

ROBERT M. LLOYD
Professor Emeritus
University of Tennessee College of Law
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EDUCATION

J.D. (magna cum laude), University of Michigan, 1975

B.S.E. (with honors), Princeton University, 1967 (majored in aerospace engineering)

PROFESSIONAL EXPERIENCE

1983-2011 Lindsay Young Professor of Law, University of Tennessee, Knoxville. Courses: Contracts I, Contracts II, Commercial Law, Introduction to Business Transactions, Law and Economics, Representing Enterprises, Commercial Finance Seminar, Debtor-Creditor Law. Founder and Director, Center for Entrepreneurial Law (1995-97)

1975-1982 Associate, Sheppard, Mullin, Richter & Hampton, Los Angeles, California. Resigned from firm after being elected a partner. Specialized in commercial and real estate financing.

MILITARY SERVICE

1967-1972 U.S. Marine Corps. Combat Helicopter Pilot, Flight Instructor, VIP Pilot. Twice decorated for heroism in combat. Honorably discharged with the rank of captain.

AWARDS

Harold C. Warner Outstanding Teacher Award--1987, 1991, and 2008

W. Allen Separk Faculty Scholarship Award --2006

University of Tennessee Alumni Association Outstanding Teacher Award--1996

Carden Faculty Scholarship Award -- 1994

Student Bar Association Outstanding Teacher Award -- 1998 and 1990

SELECTED PUBLICATIONS (including all publications from 2004 through 2014)

Books:

CONTRACTS: A TRANSACTIONAL AND LITIGATION APPROACH (5TH ED. WEST 2020) (with G. Kuney) (four earlier editions also published by West)

SECURED TRANSACTIONS (CLAYTON CENTER FOR ENTREPRENUERIAL LAW 2008) (with G. Kuney)

SECURED TRANSACTIONS (MATTHEW BENDER & Co., 1988)

Chapters in Books Compiled by Others:

Cost of Capital Included in Damage Calculations in THE LAWYER'S GUIDE TO COST OF CAPITAL (SHANNON P. PRATT & ROGER J. GRABOWSKI, EDS. 2014)

Cost of Capital Included in Damage Calculations in COST OF CAPITAL IN LITIGATION (SHANNON P. PRATT & ROGER J. GRABOWSKI, EDS. 2010)

Motions to Exclude Expert Testimony in THE COMPREHENSIVE GUIDE TO LOST PROFITS DAMAGES (NANCY J. FANNON & JONATHAN DUNITZ, EDS., 6TH ED. 2020)

The Reasonable Certainty Requirement in Lost Profits Litigation: Discounting Damages: Case Law in THE COMPREHENSIVE GUIDE TO LOST PROFITS DAMAGES (NANCY J. FANNON & JONATHAN DUNITZ, EDS., 6TH ED. 2020)

Discounting Damages: Case Law in THE COMPREHENSIVE GUIDE TO LOST PROFITS DAMAGES (NANCY, J. FANNON & JONATHAN DUNITZ, EDS., 6TH ED. 2020)

Pennzoil v. Texaco in TRIAL ADVOCACY STORIES (MICHAEL TIGAR & ANGELA DAVIS, EDS., 2008)

Articles:

Recovery of Damages for Lost Profits: The Historical Development, 18 U. PA. J. BUS. L. 315 (2016) (with Nicholas J. Chase)

Proving Damages for Lost Profits: The Before-and-After Method, http://trace.tennessee.edu/utk_lawpubl/71

The Yardstick Method: Courts Are Becoming More Demanding, DUNN ON DAMAGES, Winter 2012, at 19.

Discounting Future Lost Profits—Risk-Adjusted or Risk-Free Rate? DUNN ON DAMAGES, Summer 2012, at 9.

Damages for Breach of Contract – How Long Is the Recovery Period, DUNN ON DAMAGES, Spring 2011, at 19.

The Reasonable Certainty Requirement in Lost Profits Litigation: What It Really Means, 12 TENN. J. BUS. L. 11 (2010)

Why Every Law Student Should Be A Gunner, 40 ARIZ. ST. L. J. 1343 (2008)

Discounting Lost Profits in Business Litigation: What Every Lawyer and Judge Needs to Know, 9 TENN. J. BUS. L. 9 (2007)

Proving Lost Profits After Daubert: Five Questions Every Court Should Ask Before Admitting Expert Testimony, 41 U. RICH. L. REV. (2007)

The "Circle of Assent" Doctrine: An Important Innovation in Contract Law, 7 TENN. J. BUS. L. 237 (2006).

Hard Law Firms and Soft Law Schools, 83 N.C. L. REV. 667 (2005)

Pennzoil v. Texaco, Twenty Years After: Lessons for Business Lawyers 6. TENN. J. BUS. L. 321 (2005)

Making Contracts Relevant: Thirteen Lessons for the First Year Contracts Course, 36 ARIZ. ST. L.J. 257 (2004)

Contract Damages in Tennessee, 69 TENN. L. REV. 837 (2002)

Investigating a New Way to Teach Law: A Computer-Based Commercial Law Course, 50 J. LEGAL ED. 587 (2000)

The New Article 9: Its Impact on Tennessee Law, Part I, 67 Tenn. L. Rev. 125 (1999) and *Part II*, 67 TENN. L. REV. 329 (2000)

Wrongful Repossession in Tennessee, 65 TENN. L. REV. 761 (1998)

Lender Liability for Wrongful Repossession, 114 BANKING L. J. 612 (1997)

Consumerism in Legal Education, 45 J. LEGAL EDUC. 551 (1995)

The Absolute Bar Rule in UCC Foreclosure Sales: A Prescription for Waste, 40 UCLA L. REV. 695 (1993)

Article 9 and Real Estate Law: Practical Solutions for Some Bothersome Problems, 29 IDAHO L. REV. 583 (1993)

Tennessee Adopts Article 2A of the UCC, TENN. BAR. J. 11 (Jul./Aug. 1993)

Financial Covenants in Commercial Loan Documentation: Uses and Limitations, 58

TENN. L. REV. 335 (1991)

An Agenda for Reform of the Article 9 Filing System, 44 OKLA. L. REV. 99 (1991) (with P. Alces)

Refinancing Purchase Money Security Interests, 53 TENN. L. REV. 1 (1985)

SELECTED PRESENTATIONS

Lost Profits Expert Testimony and Daubert Challenges: A Case Study, presented at (1) AICPA Forensic and Valuation Services Conference, Las Vegas, NV, November 10, 2015, (2) TSCPA Southeastern Forensic and Valuation Services Conference, Nashville, TN, November 27, 2015, (3) Litigation Counsel of America Fall Conference, Charleston, SC, October 8, 2015

Discounting Damages: Case Law & Methods – A Legal Perspective, Business Valuation Resources Advanced Webinar Series on Lost Profits Damages, January 7, 2011

The Latest on Motions to Exclude Financial Experts: The Now-Routine Trial Tactic That Works, Business Valuation Resources Advanced Webinar Series on Lost Profits Damages, January 21, 2011

SELECTED PROFESSIONAL ACTIVITIES

Uniform Law Commissioner, 2011 to 2017

Member, Drafting Committee for the Uniform Voidable Transactions Act

Member, Study Group on Driverless Cars (Chair of Issues Subcommittee)

Member, Panel of Experts, *Dunn on Damages: The Economic Damages Report For Litigators and Experts*, 2010 to 2013

Fellow, American College of Commercial Finance Lawyers, 1986 to present

Fellow, Litigation Counsel of America, 2015 to present

Member, National Association of Forensic Economics, 2012-2020

Member, American Academy of Economic and Financial Experts, 2012-2020

Chair, Transactional Task Force on Real Estate Receivables, NCCUSL/ALI Article 9 Drafting Committee, 1997

Chair, Advisory Group on Relationship of Real Estate Law to Article 9, Permanent Editorial Board Article 9 Study Committee, 1990-92

Vice-Chair, Task Force on Uniform Commercial Code Filing Systems, Business Law Section, American Bar Association, 1989-91

Member, Executive Committee, Section of Real Property, State Bar of California, 1983

Chair, Real Estate Finance Committee, Los Angeles County Bar Association, 1982