (2004).
- [2] C. Quince Hopkins, *The Supreme Court's Family Law Doctrine Revisited: Insights From Social Science on Family Structures and Kinship Change in the United States*, 13 CORNELL J.L. & PUB. POL'Y 431, 436 n.12 (2004).
- [3] James J. Knicely, First Principles and the Misplacement of the Wall of Separation: Too Late in the Day for a Cure?, 52 DRAKE L. REV. 171, 173 n.13 (2004).
- [4] Ezra Dodd Church, Note, Technological Conservatism: How Information Technology Prevents the Law from Changing, 83 Tex. L. Rev. 561, 589 n.220 (2004).

2004 Internet Citations and Acknowledgments

Lawrence B. Solum, *Lawson on Presentment*, LEGAL THEORY BLOG (June 16, 2004, 7:43 PM), http://tinyurl.com/2v4zobc.

Eugene Volokh, *Sexual Autonomy and the Mentally Retarded*, THE VOLOKH CONSPIRACY (June 7, 2004, 5:54 PM), http://tinyurl.com/508fdz.

Eugene Volokh, *Wounded Soldiers and the Geneva Conventions*, THE VOLOKH CONSPIRACY (Nov. 18, 2004, 11:45 AM), http://tinyurl.com/2jhdle.

Tung Yin, *Some quick thoughts on teaching* INS v. Chadha, THE YIN BLOG (Apr. 15, 2004, 3:11 PM), http://tinyurl.com/32cy4zu.

2003 (AND PRE-2003) CITATION

[1] STEPHEN B. PRESSER & JAMIL S. ZAINALDIN, LAW AND JURISPRUDENCE IN AMERICAN HISTORY lxii, 146 (5th ed. 2003).

RHODES COOK & ALICE V. McGillivray, U.S. Primary Elections, 1995-1996: President, Congress, Governors: A Handbook of Election Statistics 102 (1997), http://tinyurl.com/j2q4kom.

PHILIP D. DUNCAN & CHRISTINE C. LAWRENCE, CONGRESSIONAL QUARTERLY'S POLITICS IN AMERICA: 1998, THE 105TH CONGRESS 469 (1997), http://tinyurl.com/jll5fkg.

FEDERAL ELECTIONS 96, at 99 (1997), http://tinyurl.com/hevgdtt.

RICHARD M. SCAMMON ET AL., AMERICA VOTES 22: A HANDBOOK OF CONTEMPORARY AMERICAN ELECTION STATISTICS 205 (1997).

54 CONG. QUARTERLY WEEKLY REPORT 828 (1996), http://tinyurl.com/zm3hsuv.

U.S. Congress Primaries, THE CHICAGO TRIBUNE, Mar. 21, 1996, at 5, 1996 WLNR 5168784.

YATES MAY NOT RUN--NEXT TIME 9TH DISTRICT'S VETERAN GOING FOR HIS 24TH TERM, THE CHICAGO TRIBUNE, Jan. 26, 1996, at 1, 1996 WLNR 5149407.

YATES FILES FOR HIS 24TH TERM; ACTION GIVES SOME 2ND THOUGHTS, THE CHICAGO TRIBUNE, Dec. 12, 1995, at 6, 1995 WLNR 4498648.

Illinois: 2016 Election Center, District 9: Previous Election Results, THE WASHINGTON TIMES (2016), http://www.washingtontimes.com/elections/IL/districts/IL09/profile/.

2003 Internet Citations and Acknowledgments

Jacob Levy, *Judicial Review*, THE VOLOKH CONSPIRACY (Nov. 12, 2003, 9:30:36 AM), http://tinyurl.com/4uoebc.

Eugene Volokh, *One More Perspective on the Seventeenth Amendment*, THE VOLOKH CONSPIRACY (Feb. 27, 2003, 5:51 PM), http://volokh.com/2003_02_23_volokh_archive.html.

CITATIONS IN WIKIPEDIA

Establishment Clause, WIKIPEDIA, https://en.wikipedia.org/wiki/Establishment_Clause, also available at http://works.bepress.com/seth_barrett_tillman/568/ (last visited September 3, 2015).

Thirty-third Amendment of the Constitution Bill 2013 (Ireland), WIKIPEDIA, http://en.wikipedia.org/wiki/Thirty-

third_Amendment_of_the_Constitution_Bill_2013_(Ireland), also available at http://works.bepress.com/seth_barrett_tillman/421/ (last visited September 23, 2013).

Federalist No. 77, WIKIPEDIA, http://en.wikipedia.org/wiki/Federalist_No._77, also available at http://works.bepress.com/seth_barrett_tillman/371/ (last visited Feb. 22, 2013).

Continuity of Government Commission, WIKIPEDIA, http://en.wikipedia.org/wiki/Continuity_of_Government_Commission, also available at http://works.bepress.com/seth_barrett_tillman/324/ (last visited May 28, 2012).

Separation of Powers, WIKIPEDIA, http://en.wikipedia.org/wiki/Separation_of_powers, *also available at* http://works.bepress.com/seth_barrett_tillman/325/ (last visited May 28, 2012).

Recess Appointment, WIKIPEDIA, http://en.wikipedia.org/wiki/Recess_appointment, *also available at* http://works.bepress.com/seth_barrett_tillman/322/ (last visited May 25, 2012).

Bicameralism, WIKIPEDIA, http://en.wikipedia.org/wiki/Bicameralism, *also available at* http://works.bepress.com/seth_barrett_tillman/323/ (last visited May 25, 2012).

Citizens United v. Federal Election Commission, WIKIPEDIA, http://en.wikipedia.org/wiki/Citizens_United_v._Federal_Election_Commission, also available at http://works.bepress.com/seth_barrett_tillman/316/ (last visited May 18, 2012).

Voidable, WIKIPEDIA, http://en.wikipedia.org/wiki/Voidable, *also available at* http://works.bepress.com/seth_barrett_tillman/318/ (last visited May 22, 2012).

Hollingsworth v. Virginia, WIKIPEDIA, http://tinyurl.com/26zz2j5, also available at http://works.bepress.com/seth_barrett_tillman/193/ (last visited Aug. 23, 2010).

Shall and Will, WIKIPEDIA, http://en.wikipedia.org/wiki/Shall_and_will, also available at http://works.bepress.com/seth_barrett_tillman/194/ (last visited Aug. 23, 2010).

CITATIONS TO TILLMAN-AUTHORED STATEMENTS NOT APPEARING IN MY PUBLICATIONS

- [1] PATRICK J. CHARLES, HISTORICISM, ORIGINALISM AND THE CONSTITUTION: THE USE AND ABUSE OF THE PAST IN AMERICAN JURISPRUDENCE 232 (2014) (citing Mike Rappaport, *Tillman on Historians and Originalists*, LIBRARY OF LAW & LIBERTY (Aug. 23, 2013), http://tinyurl.com/mf6j5gl), available at http://tinyurl.com/qjbf4rg.
- [2] BRIAN C. KALT, CONSTITUTIONAL CLIFFHANGERS: A LEGAL GUIDE FOR PRESIDENTS AND THEIR ENEMIES 114 n.12 (2012).
- [3] Roy E. Brownell II, Part 1, A Constitutional Chameleon: The Vice President's Place within the American System of Separation of Powers: Text, Structure, Views of the Framers and the Courts, 24 KAN. J.L. & Pub. Pol'y 1, 14 n.61, 54 n.294 (2014), available at http://works.bepress.com/seth_barrett_tillman/474/.
- [4] Roy E. Brownell II, Part 2, A Constitutional Chameleon: The Vice President's Place within the American System of Separation of Powers: Political Branch Interpretation and Counterarguments, 24 KAN. J.L. & Pub. Pol'y 294, 294 n.*, 377 n.512 (2015), available at http://works.bepress.com/seth_barrett_tillman/475/.
- [5] Roy E. Brownell II, *The Independence of the Vice Presidency*, 17 NYU J. LEG. & PUB. POL'Y 297, 373 n.478 (2014).
- [6] Roy E. Brownell II, Can the President Recess Appoint a Vice President?, 42 PRESIDENTIAL STUD. Q. 622, 625 n.3 (2012) (peer reviewed), available at http://works.bepress.com/seth_barrett_tillman/241/, also available at http://tinyurl.com/c9d9k8q/.
- [7] Neil H. Buchanan & Michael C. Dorf, Bargaining in the Shadow of the Debt Ceiling: When Negotiating over Spending and Tax Laws, Congress and the President Should Consider the Debt Ceiling a Dead Letter, 113 COLUM. L. REV. SIDEBAR 32, 42 & n.30 (2013).
- [8] Ethan J. Leib, Why Supermajoritarianism Does Not Illuminate the Interpretive Debate Between Originalists and Non-Originalists, 101 Nw. U. L. Rev. 1905, 1909 n.19 (2007), 101 Nw. U. L. Rev. Colloquy 113, 117 n.19 (2007).

- [9] Jeremy Patrick, A Polemic Against the Standing Requirement in Constitutional Cases, 41 CAP. U. L. REV. 603, 612 n.46 (2013).
- [10] Stephen E. Sachs, *The "Unwritten Constitution" and Unwritten Law*, 2013 U. ILL. L. REV. 1797, 1822 n.177 (reviewing AKHIL REED AMAR, AMERICA'S UNWRITTEN CONSTITUTION (2012)) (citing Michael Ramsey, *Michael Stern and Seth Barrett Tillman on the Vice President's Impeachment Trial*, THE ORIGINALISM BLOG (Nov. 4, 2012, 7:00 AM), http://originalismblog.typepad.com/the-originalismblog/2012/11/michael-stern-and-seth-barrett-tillman-on-the-vice-presidents-impeachment-trialmichael-ramsey.html), *available at* http://works.bepress.com/seth_barrett_tillman/392/.
- [11] Zephyr Teachout, Closing Statement, *Constitutional Purpose and the Anti-Corruption Principle*, 108 Nw. U. L. REV. ONLINE 200, 200 n.*, 201-202, 205, 216 (2014), http://colloquy.law.northwestern.edu/main/2014/02/constitutional-purpose-and-the-anti-corruption-principle.html.
- [12] Michael Coenen, Note, The Significance of Signatures: Why the Framers Signed the Constitution and What They Meant by Doing So, 119 YALE L.J. 966, 991 n.69 (2010).
- [13] Charles S. Stein, Note, *The Qualified Privilege Against Discovery of Federal Income Tax Returns*, 5 PITT. TAX REV. 173, 187 n.75 (2008).
- [14] *Quotes of the Week*, THE SUNDAY INDEPENDENT, Sept. 22, 2013, at 26, *available at* http://works.bepress.com/seth_barrett_tillman/440/ (quoting Tillman).
- [15] Court of Appeal Defended Against Unfair Criticism, LAW SOCIETY GAZETTE, Jan.-Feb. 2015, at 8 (quoting Tillman).

GENERAL ACKNOWLEDGMENTS

ANNUAL REPORT 2004/05 NEW SOUTH WALES DEPARTMENT OF THE LEGISLATIVE ASSEMBLY 26 (Russell D. Grove, Clerk of the Legislative Assembly, ed., 2005), available at http://tinyurl.com/452hsy.

CHRISTOPHER BROOKS, CHISHOLM TO ALDEN: JAMES WILSON'S *Artificial Person* IN AMERICAN SUPREME COURT HISTORY, 1793-1999, at viii (Logos Verlag Berlin 2006).

LARRY DONNELLY ET AL., OSCOLA IRELAND 4 (2d ed. 2016), http://legalcitation.ie/wp-content/uploads/2016/04/OSCOLA-Ireland-2016.pdf

LARRY DONNELLY ET AL., OSCOLA IRELAND 1 (2011, rev. ed. 2014), available at http://works.bepress.com/seth_barrett_tillman/478/, also available at http://www.legalcitation.ie/page5/files/OSCOLA%20Ireland%202011.pdf.

David F. Forte & Matthew Spalding, *Preface* to EDWIN MEESE III ET AL., THE HERITAGE GUIDE TO THE CONSTITUTION, at vii, ix (2005).

PETER SPILLER, BUTTERWORTH'S NEW ZEALAND LAW DICTIONARY, at v (7th ed. 2011).

W.J. STEWART, COLLINS DICTIONARY OF LAW, at i (Glasgow, HarperCollins 3d ed. 2006).

ZEPHYR TEACHOUT, CORRUPTION IN AMERICA: FROM BENJAMIN FRANKLIN'S SNUFF BOX TO CITIZENS UNITED 360 (2014) (acknowledgment only), available at http://tinyurl.com/kvjbxvm, also available at http://works.bepress.com/seth_barrett_tillman/536.

Richard Albert, *Advisory Review: The Reincarnation of the Notwithstanding Clause*, 45 ALBERTA L. REV. 1037, 1037 n.* (2008) (peer reviewed).

Richard Albert, *The Constitutional Imbalance*, 37 N.M. L. REV. 1, 1 n.* (2007).

Richard Albert, *The Constitutional Politics of Presidential Succession*, 39 HOFSTRA L. REV. 497, 497 n.* (2011).

Richard Albert, *The Cult of Constitutionalism*, 39 FLA. St. U. L. REV. 373, 373 n.* (2012).

Richard Albert, *The Separation of Higher Powers*, 65 S. METHODIST U. L. REV. 3, 3 n.* (2012).

Jeremy D. Bailey, *The Traditional View of Hamilton's* Federalist *No. 77 and an Unexpected Challenge: A Response to Seth Barrett Tillman*, 33 HARV. J.L. & PUB. POL'Y 169, 169 n.* (2010).

Ittai Bar-Siman-Tov, *The Puzzling Resistance to Judicial Review of the Legislative Process*, 91 B.U. L. REV. 1915, 1915 n.* (2011).

Ian C. Bartrum, *The Constitutional Canon As Argumentative Metonymy*, 18 WM. & MARY BILL RTS. J. 327, 327 n.* (2009).

William Baude, *The Judgment Power*, 96 GEO. L.J. 1807, 1807 n.* (2008).

William Baude, Rethinking the Federal Eminent Domain Power, 122 YALE L.J. 1738, 1738 n.* (2013).

Samuel L. Bray, *A Little Bit of Laches Goes a Long Way: Notes on* Petrella v. Metro-Goldwyn-Mayer, Inc., 67 VAND. L. REV. EN BANC 1, 1 n.* (2014).

Roy E. Brownell II, Part 1, A Constitutional Chameleon: The Vice President's Place within the American System of Separation of Powers: Text, Structure, Views of the Framers and the Courts, 24 KAN. J.L. & Pub. Pol'y 1, 1 n.*, 14 n.61, 36 n.177, 54 n.294 (2014), available at http://works.bepress.com/seth_barrett_tillman/474/.

Roy E. Brownell II, Part 2, *A Constitutional Chameleon: The Vice President's Place within the American System of Separation of Powers: Political Branch Interpretation and Counterarguments*, 24 KAN. J.L. & Pub. Pol'y 294, 294 n.*, 377 n.512 (2015), *available at* http://works.bepress.com/seth_barrett_tillman/475/.

Roy E. Brownell II, When the Chief Justice Serves in the Legislative Branch, 3 AKRON J. CONST. L. & PUB. POL'Y 31, 31 n.* (2012).

Roy E. Brownell II, *The Independence of the Vice Presidency*, 17 NYU J. LEG. & PUB. POL'Y 297, 297 n.* (2014).

Roy E. Brownell II, Can the President Recess Appoint a Vice President?, 42 PRESIDENTIAL STUD. Q. 622, 622 n* (2012) (peer reviewed), available at http://works.bepress.com/seth_barrett_tillman/241/, also available at http://tinyurl.com/c9d9k8q/.

Aaron-Andrew P. Bruhl, *Burying the "Continuing Body" Theory of the Senate*, 95 IOWA L. REV. 1401, 1401 n.* (2010).

Aaron-Andrew P. Bruhl, *If the Judicial Confirmation Process is Broken, Can a Statute Fix It?*, 85 NEB. L. REV. 960, 960 n.* (2007).

Aaron-Andrew P. Bruhl, *Return of the Line Item Veto? Legalities, Practicalities, and Some Puzzles*, 10 U. PA. J. CONST. L. 447, 447 n.* (2008).

Aaron-Andrew P. Bruhl, *The Senate: Out of Order?*, 43 CONN. L. REV. 1041, 1043 n.* (2011).

Tania M. Culley, *State of Delaware Office of the Child Avocate Annual Report Fiscal Year* 2008, at iii (last visited Dec. 16, 2013), http://courts.delaware.gov/forms/download.aspx?id=39018.

Neil H. Buchanan & Michael C. Dorf, *Bargaining in the Shadow of the Debt Ceiling:* When Negotiating over Spending and Tax Laws, Congress and the President Should Consider the Debt Ceiling a Dead Letter, 113 COLUM. L. REV. SIDEBAR 32, 32 n.** (2013), http://www.columbialawreview.org/wp-content/uploads/2013/03/32_Buchanan_Dorf.pdf.

Josh Chafetz, Impeachment and Assassination, 95 MINN. L. REV. 347, 347 n.† (2010).

Josh Chafetz, Leaving the House: The Constitutional Status of Resignation from the House of Representatives, 58 DUKE L.J. 177, 177 n.[†] (2008).

Woody R. Clermont, Your Lethal Injection Bill: A fight to the death over an expensive yellow jacket, 24 St. Thomas U. L. Rev. 248, 248 n.* (2012).

Jacob E. Gersen & Eric A. Posner, *Soft Law: Lessons from Congressional Practice*, 61 STAN. L. REV. 573, 573 n.** (2008).

Jamal Greene, *The Case for Original Intent*, 80 GEO. WASH. L. REV. 1683, 1683 n.* (2012).

Paul Gronke, Editorial, *The Party Line*, 13 ELECTION L.J. 227, 227 (2014) (peer reviewed) (acknowledgment only), *available at* http://works.bepress.com/seth_barrett_tillman/483/.

Charles Homans, *The Dead Zoo Gang*, THE ATAVIST (Mar. 2014) (acknowledgments), https://read.atavist.com/dead-zoo-gang, *also available at* http://works.bepress.com/seth_barrett_tillman/469/.

Andrew Hyman, *The Substantive Role of Congress Under the Equal Protection Clause*, 42 S.U. L. REV. 79, 79 n.* (2014) (acknowledgment only), *available at* http://ssrn.com/abstract=2468984, *also available at* http://works.bepress.com/seth_barrett_tillman/504/.

Brian C. Kalt, Section 4 of the Twentieth Amendment 1 n.* (July 26, 2015), available at http://ssrn.com/abstract=2635633.

Paul MacMahon, Self-Service Search Warrants and International Terrorism: Lessons from Damache v DPP, 1 IRISH L.J. 2, 3 n.* (2012).

Gregory E. Maggs, A Concise Guide to the Federalist Papers as a Source of the Original Meaning of the United States Constitution, 87 B.U. L. REV. 801, 801 n.* (2007).

Jonathan A. Marcantel, *The Corporation as a 'Real' Constitutional Person*, 11 UC DAVIS BUS. L.J. 221, 221 n.* (2011).

Buckner F. Melton, Jr., *Let Me Be Blunt: In* Blount, *the Senate Never Said that Senators Aren't Impeachable*, 33 QUINNIPIAC L. REV. 33, 33 n.**, 54 n.81 (2014), *available at* http://ssrn.com/abstract=2509665, *also available at* http://works.bepress.com/seth_barrett_tillman/508/.

Geoffrey P. Miller, *The Corporate Law Background of the Necessary and Proper Clause*, 79 GEO. WASH. L. REV. 1, 1 n.* (2010).

Michael T. Morley, *The Intratextual Independent "Legislature" and the Elections Clause*, 109 Nw. U. L. REV. ONLINE 131, 131 n.*, 143 n.74 (2015).

Derek T. Muller, *Scrutinizing Federal Electoral Qualifications*, 90 IND. L.J. 559, 559 n.*, 564 n.21 (2015), *available at* http://ssrn.com/abstract=2426396, *also available at* http://works.bepress.com/seth_barrett_tillman/471/.

Jonathan Remy Nash, *The Majority that Wasn't: Stare Decisis, Majority Rule, and the Mischief of Quorum Requirements*, 58 EMORY L.J. 831, 831 n.* (2009).

Robert G. Natelson, *The Founders' Origination Clause and Implications for the Affordable Care Act*, 38 HARV. J.L. & PUB. POL'Y 629, 629 n.* (2015).

Peter Nicolas, Nine, of Course: A Dialogue on Congressional Power to Set by Statute the Number of Justices on the Supreme Court, 2 N.Y.U. J.L. & LIBERTY 86, 86 n.* (2006).

John T. Parry, Congress, the Supremacy Clause, and the Implementation of Treaties, 32 FORDHAM INT'L L.J. 1209, 1209 n.* (2009).

Bruce G. Peabody, Response to Geoffrey R. Stone, Seth Barrett Tillman, and Alan Brownstein, *Analogize This: Partial Constitutional Text, Religion, and Maintaining Our Political Order*, 2010 CARDOZO L. REV. DE NOVO 204, 204 n.* & passim, available at http://tinyurl.com/lom8f2x, also available at http://ssrn.com/abstract=1537141, also available at http://works.bepress.com/seth_barrett_tillman/138/.

D. Theodore Rave, *Politicians as Fiduciaries*, 126 HARV. L. REV. 671, 671 n.* (2013), *available at* http://works.bepress.com/seth_barrett_tillman/305/.

Brian Sawers, Original Misunderstandings: The Implications of Misreading History in Jones, 31 GA. St. U.L. Rev. 471, 471 n.* (2015).

Zephyr Teachout, Closing Statement, *Constitutional Purpose and the Anti-Corruption Principle*, 108 Nw. U. L. Rev. Online 200, 200 n.*, 201-202, 216 (2014), http://colloquy.law.northwestern.edu/main/2014/02/constitutional-purpose-and-the-anti-corruption-principle.html.

Unreported Cases: Superior Vision Services, Inc. v. ReliaStar Life Insurance Co., 32 DEL. J. CORP. L. 707, 707, 708 n.2 (2007).

Eugene Volokh, *Ex Post: Acknowledgments, Credits & Featured Books*, 13 GREEN BAG 2D 371, 371 (2010) (peer reviewed), *available at* http://www.greenbag.org/v13n3/v13n3_back_matter.pdf.

Hanah Metchis Volokh, *A Read-the-Bill Rule for Congress*, 76 Mo. L. REV. 135, 135 n.* (2011).

Adam R.F. Gustafson, Note, *Presidential Inability and Subjective Meaning*, 27 YALE L. & POL'Y REV. 459, 459 n.* (2009).

Leah Holmes, Note, *The 33rd Amendment on the Establishment of a Court of Appeal*, 4(1) THE GOLDEN THREAD 10, 11 (2013), available at http://works.bepress.com/seth_barrett_tillman/439/.

Symposia, Lectures & Receptions, THE DOCKET: NEW YORK UNIVERSITY SCHOOL OF LAW, March 8-March 15, 2005, at 3, *available at* http://www.law.nyu.edu/publications/thedocket/docketarchives/20042005/index.htm.

Symposia, Lectures & Receptions, THE DOCKET: NEW YORK UNIVERSITY SCHOOL OF LAW, Feb. 15, 2005, at 3, 4 & 10, *available at* http://www.law.nyu.edu/publications/thedocket/docketarchives/20042005/index.htm.

University News, Dec. 2013, at 6, *available at* http://communications.nuim.ie/university_news/documents/december_news_2013-web.pdf.

Lawrence B. Solum, *Semantic Originalism* 1 n.* (Illinois Pub. Law Research Paper No. 07-24, 2008), *available at* http://tinyurl.com/ndp845, *also available at* http://philpapers.org/archive/SOLSO.pdf.

Richard Albert, Democratic Revolutions 1 n.† (2011) (unpublished manuscript) (on file with author), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1808021, also available at http://www.researchgate.net/publication/228284070_Democratic_Revolutions.

Roy E. Brownell II, Constitutional Chameleon: The Vice President's Place in Both the Political Branches 3 n.* (2011) (unpublished manuscript) (on file with author), *available at* http://works.bepress.com/seth_barrett_tillman/235/.

Ryan S. Killian, Faithfully Interpreting "Faithfully" 10 n.69, 14 n.[†] (Mar. 1, 2013) (unpublished manuscript, on file with author), *available at* http://ssrn.com/abstract=2226297, *also available at* http://works.bepress.com/seth_barrett_tillman/380/.

National Conference of Commissioners on Uniform State Laws, Agenda – New Business: Proposal for Emergency Legislative Authority 3 (July 8, 2006), *available at* http://tinyurl.com/2u3k5ug.

Mastheads

Caoimhe Hough and others, *Editors' Welcome*, 2 IRISH L.J. i, v, 1 (2014) (peer reviewed) (masthead and *Editors' Welcome*) (available on HeinOnline).

David Fitzmaurice & Sharon Pia Hickey, *Editors' Welcome*, 1 IRISH L.J. i, ii, 1 (2012) (peer reviewed) (masthead and *Editors' Welcome*) (available on HeinOnline).

Masthead, 5(1) BRIT. J. AM. LEGAL STUD. i, ii (**forthcoming** 2016) (peer reviewed) (to be posted on HeinOnline).

Masthead, 4(special issue) BRIT. J. AM. LEGAL STUD. iii, iv (2015) (peer reviewed) (available on HeinOnline).

Masthead, 4(1) BRIT. J. AM. LEGAL STUD. i, ii (2015) (peer reviewed) (available on HeinOnline).

Masthead, 3(2) BRIT. J. AM. LEGAL STUD. i, ii (2014) (peer reviewed) (available on HeinOnline).

Masthead, 3(1) BRIT. J. AM. LEGAL STUD. i, ii (2014) (peer reviewed) (available on HeinOnline).

Seth Barrett Tillman, Associate Editor on the *British Journal of American Legal Studies* (July 2013-Present), *available at* http://www.bcu.ac.uk/elss/school-of-law/research/centre-for-american-studies/british-journal-american-legal-studies.

My publications and their abstracts are generally available on http://ssrn.com/author=345891 and on http://works.bepress.com/seth_barrett_tillman/.

I am happy to answer inquiries in regard to how I calculated my citation counts and also to suggest how others should fairly count citations.

Write me at: sbarretttillman@yahoo.com.

_

ⁱ Where multiple versions of otherwise identical journal articles cite a Tillman-authored publication, only the most recent version of the article is counted. Where multiple versions or editions of otherwise identical reports, books, etc. cite a Tillman-authored publication, only **one** version or edition of the report, book, etc. is counted.

However, a report, book, etc. initially published under one author's name, but republished under another author's name or in a new language will be counted twice.

Likewise, an article published in a journal, and then republished in a book (or vice versa) will be counted twice. Similarly, a conference paper later published in a journal, in the same or similar form, is counted twice.

Finally, each *separate* section of a multi-section treatise citing a Tillman-authored publication is counted individually. Such treatises include: (i) Rotunda & Nowak's *Treatise on Constitutional Law: Substance and Procedure*, and (ii) Forte & Spalding's *The Heritage Guide to the Constitution*.

- ii A citation is "Extant" if a draft is **publicly** available, even if not in final form. Drafts posted on SSRN are "Extant."
- iii 2013 and 2014 are my two most productive years for citations.
- iv A citation is "Forthcoming": (i) if I have seen a draft version (which is **not** publicly available); or (ii) if I have received substantial personal assurance from the third-party author that his or her publication will include one or more citations to a Tillman-authored publication (or will acknowledge me personally). By contrast, a citation is "Extant" if the third-party publication (or draft publication) has already been printed, published, or placed on line (in final or draft form). (When I report citation totals, I do **not** include citations in the "Forthcoming" category.)
- ^v A citation is "Expected or Planned" if I have good cause to be believe when the publication is published it will include one or more citations to a Tillman-authored publication. (When I report citation totals, I do **not** include citations in this "Expected or Planned" category.)
- vi See supra notes iv & v. Counting all "Extant" citations. Citation totals do **not** include citations in the "Forthcoming" category. Citation totals do **not** include citations in the "Expected or Planned" category.
- vii See supra notes iv & v. Again, citation totals do **not** include citations in the "Forthcoming" category. Citation totals do **not** include citations in the "Expected or Planned" category. Finally, third-party working papers which have not yet been accepted for publication or published at a journal are categorized as non-journal citations.