

**CLAYTON J. MASTERMAN**  
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## ACADEMIC POSITIONS

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**University at Buffalo School of Law**, Buffalo, NY  
Associate Professor of Law, Fall 2023 – Present  
Courses Taught: Torts (Fall 2024, Fall 2025), Health Care Law (Spring 2024, Spring 2025), Law and Economics (Spring 2025).

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## EDUCATION

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**Vanderbilt University**, Nashville, TN  
Ph.D. in Law and Economics, 2019  
Fields: Risk and Environmental Regulation; Industrial Organization.  
Dissertation: “An Empirical Analysis of Policy Responses to the Opioid Epidemic.”  
Committee: W. Kip Viscusi (Chair), Christopher Carpenter, Melissa McPheters, Kevin Stack.  
Honors: Ph.D. Program in Law and Economics Summer Fellowship, Society for Benefit-Cost Analysis Outstanding Dissertation Award.

J.D., 2019

Activities: VANDERBILT LAW REVIEW, Articles Editor; Moot Court Board; Law and Economics Scholar.  
Honors: Order of the Coif; Scholastic excellence awards for top student in law courses (Administrative Law, Copyright Law, Federal Courts and the Federal System, International Trade Law, Patent Law, Trade Secrets).

**Vassar College**, Poughkeepsie, NY  
B.A. in Economics and Mathematics, 2013  
Honors: Agnes Reynolds Jackson Prize for excellence in written work in economics.

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## WORKING PAPERS AND PROJECTS

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*Abatement and Public Nuisance Incentives* (under review).

*State Choice of National Performance Measures and Receipt of Quality Pediatric Care: Is Prioritization Associated with Patient Experience?*, with Wanda Estinfort, Caila Wagar, Dennis Z. Kuo, and Denise F. Lillvis.

- Accepted for presentation by a co-author at the Academy Health Annual Research Meeting, June 2025.

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## PUBLICATIONS

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*Valuing Heat-Related Mortality Risks*, with W. Kip Viscusi, 16 JOURNAL OF BENEFIT-COST ANALYSIS (forthcoming 2026).

*Public Nuisance Remedies*, 59 UNIVERSITY OF RICHMOND LAW REVIEW (forthcoming 2025).

*Opioid Settlements and Profitable Public Nuisances*, 40 TOURO LAW REVIEW (forthcoming 2025) (invited contribution).

*Buyer, Beware of Addiction*, with Erin E. Meyers, 46 CARDOZO LAW REVIEW 665 (2025).

*COVID-19 Tort Reform*, 34 HEALTH-MATRIX: JOURNAL OF LAW-MEDICINE 133 (2024).

*Publication Selection Biases in Stated Preference Estimates of the Value of a Statistical Life*, with W. Kip Viscusi, 11 JOURNAL OF BENEFIT-COST ANALYSIS 357 (2020).

*The Specific Consumer Expectations Test for Product Defects*, with W. Kip Viscusi, 95 INDIANA LAW JOURNAL 183 (2020).

*The Income Elasticity of Global Values of a Statistical Life: Stated Preference Evidence*, with W. Kip Viscusi, 9 JOURNAL OF BENEFIT-COST ANALYSIS 407 (2018).

*Introduction: The Effects of Selection Method on Public Officials*, 70 VANDERBILT LAW REVIEW 1705 (2017) (invited contribution).

*Income Elasticities and Global Values of a Statistical Life*, with W. Kip Viscusi, 8 JOURNAL OF BENEFIT-COST ANALYSIS 226 (2017).

*Anchoring Biases in International Estimates of the Value of a Statistical Life*, with W. Kip Viscusi, 54 JOURNAL OF RISK & UNCERTAINTY 103 (2017).

*The Customer Is Not Always Right: Balancing Worker and Customer Welfare in Antitrust Law*, 69 VANDERBILT LAW REVIEW 1387 (2016).

Winner of Vanderbilt Law School's Myron Penn Laughlin Award for Excellence in a Published Note, the American Antitrust Institute's Best Antitrust and Buyer Power Article of 2016 Award, and the American Bar Association Section of Antitrust Law's 2018 Student Writing Competition.

## **PRESENTATIONS**

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*Valuing Heat-Related Mortality Risks*, Annual Conference and Meeting of the Society for Benefit-Cost Analysis (March 13, 2025).

*Public Nuisance Remedies*, The Past and Future of Opioid Litigation: Settlements and What They Mean Going Forward for the Nation, Touro Law School, Central Islip, NY (Oct. 17, 2023).

*Opioid Overdoses and Worker Fatalities*, Annual Conference and Meeting of the Society for Benefit-Cost Analysis (virtual session) (March 22, 2021).

*Opioid Overdoses and Worker Fatalities*, Annual Conference and Meeting of the Southern Economics Association, New Orleans, LA (Nov. 21, 2020).

*Antitrust Guidance and Labor Market Outcomes*, Annual Conference and Meeting of the Southern Economics Association, Fort Lauderdale, FL (Nov. 24, 2019).

*Private Law Solutions to Public Health Epidemics: Evidence from the U.S. Opioid Crisis*, Annual Conference and Meeting of the Southern Economics Association, Fort Lauderdale, FL (Nov. 23, 2019).

*Private Law Solutions to Public Health Epidemics: Evidence from the U.S. Opioid Crisis*, Annual Conference of the Private Law Consortium, Bar Ilan University, Tel Aviv, Israel (June 4, 2019).

*The Right Prescription: Naloxone Access Laws and Opioid Overdose Fatalities*, Annual Conference and Meeting of the American Law and Economics Association, New York City, NY (May 17, 2019).

*Publication Selection Biases in Stated Preference Estimates of the Value of a Statistical Life*, Annual Conference and Meeting of the Society for Benefit-Cost Analysis, Washington, D.C. (March 15, 2019).

*The Effect of FDA Boxed Warnings: Evidence from Prescription Opioids*, Annual Conference and Meeting of the Southern Economics Association, Washington, D.C. (Nov. 19, 2018).

#### **JUDICIAL CLERKSHIPS**

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**Hon. David Sentelle, United States Court of Appeals for the D.C. Circuit**, Washington, D.C.  
Law Clerk, Fall 2020 – Fall 2021

**Hon. Gregg Costa, United States Court of Appeals for the Fifth Circuit**, Houston, TX  
Law Clerk, Fall 2019 – Fall 2020

#### **OTHER EMPLOYMENT EXPERIENCE**

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**Kellogg, Hansen, Todd, Figel & Frederick**, Washington, D.C.  
Associate, Fall 2021 – Summer 2023

**Professor W. Kip Viscusi, Vanderbilt Law School**, Nashville, TN  
Research Assistant, Summer 2014 – Spring 2019

**Skadden, Arps, Slate, Meagher & Flom LLP**, Washington, D.C.  
Summer Associate, Summer 2018

**Federal Trade Commission, Bureau of Competition**, Washington, D.C.  
Summer Legal Intern, Summer 2016

**Tennessee Office of the Attorney General, Consumer Advocate and Protection Division**, Nashville, TN  
American Bar Association Janet D. Steiger Fellow, Summer 2015

**Vassar College Department of Economics**, Poughkeepsie, NY

Masterman CV

Department Intern (Teaching Assistant for Introduction to Microeconomics and Probability & Statistics), Fall 2012 – Spring 2013

**University at Albany College of Nanoscale Science and Engineering**, Albany, NY  
Economics Research Intern, Summer 2011

**PROFESSIONAL SERVICE AND AFFILIATIONS**

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*Peer Reviewer*, American Law and Economics Review; Journal of Benefit-Cost Analysis; Journal of Law, Economics, and Organization; Journal of Health Economics; Journal of Risk and Uncertainty.

*Member*, American Law and Economics Association; Society for Benefit Cost Analysis; Southern Economics Association.

**BAR ADMISSIONS**

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Washington, D.C.; United States District Court for the District of Columbia; United States District Court for the District of Colorado; United States Court of Appeals for the D.C. Circuit.