*Curriculum vitae 1/17/2024*

**DONALD THOMAS HORNSTEIN**

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**PERSONAL**

Born in Los Angeles, October 7, 1950

Married to *Dr. Amy Sheck*, Dean of Science, NC School of Math & Science, Durham, NC

Two children: Alex Hornstein (Previously Co-founder, CTO of Looking Glass, Inc. Hong Kong S.A.R., Brooklyn,

Providence RI); Eli Hornstein (2024 Activate Fellow and President, Elysia Creative Biology; PhD, Plant Biology

& Biotechnology, NC State University, Raleigh)

**EDUCATION**

UNIVERSITY OF OREGON J.D. 1981

School of Law

Eugene, Oregon

Honors: Editor-in-Chief, Oregon Law Review

Order of the Coif

Certificate, Ocean & Coastal Law Program

UNIVERSITY OF CALIFORNIA, LOS ANGELES B.A. 1972

Los Angeles, California

Honors: *Magna cum laude*

Special Distinction in History

1971 National Intercollegiate

Debating Champion

**PROFESSIONAL EXPERIENCE**

**THOMAS T. TAFT DISTINGUISHED PROFESSOR OF LAW** July 2024-present

**& DIRECTOR, CENTER ON CLIMATE, ENERGY,**

**ENVIRONMENT, and ECONOMICS,**

**AUBREY L. BROOKS PROFESSOR OF LAW** July 2005-2024t

***Special Academic Honors (Service and Teaching):***

University of North Carolina Board of Governors Award for Excellence in Teaching (2019)

Recipient of three other University-wide undergraduate Teaching Awards:

The James M. Johnston Teaching Excellence Award (2012);

The William C. Friday/Class of 1986 Award for Excellence in Teaching (2010)

The UNC Distinguished Teaching Award for Post-Baccalaureate Instruction (April 1999

2018 UNC Law School Pro Bono Publico Faculty Member of the Year

2015, Appointed by Provost James Dean as Chair, Provost's

Task Force on the Environment at UNC

2014 UNC Law Faculty Award for Public Service

2013 Selected as one of 26 best law professors in the country, in “*What the Best Law Teachers Do*,”

Harvard University Press (2013)

1989-2012 Eight-Time Recipient of the Frederick B. McCall for Teaching Excellence at the Law School,

in 2012, 2008, 2005, 2003, 2001, 2000, 1999 & 1989

***Special Academic Honors (Academics/Research)***

Reef Ivey II Research Professor of law 1993-2005

Associate Professor of Law 1989- 1993

Visiting Associate Professor of Law 1987 -1989

*Secondary, administrative, and courtesy academic appointments*

Associate Dean for Faculty, UNC School of Law 1994-1996

Fulbright Senior Lecturer In Law, University of Asmara, Eritrea (Africa) 1996-1997

Senior Lecturer, Duke Law School 2002, 2004, 2005, 2006

Senior Lecturer, Nicholas School of Environment, Duke University 2012-2015; 2017

Faculty Member, UNC Curriculum In Environment & Ecology.

now the Environment, Ecology & Energy Program, UNC College

of Arts & Sciences 2008-present

*Legal, non-academic positions & experience*

Associate, Arnold & Porter, Washington, DC. 1985 - 1986

Appellate Attorney, United States Department of Justice 1983 - 1985

Environment & Natural Resources Division, Washington, D.C.

Law Clerk, Judge Abner Mikva, US Court of Appeals, Washington DC 1982 – 1983

Admitted to practice law in North Carolina and the District of Columbia. Member of the Bar of the

U.S. Supreme Court and of most federal courts of appeals (and have also argued in most appellate courts). Author of Supreme Court amicus brief in State of *North Carolina ex rel. Roy Cooper v. Tennessee Valley Authority* (2011)

**SIGNIFICANT ADMINISTRATIVE EXPERIENCE**

***State of North Carolina***

(Re)Appointed by NC Insurance Commissioner to

One-Year Terms, Board of Directors, North Carolina Insurance

Underwriting Association/NC Coastal Wind Pool 2017-2024

(Re)Appointed by NC Insurance Commissioner Wayne Goodwin to

One-Year Terms, Board of Directors, NC Coastal Wind Pool,

North Carolina's $1 Billion residual coastal property insurer 2010-2016

Chair, Mitigation Committee, NC Coastal Wind Pool 2015-2024

Appointed by North Carolina General Assembly by Then-Speaker

(NC House) Joe Hackney and then Senate President (Tony Rand),

to Special Legislative Study Commission on Hurricane Insurance in

North Carolina, NC General Assembly 2008-2009

***University***

(Re)-Appointed by Chancellor Kevin Guskiewicz as Chair,

University Scholarships, Awards, and Financial Aid Committee 2019-2023

(Re-)Appointed by Chancellor Carol Folt as Chair, University

Scholarship, Awards, and Financial Aid Committee 2014-2021

Appointed by Provost James Dean as Chair, Provost's

Task Force on the Environment 2015

Appointed by Provost James Dean to UNC MOOC Task Force 2014

Appointed by Chancellor Holden Thorpe as Chair,

University Scholarship, Awards, and Financial Aid Committee 2013-2014

Appointed by Chancellor, University “Water-Theme” Committee 2012

Appointed by Provost to UNC Academic Plan Implementation

Committee 2012

Appointed by Provost, UNC Academic Plan Subcommittee 1 2010

Appointed by Provost, Enrollment Excellent Task Force & 2007-2009

Enrollment Excellence Implementation Committees

Member, University’s Scholarship Committee 2008-2013

Appointed by Chancellor James Moeser as Chair,

Chancellor’s Labor Licensing Code Advisory Committee (LLCAC) 2008

Member, Chancellor’s LLCAC 1998-2008

Member, UNC Environmental Curriculum Committee 2007

(Reporting to Then-Dean of College Holden Thorp)

Chair, University Teaching Awards Subcommittee 2006-2007

On Lifelong Mentoring

Member, Chancellor’s Faculty Advisory Committee, 1997-2004

Carolina Environmental Program

Member, Chancellor’s “Vision” Committee 1995-1996

Delegate, UNC Faculty Council Spring 1995, 2017

***Law School***

Overall Faculty Advisor, Holderness Moot Court 2007-2019

Chair, Faculty Speakers Committee 2015-2016; 2009-2011

Chair, Taft Professor Search Committee, UNC Law School 2007

Chair, International Committee, UNC Law School 2006

Chair, Academic Affairs Committee, UNC Law School 2005

Chair, Dean’s Special Committee on Masters of Law Degree 2004

Associate Dean for Faculty 1994-1996

Member &/or Chair, Numerous Law School Committees 1993-2019

**PUBLICATIONS**

**BOOKS**

**Environmental Law & Policy: A Casebook** (Sept. 2013)(Univ. of N.C. Press)

**ELECTRONIC BOOKS/COURSES**

**An Introduction to Environmental Law**, Coursera Massive Open Online Course, https://www.coursera.org/learn/environmental-law (free enrollment required)(2013).

Introductory Video (no enrollment required, produced by Charles Story), at <https://www.youtube.com/watch?v=7lINB8a8jAE>. 20,000-50,000 students worldwide.

**ARTICLES**

Donald T. Hornstein & Eli D. Hornstein, *Biotechnology and Climate Change*,

25 N.C. J. Law & Tech. 109 (2023)

Donald T. Hornstein, *Public Investment in Climate Resiliency: Lessons from the Law and Economics of*

*Natural Disasters, 49 Ecology L. Q. 137 (No. 1) (2022)*

Donald T. Hornstein, *Lessons From U.S. Coastal Wind Pools About Climate Finance and Politics*,

43 Boston College Environmental Affairs Law Review 345 (Winter 2016/2017)

Donald T. Hornstein, *The Insurance Industry on the Cusp of COP 21: Lessons From Flood Insurance*

*Reform in the US and UK* (Fall 2015), in Future Directions of Consumer Flood Insurance

in the UK: Reflections Upon the Creation of Flood Re (Johanna Hjalmarsson, ed),

https://www.southampton.ac.uk/assets/imported/transforms/content

block/UsefulDownloads\_Download/5833464F560E457BBB32BE07A53B9419/58175\_Report\_v4\_WEB.pdf

Donald T. Hornstein, *Insurance at the Energy-Water Nexus*, 48 U. Rich. L. Rev. 1033 (2014).

Donald T. Hornstein, *The Balkanization of CAT Property Insurance: Financing and Fragmentation in Storm Risks*,

11 Rutgers J. Law & Pol'y 9 (2013)

Donald T. Hornstein, *Resiliency, Adaptation and* *The Surprising Upsides of Ex Post Facto Lawmaking*,

89 N.C. L. Rev. 1549 (2011)

Donald T. Hornstein, *The Environmental Role of Agriculture in an Era of Carbon Caps*,

20 Health Matrix: Journal of Law and Medicine 145 (2010)

Donald T. Hornstein, *The Road Also Taken: Lessons From Organic Agriculture for Market-*

*And Risk-Based Regulation*, 56 Duke L. Journal 1541 (2007)

Donald T. Hornstein, *The Data Wars, Adaptive Management, and the Irony of “Sound Science”*

In Rescuing Science From Politics, Wendy E. Wagner, ed. (Cambridge University Press)

(Summer 2006)

Donald T. Hornstein, *Complexity Theory, Adaptation, and Administrative Law,*

54 Duke L. Journal. 100 (2005)(selected among 10 best published environmental law

articles in 2006)

Donald T. Hornstein, *Rescuing Science From Politics*, in A New Progressive Agenda for

Public Health and the Environment, Christopher H. Schroeder & Rena Steinzor, Eds.,

Carolina Academic Press, 2005

Donald T. Hornstein, *Accounting for Science: The Independence of Public Research in the*

*New, Subterranean Administrative Law*, 66 Law & Contemporary Problems 227

(2003)

Donald T. Hornstein, *From Beef to Bove: Are Cultural Preferences in International Trade Legitimate?,*

In Global View (UNC University Center for International Studies ed., Spring 2001)

Donald T. Hornstein, *Environmental Sustainability and Environmental Justice at the*

*International Level: Traces of Tension And Traces of Synergy*, 10 Duke Envt’l

Law & Policy Forum 168 (Spring 1999)

Donald T. Hornstein, *Self-Interest, Politics, and the Environment: A Response to Professor*

*Schroeder*, 9 Duke Envt’l Law & Policy Forum 61 (Fall 1998)

Donald T. Hornstein, *Paradigms, Process, and Politics: Risk and Regulatory Design,* in

Priority Setting And The National Social Agenda (Resources for the Future, 1994)

Donald T. Hornstein, *Lessons from Federal Pesticide Regulation on the Paradigms and Politics of*

*Environmental Law Reform*, 10 Yale Journal on Regulation 369-446 (1993)

Donald T. Hornstein, *Reclaiming Environmental Law: A Normative Critique of Comparative Risk Analysis*,

92 Columbia Law Review 562-633 (1992)

Donald T. Hornstein, *Comment, Indian Fishing Rights Return to Spawn: Toward Environmental Protection of Treaty Fisheries*, 61 Oregon Law Review 93 (1982)

**REPORTS**

Donald T. Hornstein, *The Environment@Carolina: A Report to Executive Vice Chancellor and Provost James*

*Dean*, The Provost's Task Force on the Environment (Dec. 2015)

Donald T. Hornstein, Douglas A. Kysar, Thomas O. McGarity, Sidney A. Shipiro,

*Special Report, Hurricane Katrina,Broken Levees: Why They Failed*, Ctr. for Progressive Reform (Sept. 2005)

Donald T. Hornstein, Report to the Office of Technology Assessment, U.S. Congress, *Exploring the*

*Synopticism/Incrementalism Frontier: The Role of Innovation and Experimentation*

*in the Federal Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act* (July 1994)

Donald T. Hornstein,Report to the Administrative Conference of the United States, *Regulating*

*Pesticides: FIFRA Registration, Reregistration, Suspension, & Cancellation Procedures* (1993)

**(Selected) INVITED PRESENTATIONS**

*“Insurance Coverage & (Un)availability in the United States,”* Dec. 2023, National Convention of Association of City Managers, Raleigh Convention Center.

“*5th Circuit Litigation Challenging FEMA’s Risk Rating 2.0 Initiative in Flood Insurance*,” October 2023, Association of NC Floodplain Managers Annual Convention, Asheville, NC

*“Climate Resilience, Insurance, and Hurricane Ian”, NC State School of Design, Fall 2023*

*“Climate, Clients, and Floods: The New Future,” Continuing Legal Education program, UNC Feb. 2022*

*“Insurance, Reinsurance, and Climate Resiliency,” NC State School of Design, Fall 2021*

*Floods, Clients, and“COVID-19 and insurance markets,”* UNC School of Law Alumni Assoc., Panel (Nov. 17, 2020)

“*COVID-19 and its effect on insurance*,” UNC Law Faculty Public Panel (Aug. 3, 2020)

“*Beyond Paying for Losses*,” TEDx presentation hosted at the North Carolina School of Science and Mathematics,

January 2020,

https://www.ted.com/talks/don\_hornstein\_beyond\_paying\_for\_losses\_linking\_insurance\_and\_resiliency\_at\_the\_north\_carolina\_coast

*“Making North Carolina Resilient to Hurricanes: A Roundtable Discussion,”* panel presentation at event

co-hosted by the Nature Conservancy, NC and the National Association of Mutual Insurance Companies

Raleigh, NC (Sept. 26, 2019)

*“Insurance and Climate Adaptation,”*46th Annual Conference of theCape Fear River Assembly, Research Triangle

Park, North Carolina (May 23, 2019)

*“Financing State and Local Climate Resiliency Projects,”* College of William and Mary/Office of the

Governor of Virginia, (May 2, 2019)

*“Insurance, Resilience, and Project Finance,”* Massachusetts Institute of Technology/ARUP University

(April 3, 2019)

*“Standards of Judicial Review for North Carolina Courts in Review of Administrative Decisionmaking: Workshop for Public Attorneys at the NC Legislative Building,”* Nov. 1, 2018 (upcoming), Raleigh, NC, for UNC School of Gov’t.

*“Responding to Hurricane Florence: Presentation to 350 Front-Line Adjusters, on the NCIUA Mitigation Endorsement on the Outer Banks/Barrier Islands of North Carolina,”* October 2, 2018, Hyatt Regency Ballroom, Cary, North Carolina

“*Hurricane Florence Presentations with NC Insurance Commissioner Mike Causey to Front Line Responders at the NCIUA*,” Sept. 16, 2018, NCIUA Headquarters, Cary, NC

*“Integrating Insurance, Resilience, and Mitigation,”* (July 20, 2018) (Day-Long Presentations to Staff and Interns, NC Insurance Underwriting Association, Cary, NC)

*“National Disaster Financing,” SPOTLIGHT presentation to UNC Law Alumnae, Troutman Sanders Law Firm (June 2018)*

*“Modeling Resilience for Insurers,”* Kings College/UNC Department of Geography Climate Seminar (April 16, 2018)( UNC)

*“Insurance, Risk, Reinsurance, and Catastrophe Bonds,”* presentation to Prof. Greg Chacklis’ Graduate Class in Environmental Risk Analysis, UNC School of Public Health (March 28, 2018)

*“Resilience and Insurance,”* MIT Resilience Executive Education for ARUP Corporation, Cambridge, Mass (March 21, 2018).

*“Weather Catastrophes and NCIUA Financing,”* Presentation to Professor Gavin Smith’s Disaster Management Graduate Class, UNC School of City & Regional Planning (Sept. 27, 2017)

“*Insurance and Resiliency:The Mitigation Finance Connection.”* Keynote Noontime Address to Southeast Regulatory Association Annual Conference, Asheville, NC (April 24, 2017)

Keynote Address, *The Role of Insurers in Loss Mitigation – Lessons from Health, Automobile, and Property Insurance,* Chartered Property Casualty Underwriter, North Carolina Annual Meeting, NC State University, Raleigh, NC (March 2, 2017)

*“Update on the National Flood Insurance Program,”* Shape of the Coast Symposium, UNC School of Law Festival of Legal Learning (Feb. 10, 2017).

*“Insurance and the Physical Resiliency Frontier*,” Presentation at the World Bank, Washington, D.C. (Jan. 6, 2017)

*“The Reinsurance Finance/Mitigation Link,”* Presentation at the Office of Management and Budget, The White House, Washington, D.C. (Jan. 5, 2017).

*“Opening Address, Insurance and Maritime Risk,”* UNC Center on Coastal Resiliency Maritime Risk Symposium, UNC (Nov. 14, 2016)

“*Climate Risk, Insurance, and Reinsurance*,” Carolinas Climate Resilience Conference, Charlotte, NC (Sept, 14, 2016)

"*Climate Change and How Insurance Saves the World, Or Doesn't*," Keynote Address, Annual Meeting, NC Chartered Property & Casualty Underwriters Ass'n, (scheduled for March 23, 2016)

"*Diversity and the Role of the UNC Scholarship, Awards, and Financial Aid Program*," Panel Presentation, FAC Diversity/Community Comm. Mtg., UNC, (Feb. 2, 2016)

*"The Role of the Curriculum in Toxicology in UNC's Newest, Campus-Wide Environmental Initiative, The Environment@Carolina,"* Annual Retreat, Curriculum in Toxicology, Friday Center, UNC (Jan 8, 2016)

*"Connecting International Insurance-Linked Securities Financing to Water Hedging Products in Power Plant Resilience,"* 1-hour workshop presentation to Characklis Lab, UNC (Dec. 4, 2015)

*"The Financing of State Residual Wind Pools*," 1-hour presentation at *Symposium, Who Will Pay? - The Public and Private Insurance Implications of Climate Change's Drastic Challenges,* Boston College Law School (Nov. 4, 2015)

*"Climate Change and Silent Sam,"* Annual UNC University Day Kemp Plummer Battle Lecture, UNC Dialectic & Philanthropic Societies (Oct. 13, 2015)

"*Reinventing the 21st Century Research University Through The Environment@Carolina, UNC's Major, Cross-Campus Environmental Initiative,"* 1 1/2-hour presentation to the Board of Visitors, UNC Institute for the Environment (Oct. 2, 2015)

"*The Role of Climate Research in UNC's Newest, Campus-Wide Environmental Initiative, The Environment@Carolina,"* 1-hour keynote address to the Carolina Climate Change Scientists (Sept. 29, 2015)

*"Climate Change, International Finance, and Insurance -- Part of the Problem or Part of the Solution,"* Invited Keynote Presentation, University of Southampton, United Kingdom (August 26, 2015)

*"Comparing the U.S. and U.K. Approaches to Flood Insurance,"* Invited 1-Hour Panel Presentation, Quadrant House, Middle Temple, London, United Kingdom (August 25, 2015)

*"Financing the North Carolina Coastal Wind Pool,"* 1-Hour Presentation to ENVR 890, Graduate Seminar in Managing Environmental Financial Risk, UNC Department of Environmental Sciences & Engineering (April 15, 2015)

"*Disconnect of Climate Risk Data with Insurance and Reinsurance,"* presentation at a two-day conference held by the Center for Law, Environment, Adaptation & Resources on Private Property, Information Disclosure, and the Roles of Insurance and Government (March 19, 2015)

*"Financing Storm Mitigation the Same Way We Finance Third-Party Solar-Energy Installations,"* Presentation at the NC Clean Tech Summit, 2-Day Conference at the UNC Friday Center (Feb. 19-20, 2015)

"*Climate Change Adaptation and Insurance: The Surprising $100-Billion Place Where the Rubber Meets the Road in Climate Change Economics and Politics,* 2-Hour General Public Presentation as part of Friday Center's, "What's the Big Idea" Series (Oct. 9, 2014)

*"Insurance Finance and Insurance-As-Governance: Lessons From Catastrophe Insurance," UNC Law School Faculty Seminar (*April 11, 2014*)*

*"MOOCs and the Future of University Teaching: Turning Down the Hype,"* 45-Minute Panel Presentation, UNC Graham Memorial Hall (Oct. 1, 2013)

“*Water Issues in North Carolina*,” UNC Incoming Public Policy Scholars Orientation (August 2013)

“*The Balkanization of CAT Property Insurance*,” Rutgers Insurance Law Symposium (March 2013)

“*Drinking Water as a Human Right*” Keynote Speaker, Engineers Without Borders Annual Banquet, UNC

Chapter (January 2013)

“*Financing Fat Tails: The Economics of Reinsurance and CAT Bonds in Catastrophe Financing*,”

Insurance Law Faculty Workshop, Rutgers Center for Risk (October 2012)

"*Commencement Address,"* 2011 Commencement Ceremony for the UNC Curriculum in Environment and Ecology

(May 2011)

“*Relationship Between Coastal Insurance and Mitigation Measures*,”

NC State Legislature, Legislative Study Commission, Winter 2008-2009

“*Confronting Moral Hazard in Hurricane Insurance Design: The Case of Incentivizing Mitigation*,”

Presentation at the Annual Meeting, Society of Risk Analysis, Boston, Mass (December 2008)

“*Insurance, Financing, and Natural Disasters*,” Duke Law School Work-in-Progress Workshop (May 2008)

“*When We Get It Right*,” May 2008, Commencement Address to UNC Law School graduating class of 2008,

upon receiving the 2008 McCall Outstanding Faculty Award

“*Economic Approaches to Mitigating Climate Change*,” NC Climate Summit, NC School of Science and

Mathematics (April 2008)

*“Climate Change: Scientific, Legislative, and International Developments,”* February 2008, 10th Annual

Environmental Law Symposium, Continuing Education Program, Friday Center

**“***Risk Assessment: The Intersection Between Environmental Justice and the Law of Risk Assessment*,”

February 2007, Environmental Justice Speaker Series, Lewis & Clark Law School, Portland, Oregon

(Podcast)

“*Economic Instruments in Environmental Law*,” February 2007, 9th Annual Environmental Law Symposium,

Continuing Education Program, Friday Center

“*Symposium on the Regulation of Food: Organic Agriculture and the Architecture of Risk Assessment*,”

November 2006, Duke Law Journal Annual Administrative Law Symposium

“*Cellular Automata and Complexity Theory*,” Presentation to Triangle Complexity Group, UNC

Fall 2006

“*Collaborative Natural Resources Management in an Adversarial Landscape: Adaptive Management*

and the New Federal Data Amendments,” April 2005, Duke Law School

“*Genetic Algorithms and Their Application to Complex Legal Systems*,” November 2005, Duke Law

Journal Annual Administrative Law Symposium

“*Collective Action: Prisoner’s Dilemma or Assurance Games*,” Third Annual Cummings Colloquium

On Environmental Law, Duke Law School, March 25-26 1998

“*Conflict and Cooperation over International Watercourses: The Case of the Nile River*,” Feb 25, 1998,

Natural Resources and Environmental Law Advanced Seminar, Stanford Law School, California

“*Conflict and Cooperation Over International Watercourses*, “ Feb. 26, 1998, Institute for International

Studies, Stanford University, California

“*Renegotiating the Nile,*” Feb. 19, 1998, Brown Bag Seminar, Duke Environmental Law Society,

Duke Law School

“*Financing the Environment: Lender Liability and Brownfields Redevelopment in North Carolina*

*And in Federal Programs,*” Feb. 1998, UNC School of Law Annual Continuing Education Program,

Friday Center

“*Prospects and Possibilities for Sustainable Development in Emerging Nations*,” Two-Day lecture

Delivered at the University of Asmara, Asmara, Eritrea (Africa), December 1995

“*Environmental Justice for Health Professionals*,” UNC School of Public Health, June 1, 1995

“*Environmental Justice and the Legal System*,” Society for Risk Analysis, Research Triangle Chapter,

October 31, 1994, Conference on Environmental Risk Equity: Is Life Fair,” Friday Center

*“Keynote Address: Current Theoretical Inquiries on Environmental Protection and Their Effect*

*On Shaping Legal Practice in North Carolina,*” Annual Meeting of the Environmental Law Section,

NC Bar Association, April 29, 1994, Blowing Rock, NC

“*Beyond the McNollGast Hypothesis: Empirical and Theoretical Dimensions of Federal Environmental*

*Legislation,*” Presentation at theAnnual Meeting of the Public Choice Society, Austin, Texas April 1994

**GRANTS**

Co-Principal Investigator, SeaGrant Office of General Counsel Small Grant, *Report on the Flood Buyout Program in North Carolina (*Report filed February 2023). Co-Principal-Investigor Frank Lopez, NCSU, Principal Investigators Gavin Smith, NCSU, Maria Savasta-Kennedy, UNC School of Law, and Jonas Monast, UNC School of Law.