

# DÉSIRÉE KLINGLER

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## PUBLICATIONS

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### Forthcoming

*Non-Compliance with Contract Terms: A Comparative View on (Non)Regulation and Remedies* (with Pedro Telles), in *CONTRACT CHANGES: THE DARK SIDE OF EU PUBLIC PROCUREMENT LAW*, edited by Roberto Caranta et al., European Procurement Law series, Cheltenham, UK, Northampton, MA, U.S.: Edward Elgar (fall 2022).

*Efficiency, Quality, and Sustainability in Government Procurement: A Law and Economics Analysis*, Dissertation, University of St. Gallen, Switzerland (October 2022).

Country Report on the New Swiss Public Procurement Law (with Marc Steiner), *European Procurement & Public Private Partnership Law Review* (fall 2022).

Contributions on e-auctions and sustainable procurement (TBC), in *ENCYCLOPEDIA OF PUBLIC PROCUREMENT*, edited by Pedro Telles, Cheltenham, UK: Edward Elgar (January 2023).

**Habilitation equivalent publications on:** Can Public-Private Marketplaces Achieve a More Sustainable Global Economy, Environment and Society than International Treaties?

*Amazon.gov: Benefits and Perils of E-Marketplaces in Public Procurement*, in *PUBLIC CONTRACTS AND DIGITALIZATION*, edited by Gabriella Racca and Chris Yukins, Brussels: Bruylant Larcier, the paper will appear in fall 2022 in *IUS PUBLICUM Network Review*.

The U.S. Antitrust Education Market is Biased Against Enforcement and Outdated: Evidence from A Syllabus Text Analysis (with Fiona Scott Morton), planned to be submitted to the *Journal of Empirical Legal Studies* (fall 2022).

Government Purchasing During COVID-19 and Recessions: How Expansionary Legal Policies Can Stimulate the Economy, *Public Contract Law Journal*, Vol. 50(1), 1-35 (2020).

Promoting Sustainable Public Procurement Through Economic Policy Tools: From Moral Suasion to Nudging (with Steve Schooner), *European Journal of Public Procurement Markets*, 4<sup>th</sup> Issue (September 2022)

Fair Pay and Safe Workplaces: Reassessing the Costs and Benefits in Government Contracting, *Yale Journal on Regulation Bulletin*, Vol. 39 (Dec. 2021).

Measuring what Matters in Public Procurement Law: Efficiency, Quality and More, *Journal of Management Policy and Practice*, Vol. 21(3), 73-98 (2020).

### Finance related publications

*Fiscal and Monetary Policies against COVID in the United States* (with Faisal Chaudhry, and Raphaelle Chappe), in *GLOBAL RESPONSES TO COVID-19*, Institute for New Economic Thinking (Nov. 2020).

RegTech and the Sandbox: Play, Innovate, and Protect, in *THE REGTECH BOOK*, edited by Douglas Arner et al., West Sussex, UK: Wiley, 2019.

InsurTech: Refreshingly Different—Like Lemonade, in *The INSURTECH BOOK*, edited by Sabine Vander Linden et al., West Sussex, UK: Wiley, 2018.

P.R.I.M.E. Finance—The Boon and Bane of a Specialized Dispute Resolution Institution, *CapLaw: Swiss Captial Markets Law* (Oct. 2015).

The Limits of Directors' Duties in Fostering Corporate Social Responsibility and the Idea of a Multi-Stakeholder Board (with Say Goo), in *RESEARCH HANDBOOK ON DIRECTORS' DUTIES*, edited by Adolfo Paolini, Cheltenham, UK: Edward Elgar, 2014.

### **Other publications**

*Democratizing the App Store: How U.S. Antitrust State Bills are Tackling Big Tech*, *Verfassungsblog* (April 2021).

*Amazon's Digital Theory of Harm* (with Jonathan Bokemeyer, Benjamin Della Rocca, and Rafael Bezerra Nunes), [Thurman Arnold Project at Yale](#), presented to the U.S. Federal Trade Commission (May 2020).

*Radically Rethinking Public Purchasing: How New Mechanisms Can Improve Efficiency and Equality in Government Spending* (with Matt Prewitt and Paul Healy), [RadicalxChange Project](#) (Dec. 2019).

Passing of Risk: Articles 66-70 CISG (with Marc Mauerhofer), in *COMMENTARY ON THE UN SALES LAW (CISG)*, edited by Christoph Brunner et al., Alphen aan den Rijn, NL: Wolters Kluwer, 2019.

OBLIGATIONENRECHT: ALLGEMEINER UND BESONDERER TEIL (Swiss Contract Law: General and Special Part), edited by Claire Huguenin, 1st, 2nd, and 3rd ed. Zürich/Basel/Genf: Schulthess Verlag, 2012, 2014 and 2019.

Kapitel IV: Übergang der Gefahr, Artikel 66-70 CISG (with Marc Mauerhofer), in *UN-KAUFRECHT – CISG*, edited by Christoph Brunner, 1st and 2nd ed. Berne: Stämpfli Verlag, 2004 and 2014.

### **CONFERENCE PRESENTATIONS**

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#### **Organizer/Moderator**

*New Protectionism in International Public Procurement*, Panel organizer and moderator (with Chris Yukins) at George Washington University, Government Procurement Law Program webinar (September 7, 2022), panelists include Robert Anderson (WTO retired) and Simon Evenett (University of St. Gallen)

*Cybersecurity and Privacy in EU and U.S. Public Procurement*, Panel organizer (with Chris Yukins) at George Washington University, Government Procurement Law Program webinar (fall 2022)

*Delivering the Vaccine: Procurement's Challenge*, Moderator (with Chris Yukins) at the George Washington University, Government Procurement Law Program (December 10, 2020), panelists include Simon Evenett (University of St. Gallen) and Prashant Yadav (INSEAD)

*A Law & Economics Perspective on Green Public Procurement*, Panel organizer at the Intensive Doctoral Week, Sciences Po Law School, Paris, France (June 14-18, 2021), with panelists Marta Andhov (Copenhagen University), Steve Schooner (GW Law), Carine Staropoli (Paris School of Economics), Marc Steiner (Judge Swiss Federal Court)

*An Interdisciplinary View on Green Public Procurement*, Panel organizer at the Annual Conference of the Society for Benefit-Cost Analysis, Washington, D.C., United States (March 22-24, 2021), with panelists Roberto Caranta (University of Torino), Steve Schooner (GW Law), Marc Steiner (Judge Swiss Federal Court)

## **Speaker/Panelist**

*Promoting Sustainable Public Procurement through Economic Policy Tools*, Speaker at the 5<sup>th</sup> European Conference on Sustainable and Innovative Public Procurement, Lisbon, Portugal (May 5-6, 2022)

*Cost-Benefit Analysis of Labor Law in Government Contracting*, Speaker at XI Global Revolution, University of Nottingham, UK (June 13-14, 2022)

*Using Data Analysis to Promote Green Public Procurement*, Speaker at the European Procurement and Public Private Partnership (EPPPL) Conference on “Fundamentals of Green Public Procurement,” Lisbon, Portugal (May 19-20, 2022)

*Green and Sustainable PPP Procurement*, Panelist at the 15<sup>th</sup> Session of the UNECE Committee on Innovation, Competitiveness and Public-Private Partnerships (CICPPP), Geneva, Switzerland (May 25-27, 2022)

*Green and Sustainable PPP Procurement*, Panelist at the 6<sup>th</sup> Session of the UNECE International Public-Private Partnerships Forum, Barcelona, Spain (4-6 May 2022)

*Measuring What Matters in Public Procurement Law: Efficiency, Quality and More*, Discussant: Christoph Engel (Max Planck Institute), at the 13<sup>th</sup> European Doctorate in Law and Economics (EDLE) seminar on “The Future of Law and Economics (March 25-26, 2021)

*Measuring what Matters in Public Procurement Law: Quality, Sustainability and Corruption*, Speaker at the Annual Conference of the Society for Benefit-Cost Analysis, Washington, D.C., United States (March 22-24, 2021)

*Expansionary Legal Policies in Government Purchasing during COVID*, Speaker at the Yale Conference on Law and Macroeconomics, New Haven, CT, United States (October 15, 2020)

*A Network Analysis of Public Infrastructure Investments*, Presenter at the Yale Law School Doctoral Scholarship Conference, Law and Economics Workshop, New Haven, CT, United States (November 8-9, 2019)

*Unlocking Cost Savings in Public Procurement through Nudging*, Presenter at the Behavioral Insight Group (BIG) Doctoral Workshop, Harvard Kennedy School, Boston, MA, United States (August 19, 2019)