

21 Health Matrix 189, *

n68 See BAINBRIDGE, *supra* note 11, at 100-05.

n69 See *id.* at 104.

n70 See, e.g., Edward B. Rock, *Saints and Sinners: How Does Delaware Corporate Law Work*, 44 *UCLA L. REV.* 1009, 1013-1016 (1997) (arguing that "Delaware opinions can be understood as providing a set of parables-instructive tales-of good managers and bad managers"; these tales then "provide a supplemental source of gossip, criticism, and sanction for this set of actors [i.e., directors and officers]"); see also Lyman Johnson, *Counter-Narrative in Corporate Law: Saints and Sinners, Apostles and Epistles*, 2009 *MICH. STATE L. REV.* 847 (2009) (extending Rock's thesis with special reference to the role of the business press).

n71 See BAINBRIDGE, *supra* note 11, at 134-53.

n72 Fairfax, *supra* note 26, at 816 n.223 ("Indeed, the consistency principle suggests that the multiplicity problem may undermine achievement of all the goals encompassed by the stakeholder rhetoric, including goals associated with shareholder concerns."). This is precisely the problem, and the reason why behavioral insights about trust discourse must not be used to try to deepen shareholder primacy.

n73 FRANK EASTERBROOK & DANIEL FISCHER, *THE ECONOMIC STRUCTURE OF CORPORATE LAW* 38 (1991). The "two masters" formulation is an allusion to the Gospel of Matthew. Matthew 6:24 (Revised Standard Version) ("No one can serve two masters; for either he will hate the one and love the other, he will or be devoted to one and despise the other. You cannot serve God and mammon.").

n74 See BAINBRIDGE, *supra* note 11, at 45-50, 60-65.

n75 See Hill & O'Hara, *supra* note 60, at 1720, 1745.

n76 Fairfax, *supra* note 26, at 803.

n77 Hill & O'Hara, *supra* note 60, at 1720.

n78 See *supra* text accompanying notes 41-56.

n79 Kahan refers to this as the requirement of "expressive candor." Kahan, *supra* note 45, at 145.

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