

CURRICULUM VITAE
(November 2014)
GEORGE A. NATION III

**CONTACT
INFORMATION:**

Lehigh University, Rauch Business Center
621 Taylor Street
Bethlehem, PA 18015
610-758-4531
610-866-0598
Email: gan0@lehigh.edu

EDUCATION:

Villanova University School of Law: J.D. (Cum Laude) May 1983
Member, Villanova Law Review
Member, Moot Court Board

Villanova University: B.S. (Summa Cum Laude) (Accounting) May 1980

EMPLOYMENT:

Lehigh University College of Business & Economics
Department of Finance & Law
2000-Present Professor of Law & Business
1997-2001 Vice Chair, Law Area
1991-2000 Associate Professor of Law & Business
1994-1997 Program Director, Law Area
1991-1994 Chairperson, Department of Law & Business
1985-1991 Assistant professor of Law & Business

Cohen, Shapiro, Polisher, Shiekman & Cohen (Philadelphia, PA)
1983-1985 Associate (Corporate Law Department)

Ledbetter & Zaid (Radnor, PA)
Summer 1982 Law Clerk

United Engineers & Constructors, Inc. (Philadelphia, PA)
Summer 1980, 1981 Accounting Clerk

**COURSES
TAUGHT:**

I have taught graduate and undergraduate students in the following areas:

Introduction to Law
Legal Environment of Business
Business Law
Legal Environment of Management
CPA Review Course (law portion)

HONORS:

Sue and Eugene Mercy Jr. Professor of Business and Economics
Lehigh University Award (excellence in teaching).
Order of the Coif
Beta Gamma Sigma
Phi Kappa Phi

PUBLICATIONS: **Articles:**

“Standing” on Formality: *Hollingsworth v. Perry* and the Efficacy of Direct Democracy in the United States, 28 BYU Journal of Public Law ____ (2015). (with M. Melone).

“Determining The Fair And Reasonable Value of Medical Services: The Affordable Care Act, Government Insurers, Private Insurers, And Uninsured Patients” 65 Baylor Law Review 425 (2013).

“We The People: The Consent of The Governed In The 21st Century: The Peoples Unalienable Right To Make Law,” 4 Drexel Law Review 319 (2012).

“Non-Profit Charitable Tax-Exempt Hospitals – Wolves In Sheep’s Clothing: To Increase Fairness and Enhance Competition in Health Care All Hospitals Should Be For-Profit and Taxable,” 42 Rutgers Law Journal 141(2011) (72 pages).

“Enforcement of Discretionary Events of Default: Acting In Good Faith,” 25 Commercial Lending Review 11 (2010) (6 pages).

“The New Constitutional Right To Guns: Exploring The Illegitimate Birth and Acceptable Limitations of This New Right,” 40 Rutgers Law Journal 353 (2009) (65 pages).

“Guaranty Agreements: Recent Cases Illustrate Common Risks,” 24 Commercial Lending Review 31 (2009) (6 pages).

“Respondeat Manufacturer: Imposing vicarious Liability on Manufacturers of Criminal Products,” 60 Baylor Law Review 156 (2008) (75 pages).

“Loan Documents Can be Compromised by Poor Loan Administration,” 22 Commercial Lending Review 12 (2007) (6 pages).

“Creating Enforceable prepayment Provisions in Commercial Promissory Notes,” 21 Commercial Lending Review 19 (2006) (4 pages).

“Obscene Contracts: The Doctrine of Unconscionability and Hospital Billing of the Uninsured,” 94 Kentucky Law Journal 1 (2006) (37 pages). (This article has been cited by several courts including the Supreme Court of Texas in two separate cases: Daughters of Charity v. Linnstaedter (2007) and Haygood v. DeEscabado (2011)).

“Agency Law and Commercial Lending: Creating an Enforceable Security Interest,” 20 Commercial Lending Review 17 (2005) (6 pages).

“Prepayment Fees in Commercial Promissory Notes: Applicability to Payments Made Because of Acceleration,” 72 Tennessee Law Review 613 (2005) (32 pages).

"Agency Law and Secured Transactions: The Use of Agents in the Creation of Security Interests," 11 George Mason Law Review 739 (2003) (25 pages).

"Circuitry of Liens Arising from Subordination Agreements: Comforting Unanimity No More," 83 Boston University Law Review 591 (2003) (27 pages).

"Proper Loan Structure Requires Coordination of Multiple Areas of Law," 18 Commercial Lending Review 23 (2003) (5 pages).

"Delegation or Novation: An Important Distinction for Lenders," 17 Commercial Lending Review 34 (2002) (6 pages).

"Creating Enforceable Guaranty Agreements: Multiple Sources of Law Require Careful Analysis," 119 Banking Law Journal 153 (2002) (21 pages).

"Electronic Contracting After E-Sign: The Impact on Commercial Loan Documentation," 16 Commercial Lending Review 31 (2001) (31-40; 10 pages).

"Mobile Goods Ruling Revised by Court of Appeals," 15 Commercial Lending Review 67 (2000) (67-71; 5 pages).

"For the Introductory Business Law Course Consider An In-Depth Study of Contract Law in an Integrated Business Context," 17 Journal of Legal Studies Education 283 (Summer/Fall 1999) (published in 2000) (283-303; 21 pages) (with M. Melone).

"Giving Notice of the Sale of Collateral: Complying with Article 9's Notice Requirements," 16 Commercial Lending Review 49 (2000) (1-6; 6 pages).

"Commercial Loans Payable on Demand: Poor Note Drafting Continues to Cause Problems For Lenders," 116 Banking Law Journal 313 (1999) (313-340; 28 pages).

"Revised Article 9: New Rules for Filing to Perfect a Security Interest," 14 Commercial Lending Review 49 (1999) (49-59; 11 pages).

"Creation and Perfection of Non-Seller Purchase Money Security Interests: Current Law and Proposed Changes Under Revised Article 9," 31 UCC Law Journal 84 (1998) (84-110; 27 pages).

"Revised Article 9 of the UCC: The Proposed Revisions Most Important to Commercial Lenders," 115 Banking Law Journal 212 (1998) (212-237; 26 pages).

"Mobile Goods Under Article 9: Make Multiple Filings to Protect Your Security Interest," 13 Commercial Lending Review 53 (1997) (53-59; 7 pages).

"The Clardy Case: Lessons For Lenders Concerning Commitment Letters and Other Pre-Loan Contracts," 114 Banking Law Journal 347 (1997) (347-365; 19 pages).

"Solar Motors, Inc. v. First National Bank of Chadron: Some Important Lessons for Lenders Regarding Demand Notes," 113 (Banking Law Journal 815 (1996) (815-826; 12 pages).

"Promissory Notes In Commercial Lending: Selecting the Best Type of Note For Your Loan," 11 Commercial Lending Review 39 (1996) (39-53; 15 pages).

"Lending to Limited Liability Companies: Structuring and Documenting Loans to LLC's," 113 Banking Law Journal 25 (1996) (25-52; 28 pages)

"The Bankruptcy Reform Act of 1994: Its Impact on Commercial Lenders," 10 Commercial Lending Review 66 (1995) (66-77; 6 pages).

"Demand Notes and Good Faith in Commercial Lending: The Impact of UCC Revised Article 3," 27 U.C.C. Law Journal 382 (1995) (382-412; 31 pages).

"Life Without EPA's Rule Interpreting CERCLA's Secured Party Exemption," 111 Banking Law Journal 499 (1994) (499-506; 8 pages).

"EPA's Final Rule Interpreting CERCLA's Secured Party Exemption: More Confusion for Lenders," 110 Banking Law Journal 92 (1993) (92-117; 26 pages).

"A New Risk for Lenders from EPA's Final Rule: Lenders Liable as Arrangers Under CERCLA," Loan Officers Legal Alert: The Commercial Lending Law Letter Vol. 8 No. 12 December 1992 pp. 1-4 (4 pages).

"How Lenders Can Minimize Their Risk of Loss and Liability From Environmental laws," 108 Banking Law Journal 346 (1991) (346-385; 40 pages).

"Recognition and Enforcement of Demandable Notes," 23 U.C.C. Law Journal 51 (1990) (51-100; 50 pages). (This article has been cited by the Massachusetts Supreme Court in Shawmut Bank N.A. v. Miller, 614 N.E. 2nd 668 (Sup. Ct. Mass. 1993)).

"Banks: Involuntary Ethics Insurers," Loan Officers Legal Alert: The Commercial Lending Law Letter Vol. 6 No. 2 February 1990 pp. 7-8 (2 pages).

"Some Thoughts About Intercorporate Guaranties, Fair Consideration, and Reasonable Equivalent Value," 37 Drake Law Review 569 (1989) (569-596; 28 pages).

"Demand Notes: Are They Payable on Demand," Lender Liability News, February 22, 1989 (11-12; 2 pages).

"Is Your Collateral Worth the Paper It Is?," ABA Banking Journal February 1989 pp. 42-48 (7 pages).

"Products Designed for Illegal Use: A Proposed Rule for Product Suppliers Who Profit From Illegal Activity," 91 Dickinson Law Journal 657 (1987) (657-676; 20 pages).

Research in Progress:

- Signing Statements: Line Item Veto or Dicta Ask."
- The use of direct democracy to enact environmental regulation designed to promote sustainability.
- Negotiable Instruments Without Paper: Going Digital
- The Constitutionality of Federal Direct Democracy

**PROFESSIONAL ORGANIZATIONS
AND CERTIFICATIONS:**

Philadelphia Bar Association
Academy of Legal Studies in Business
Admitted to the Pennsylvania Bar 1983

**RECENT
UNIVERSITY
SERVICE:**

Member, College Promotion & Tenure Committee (2013-2016)
Member, College Policy Committee (2011-2014)
Chair College Promotion & Tenure Committee (2011-2012)
Chair, College Policy Committee (2007-2010)
Global Steering Committee
The College of Business & Economics Policy Committee
The College of Business & Economics Promotion & Tenure Committee
Prelaw Advisor

**PROFESSIONAL
ACTIVITIES:**

I have written and presented "The Law of Commercial Lending," which is a series of continuing professional education courses on the law of commercial lending. The series consists of three separate programs with a total of five days of instruction and has been offered by Lehigh's Office of Continuing Education.

The Robert Morris Associates (The National Association of Loan and Credit

Officers, established 1914) East-Central Pennsylvania Group. I wrote and presented a three-hour seminar entitled "Commitment Letters: Working With Counsel to Get From Commitment to Closing." I also presented a paper titled: "Bankers: Involuntary Ethics Insurers" at the RMA 75th anniversary dinner.

Lehigh County Bankers Association. I presented a paper titled "The Impact of Environmental Law on Commercial Lending."

I have written "Business Law for Lenders: The Legal Principles and Documents of Commercial Lending," which is an extensive continuing professional education manual concerning the law and documents of commercial lending. The manual is the basis of a two-day short course. I have presented this course a number of times on an in-house basis for banks in Philadelphia and Bethlehem. In addition, I offered the course on an open enrollment basis.

I have written and presented other professional education seminars for banking institutions in topics concerning the legal aspects of commercial lending with emphasis on the developing law of lender liability and its impact on commercial loan documentation.