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Tribute to Gary T. Schwartz

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TRIBUTE TO GARY T. SCHWARTZ

Our friend and colleague Gary T. Schwartz died on July 25, 2001, at the age of 61. We dedicate this issue of the *University of Illinois Law Review* to him.

At the time of his death, Gary was the William D. Warren Professor of Law at the University of California at Los Angeles, where he had taught for more than thirty years. Gary had grown up in Cleveland and attended Oberlin College and the Harvard Law School, where he was a member of the Law Review. Following law school, he clerked for Judge J. Skelly Wright of the United States Court of Appeals for the District of Columbia Circuit. He then worked for Neighborhood Legal Services and in the United States Department of Transportation before joining the faculty at UCLA in 1969.

Gary was one of the preeminent torts scholars of his generation. Many of his articles are staples of the literature. (See, e.g., Gary T. Schwartz, *The Myth of the Ford Pinto Case*, 43 RUTGERS L. REV. 1013 (1991).) Not only was Gary one of the most astute and productive doctrinalists of tort law, but he also embraced the new economic analysis of torts and had a significant impact on that literature. More than any other tort scholar, Gary found a way to reconcile the doctrinal and the economics-based theories of tort liability. (See Gary T. Schwartz, *Mixed Theories of Tort Law: Affirming Both Deterrence and Corrective Justice*, 75 TEX. L. REV. 1801 (1997).) But his influence reached beyond the high esteem of the academy to the practice of law and of adjudication. Gary served as the Reporter for the American Law Institute's *Restatement (Third) of Torts: Liability for Physical Harms (Basic Principles)* and as an Adviser for the Products Liability and Apportionment of Liability sections of the *Restatement (Third)* and as a Special Adviser for the Reporters' *Study on Enterprise Responsibility for Personal Injury*.

In the last several years Gary had come to Champaign to participate in two of our symposia. When we were putting together a group of scholars to comment on Professor Richard Epstein's *Mortal Peril* and needed someone to address the issues of medical malpractice reform, we thought immediately of Gary. He graciously agreed to come, his very demanding schedule notwithstanding, and wrote a wonderfully cogent piece. (See Gary T. Schwartz, *Medical Malpractice, Tort, Contract, and Managed Care*, 1998 U. ILL. L. REV. 885.) And then, when we thought to assemble outstanding scholars to talk about empirical and experimental methods in various areas of the law, we again thought of Gary, whose article, *Reality in the Economic Analysis of Tort Law: Does Tort Law*

Really Deter?, 42 UCLA L. REV. 377 (1994), is still the best survey of the empirical literature in any area of the law. Naturally, he accepted our invitation, managing somehow to squeeze a trip to Champaign into an already scheduled cross-country trip. And, of course, his presentation and subsequent paper were first-rate.

In addition to his many scholarly achievements, Gary was a wonderful person. We deeply enjoyed his company and will miss him sorely as our friend.

Richard H. McAdams

Thomas S. Ulen