

CURRICULUM VITAE

Name: Massimo Foglia

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EMPLOYMENT:

Assistant Professor in Private Law, University of Bergamo, Department of Law (February 2018-present).

Adjunct Professor in Private Law, University of Bergamo, Department of Law (September 2012-January 2018).

Research Fellow with grant in Private Law, University of Bergamo, Department of Law (February 2014-February 2015).

Admission to the Bar in Italy, Court of Appeal of Brescia (2011-present).

EDUCATION:

Ph.D. in European Private Law, University of Padua (January 2009-April 2013).

Degree in Law (*cum laude*), University of Bergamo, Department of Law (September 2003-July 2008).

Socrates/Erasmus Exchange Program at the Ryerson University, Toronto (September 2004-December 2004).

COURSES TAUGHT:

Head of the course in Private Law (*Diritto privato avanzato*) and European Contract Law (taught in English) at the Department of Law (University of Bergamo).

RESEARCH ACTIVITIES ABROAD:

July 2017: Visiting scholar at the Max Planck Institute for Comparative and International Private Law, Hamburg.

May 2016: *Boursier* at the Swiss Institute of Comparative Law, Lausanne.

April-May 2015: *Stipendiat* at the Max Planck Institute for Comparative and International Private Law, Hamburg.

July-August 2014: Visiting scholar at the Max Planck Institute for Comparative and International Private Law, Hamburg.

April-May 2014: Visiting scholar at the Institut für ausländisches und internationales Privat- und Wirtschaftsrecht, Universität Heidelberg.

July-August 2013: *Stipendiat* at the Max Planck Institute for Comparative and International Private Law, Hamburg.

July-August 2012: Admitted to the Summer Program in International Business Law at the Bucerius Law School, Hamburg.

June-August 2012: *Stipendiat* at the Max Planck Institute for Comparative and International Private Law, Hamburg.

2011-2012: Contributor (together with Alessandro P. Scarso) of the Italian reports of the research project on *Employers' liability and Workers' compensation* promoted by the European Centre of Tort and Insurance Law (ECTIL).

2010-2011: Contributor (together with Alessandro P. Scarso) of the Italian report of the research project on *Medical malpractice* promoted by the European Centre of Tort and Insurance Law (ECTIL).

August 2009: Visiting scholar at the Institute of Advanced Legal Studies (IALS), University of London.

TEACHING ABROAD:

November 14th-November 19th, 2016: Lectured (in English) on International Commercial Contracts in the course "Business Law" at the University of Belgrade (Serbia).

April 17th, 2016: Gave talk «Integrated Contracts: Some Notes on Merger Clauses» in the course "Introduction to American Law" at the University of Lausanne (Switzerland).

December 1st-December 5th, 2015: Lectured (in English) Comparative Contract Law in the course "Private Law II" at the University of Wrocław (Poland) within the project of Staff Mobility for teaching (Erasmus +).

OTHER APPOINTMENTS:

Member of the Editorial Board of the Italian Journal on "Medical Liability - Law and Clinical Practices" (*Responsabilità medica - Diritto e pratica clinica*)

Website: <http://www.rivistaresponsabilitamedica.it>

MAIN FIELDS OF LEGAL RESEARCH:

Contract Law, Tortious Liability, European Private Law, Comparative Private Law.

AWARDS AND SCHOLARSHIPS:

2017: «Francesco Santoro-Passarelli Prize» awarded by *Accademia Nazionale dei Lincei* in recognition for an in-depth work on merger clauses in international commercial contracts (*Il contratto autoregolato: le merger clauses*, Torino: Giappichelli, 2015).

2017: Prize for «Scientific Excellence» awarded by the *Società Italiana degli Studiosi Diritto Civile* (SISDiC) in recognition for an in-depth work on merger clauses in international commercial contracts (*Il contratto autoregolato: le merger clauses*, Torino: Giappichelli, 2015).

2015: «Van Calker Scholarship» awarded by the Swiss Institute of Comparative Law (Lausanne, Switzerland).

2015: «Edoardo Ruffini Prize» awarded by *Accademia Nazionale dei Lincei* on the subject of 'To be born and to die: the legal problem of biotechnologies'.

2015: Post-doc research grant awarded by the Max-Planck Institute for Comparative and International Private Law (Hamburg, Germany).

2013: Post-doc research grant awarded by the Max-Planck Institute for Comparative and International Private Law (Hamburg, Germany).

2012: Research grant for doctoral student awarded by the Max-Planck Institute for Comparative and International Private Law (Hamburg, Germany).

MEMBERSHIPS:

Member of the *Società Italiana degli Studiosi di Diritto Civile* (SISDiC)

Member of the Italian Association of Comparative Law

Member of the Association of «Freunde des Hamburger Max-Planck-Instituts für ausländisches und internationales Privatrecht e.V.»

PUBLICATIONS:

Books

1. *Il contratto autoregolato: le merger clauses*, Torino: Giappichelli, 2015, pp. 269. *
* Winner of the Prize «Francesco Santoro-Passarelli Prize» awarded by *Accademia Nazionale dei Lincei*; Prize for «Scientific Excellence» awarded by the *Società Italiana degli Studiosi Diritto Civile* (SISDiC).
2. *Consenso e cura. La solidarietà nel rapporto terapeutico*, Torino: Giappichelli, 2018, *under press*.

Chapters in Books/Headwords:

3. «Diritto a non nascere (se non sano)», headword in: *Digesto delle discipline privatistiche*, sezione civile, Appendice di aggiornamento, Torino: Utet, 2018, *under press*.
4. «Merger clause», headword in: headword in: *Digesto delle discipline privatistiche*, sezione civile, Appendice di aggiornamento, Torino: Utet, 2018, *under press*.
5. *Autodeterminazione terapeutica e poteri della persona nella relazione di cura*, in P. Sirena, A. Zoppini (a cura di), *I poteri privati e il diritto della regolazione. A quarant'anni da "Le autorità private" di C.M. Bianca*, Roma: Roma TrE-press, 2018, *under press*.
6. *The Involvement of EU Fundamental Rights in Contractual Relationships*, in B. Milisavljević, T. Jevremović, M. Zivković (eds.), *Law and Transition. Collection of Papers*, Belgrade, 2017, pp. 333-344.
7. «Testamento biologico», headword in: *Digesto delle discipline privatistiche*, sezione civile, Appendice di aggiornamento, Torino: Utet, 2014 (together with S. Rossi).
8. *Employers' Liability and Workers' Compensation: Italy*, in K. Oliphant and G. Wagner (eds.), *Employers' Liability and Workers' Compensation, Tort and Insurance Law vol. 31*. Berlin/New York: de Gruyter 2012, pp. 297-331 (together with A.P. Scarso).
9. *Medical Malpractice in Italy*, in B.A. Koch (ed.), *Medical Malpractice in Europe. A Comparison of Selected Jurisdictions. Tort and Insurance Law vol. 29*. Berlin/New York: de Gruyter 2011, pp. 329-359 (together with A.P. Scarso): also published in German, *Arzthaftung in Italien*, in B. Koch (ed.), *Arzthaftung in Europa - Ausgewählte Rechtsordnungen im Vergleich*, Berlin, 2012, pp. 163-191.
10. *Responsabilità medica e risarcimento*, in D. Barbierato (ed.), *Il risarcimento del danno e le sue "funzioni"*, Napoli: Jovene, 2012, pp. 185-210.

Law Journal Publications

11. *Illegittima segnalazione alla Centrale dei Rischi e danno in re ipsa*, in *Resp. civ. e prev.*, 2017, pp. 837-849;
12. *La lesione dell'interesse a non nascere del concepito* (Parte seconda), in *Nuova giur. civ. comm.*, 2017, II, pp. 436-448;

13. *Nascita indesiderata e danno al nascituro (Parte prima)*, in *Nuova giur. civ. comm.*, 2017, II, pp. 276-287;
14. *Interpretazione negoziale e principio di gerarchia*, in *Nuova giur. civ. comm.*, 2014, I, pp. 296-307;
15. *Danno cagionato dall'alunno a se stesso: il problema del regime della prova*, in *Danno e resp.*, 2012, pp. 889-897;
16. *Errata diagnosi del medico, il problema causale e la chance perduta*, in *Nuova giur. civ. comm.*, 2011, I, pp. 446 - 455;
17. *Il prisma della prestazione medica e l' "azzeramento" dell'art. 2236 cod. civ.*, in *Nuova giur. civ. comm.*, 2010, I, 369 - 376;
18. *Duty to prevent the suicide: i confini dell'obbligo di protezione in capo all'insegnante*, in *Resp. civ. e prev.*, 2010, 150 - 164.

Bergamo, March 2018