

MAYTAL GILBOA

Academic Positions

- 2020-present Assistant Professor, University of Bar Ilan Faculty of Law
- 2018-2020 Postdoctoral Fellow, University of Toronto Faculty of Law
- 2016-2017 Postdoctoral Fellow, Hebrew University of Jerusalem,
The Federmann Center for the Study of Rationality
- 2015-2016 Adjunct Lecturer, Tel Aviv University Buchmann Faculty of Law

Education

- 2016 Ph.D., Tel Aviv University Buchmann Faculty of Law, Zvi Meitar Center for Advanced Legal Studies
Dissertation: "Causation and Unjust Enrichment"
Supervisor: Professor Ariel Porat
- 2013 LL.M. (as part of the direct Ph.D. program), Tel Aviv University Buchmann Faculty of Law, Zvi Meitar Center for Advanced Legal Studies
- 2004 LL.B. (magna cum laude), Tel Aviv University Buchmann Faculty of Law
- 2004 B.A. in Management, Tel Aviv University Recanati Business School

Research & Teaching Interests

Primary: Private Law Theory, Tort Law, Unjust Enrichment, Remedies, Causation in the Law

Secondary: Law and Economics, Contract Law

Publications

- Biased but Reasonable: Bias Under the Cover of Standard of Care, 57 GEORGIA LAW REVIEW 489 (2023)
 - Covered in Race, Racism and the Law (March. 26, 2023)
<https://racism.org/articles/basic-needs/54-health-and-health-care/230-health-care-generally/191-barrierstoaccess/11096-biased-but>
- The Future of Property, 44 CORDOZO LAW REVIEW 1443 (2023) (with Yael Lifshitz & Yotam Kaplan)
- Duty of Noninjury, Duty of Care, and Guidance Rules: A Comment on *Recognizing Wrongs*, 27 JERUSALEM REVIEW OF LEGAL STUDIES 51 (2023)
- Linking Gains to Wrongs, 35 CANADIAN JOURNAL OF LAW AND JURISPRUDENCE 365 (2022)
- The Costs of Mistakes, 122 COLUMBIA LAW REVIEW FORUM 61 (2022) (with Yotam Kaplan)
 - Cited and Quoted by the US Court of Appeal (Second Circuit) in the matter of Citibank v. US LLC LP (Sep. 8, 2022)

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- The Other Hand Formula, 26 LEWIS & CLARK LAW REVIEW 883 (2022) (with Yotam Kaplan)
 - The Color of Pain: Racial Bias in Pain and Suffering Damages, 56 GEORGIA LAW REVIEW 651 (2022)
 - Covered in Race, Racism and the Law (Sep. 21, 2022) <https://racism.org/articles/law-and-justice/civil-justice-and-racism/10723-the-color>
 - Loser Takes All: Multiple Claimants & Probabilistic Restitution, 10 UC IRVINE LAW REVIEW 907 (2020) (with Yotam Kaplan)
 - Multiple Reasonable Behavior Cases: The Problem of Causal Underdetermination in Tort Law, 25 LEGAL THEORY 77 (2019)
 - The Costs of Having (too) Many Choices: Reshaping the Doctrine of Informed Consent, 84 BROOKLYN LAW REVIEW 367 (2019) (with Omer Pelled)
 - The Mistake about Mistakes: Rethinking Partial and Full Restitution, 26 GEORGE MASON LAW REVIEW 427 (2018) (with Yotam Kaplan)
 - The Right of a Payor, Who Discharged Another's Debt Under a False Assumption, for Restitution from the Creditor, 35 TEL AVIV U. L. REV. 403 (2012)
 - Cited and Quoted by the Israeli Supreme Court in File No. 10901/08 Beizman Investments Inc. v. Haliva (July 17, 2011)

Grants, Awards & Scholarships

2022-2024	The Israel Science Foundation (ISF) Grant (with Yotam Kaplan)
2022	The Germen Israeli Foundation for Scientific Research and Development (GIF) Grant (with Yotam Kaplan)
2018-2020	Tel Aviv University President's Postdoctoral Grant
2016-2017	Israeli Center of Research Excellence Scholarship (I-CORE)
2009-2014	Zvi Meitar Center for Advanced Legal Studies Fellowship, Tel Aviv University Buchmann Faculty of Law
2012	The Switzerland-Israel Foundation for Advancing Philosophical Research in Israel Scholarship
2011, 2012	Zvi Meitar Fellow for Excellent Achievements
2001-2002	Dean's list, Tel Aviv University Buchmann Faculty of Law
2002	Israel Presidential Prize for Volunteerism

Selected Presentations

6/2023	Biased Evaluation of Pain and Suffering Damages The annual meeting of the American Law & Economics Association
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Boston University

- 6/2023 Climate Change as Unjust Enrichment
"Energizing Private Law" Conference
King's College, London
- 3/2023 Climate Change as Unjust Enrichment (*Cancelled due to strike*)
Private Law Workshop
Hebrew University of Jerusalem's Faculty of Law
- 11/2022 Biased but Reasonable: Bias Under the Cover of Standard of Care
The Law & Economic Workshop
Hebrew University of Jerusalem's Faculty of Law
- 9/2022 The Costs of Mistakes
The annual meeting of the European Law & Economics Association
Nova School of Business and Economics, Lisbon, Portugal
- 8/2022 Biased but Reasonable: Bias Under the Cover of Standard of Care
The annual meeting of the American Law & Economics Association
Columbia Law School, NYC
- 6/2022 Duty of Noninjury: A Causal Perspective
Book Symposium: "Recognizing Wrongs" by John Goldberg & Benjamin
Zipursky
The Hebrew University of Jerusalem
- 6/2022 Biased but Reasonable: Bias Under the Cover of Standard of Care
The Canadian Law of Obligations Conference
Allard Law & Green College, UBC
- 6/2022 Biased but Reasonable: Bias Under the Cover of Standard of Care
The 2022 Conference of the Israeli Private Law Association
- 11/2021 The Color of Pain: Racial Bias in Pain and Suffering Damages
The Law & Economic Workshop
Tel Aviv University Buchmann Faculty of Law
- 6/2021 The Other Hand Formula
The 2021 Conference of the Israeli Private Law Association
University of Haifa Faculty of Law
- 12/2020 The Normativity of Causation: Making Sense of Restitution for Wrongs
Faculty Seminar, Reichman University, Herzliya
- 7/2020 The Normativity of Causation: Making Sense of Restitution for Wrongs
Obligations X (*Cancelled – Covid19*)
Harvard Law School
- 9/2019 Loser Takes All: Multiple Claimants & Probabilistic Restitution

The 2019 Canadian Law & Economics Association Meeting
University of Toronto

- 6/2019 Making Sense of Restitution for Wrongs
The Place of Restitution in the Modern Law: 30 Years after “An Introduction to the Law and Restitution” Conference
University of Leeds School of Law, UK
- 5/2019 Making Sense of Restitution for Wrongs
The Canadian Private Law Workshop
Osgoode Law School, Toronto
- 9/2018 The Mistake about Mistakes: Rethinking Partial Restitution
The 2018 Canadian Law & Economics Association Meeting
University of Toronto
- 5/2018 Normativity or Causation?
The Legal Philosophy Workshop
Rutgers University
- 9/2017 Multiple Reasonable Behavior Cases: The Problem of Causal Underdetermination in Tort Law
The 2017 Canadian Law & Economics Association Meeting
University of Toronto
- 6/2017 Multiple Reasonable Behavior Cases: The Problem of Causal Underdetermination in Tort Law,
The 2017 Conference of the Israeli Private Law Association
College of Law and Business, Ramat Gan
- 5/2017 Multiple Reasonable Behavior Cases: The Problem of Causal Underdetermination in Tort Law
The annual meeting of the American Law & Economics Association
Yale Law School
- 3/2017 A Welfarist Perspective on Autonomy
The Postgraduate and Early Career Conference
UCL
- 3/2017 The Costs and Benefits of Personal Autonomy
The 2017 Annual Conference of the Israeli Association of Law & Economics
Tel Aviv University
- 12/2016 Optimizing Autonomy in the Law
The Psychological Distance Workshop
The School of Psychological Sciences, Tel Aviv University
- 9/2016 The Problem of Normative Overdetermination

The 33rd Annual Conference of the European Association of Law & Economics
University of Bologna

- 5/2016 Optimizing Autonomy in the Law
The 2016 Conference of the Israeli Private Law Association
Bar Ilan University Faculty of Law
- 4/2016 Reassessing Autonomy
The 2016 Young Scholars' Conference – "Law on the Move"
University of Michigan Law School
- 3/2016 Reassessing Autonomy
The "Private Law Forum"
Tel Aviv University Buchmann Faculty of Law
- 3/2016 The Problem of Normative Overdetermination
The Doctoral and Postdoctoral Workshop
Hebrew University of Jerusalem's Faculty of Law
- 10/2015 When a Defendant Is & Is Not the Cause of Injury
The "Private Law Forum"
Tel Aviv University Buchmann Faculty of Law
- 11/2014 Toward a Better Understanding of Causation in Law
The 4th Doctoral Scholarship Conference – "Law and Responsibility"
Yale Law School
- 4/2012 Restitution of Payment Made Under False Assumption – Theoretical Aspects
The Private Law Workshop
Tel Aviv University Buchmann Faculty of Law

Selected Academic Services (including organization of conferences & workshops)

- 2022-2023 Advisory Board, Tort Law: Cases & Commentaries (University of British Columbia, 3rd ed.)
- 06/2019 The Private Law Junior Scholars' Conference 2019 (co-organizer)
Tel Aviv University
- 09/2018 The Private Law Junior Scholars' Conference 2018 (co-organizer)
University of Toronto
- 2015-2016 The Forum of Private Law (co-organizer)
Tel Aviv University Buchmann Faculty of Law, Zvi Meitar Center for Advanced Legal Studies
- 2011-2013 The Philosophy of Law Doctoral Workshop (co-organizer)

Tel Aviv University Buchmann Faculty of Law, Zvi Meitar Center for
Advanced Legal Studies

2002-2003 Editorial Board Member
Tel Aviv University Law Review, Volume 27

Academic & Professional Memberships

2017- Present Member of the American Law & Economics Association

2016- Present Member of the European Law & Economics Association

2005-2010 Member of the Israel Bar Association

Doctoral Students (currently supervising)

2022/10- Michael Nachmani

Non-Academic Positions

2006-2008 Legal Consultant, Afcon Industries Ltd., Israel

- Full-service in-house attorney in the legal department of one of Israel's largest and leading industrial enterprises
- Legal services included: transactions (frontline negotiator); litigation (co-supervisor of the company's outsourcing of litigation); consulting to the senior management of the parent company and its subsidiaries; appointed supervisor according to the Law for Prevention of Sexual Harassment (1998).

2005-2006 Associate Attorney, Shavit, Bar-On & Co Law Firm, Tel Aviv

- Legal services included: litigation (researched and drafted motions for the civil law department; argued before courts); transactions (frontline and co-negotiator)

2004-2005 Articled Clerk, Kantor Elhanani, Tal & Co Law Firm, Tel Aviv