



Columbia
Law School

2021–2022

**COLUMBIA LAW
SCHOOL CANDIDATES
FOR POSITIONS IN
LAW TEACHING**

**COLUMBIA LAW SCHOOL
435 W 116TH ST, NEW YORK, NY 10027**

Introduction

Columbia Law School is delighted to introduce our candidates who will be on the teaching market this year. You will find their resumes in this book, which gives you a quick overview of our alumni and fellows that are interviewing for teaching positions. Please note that there may be additional candidates who are affiliated with Columbia but who did not submit their resumes for this book. Their information will be included in the AALS Faculty Appointments Register.

The candidates can be found by searching for their name (index 1) or for their teaching preferences (index 2). If you have any questions, please email Zoe Attridge at zattridge@law.columbia.edu. Thank you for your interest and consideration.

2021

COLUMBIA LAW SCHOOL ALUMNI

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AVERY, JOSEPH J., J.D. '13

Preferred Subjects: Evidence; Criminal Law; Criminal Procedure; Law and Technology; Law and Social Science

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BEERDSEN, EDITH, J.D. '10

Preferred Subjects: Evidence; Civil Procedure; Law and Science; Torts; Professional Responsibility

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BOROWICZ, KONRAD, J.S.D. '20

Preferred Subjects: Contracts; Business Associations (including Agency & Part., Corps, Bus. Planning); Securities Regulation; Corporate Finance (including Corporate Reorganizations); Creditors and Debtors Rights (including Bankruptcy Law)

PAGE 21

CRAIG, JADE A., J.D. '12

Preferred Subjects: Business Associations (including Agency & Part., Corps, Bus. Planning); Property (including Landlord Tenant, Personal Prop., Real Prop.); Race and the Law; Employment Law; Administrative Law

PAGE 25

FERNANDEZ, JENNIFER M., J.D. '13

Preferred Subject: Clinical Teaching

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FIEGENBAUM, ITAI, LL.M. '08

Preferred Subjects: Business Associations (including Agency & Part., Corps, Bus. Planning); Commercial Law (including Sales, Secured Transactions); Corporate Finance (including Corporate Reorganizations); Contracts; Securities Regulation

PAGE 32

GUTHRIE, ERIC, J.D. '92

Preferred Subjects: Employment Law; Civil Rights (Includes Fair Housing, Race Relations and Election Law); Race and the Law; Law and Technology; Entertainment Law

PAGE 38

MAHBOUBI, NEYSUN A., J.D. '01

Preferred Subjects: Administrative Law; Constitutional Law; Civil Procedure; Comparative Law (including Civil Law); International Law

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PANFIL, MICHAEL, J.D. '11

Preferred Subjects: Torts; Civil Procedure; Energy Law; Environmental Law; Clinical Teaching

PAGE 50

YAKOVI GAN-OR, NOFAR, J.S.D '22, LL.M. '16

Preferred Subjects: Family Law; Health Care Law; Sexual Orientation and Gender Identity Issues; Constitutional Law; Bioethics

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AHMED, ASHRAF

ACADEMIC FELLOW AND LECTURER IN LAW, 2020–2022

Preferred Subjects: Constitutional Law; Election Law; Administrative Law; Civil Rights (Includes Fair Housing, Race Relations and Election Law); Jurisprudence

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MENAND, LEV

ACADEMIC FELLOW AND LECTURER IN LAW, 2019–2022

Preferred Subjects: Financial Institutions; Administrative Law; Regulated Industries; Business Associations (including Agency & Part., Corps, Bus. Planning); Legislation

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PARSONS, AMANDA

ACADEMIC FELLOW AND LECTURER IN LAW, 2019–2022

Preferred Subjects: Taxation, Federal (including Income Tax, Corp. Tax, Partnerships & LLCs); Contracts; Tax Policy; Estate and Gift Tax; Business Associations (including Agency & Part., Corps, Bus. Planning)

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SCHMIDT, THOMAS P.

ACADEMIC FELLOW AND LECTURER IN LAW, 2020–2022

Preferred Subjects: Federal Courts; Civil Procedure; Constitutional Law; Administrative Law; Intellectual Property (including Patents, Copyright, Trademark)

2021

**COLUMBIA LAW
SCHOOL AFFILIATES**

COLUMBIA LAW SCHOOL INDEX BY TEACHING INTEREST

(CATEGORIES FROM
AALS FAR FORM)

SUBJECT MATTER	CANDIDATE NAME	PAGE
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	Neysun A. Mahboubi	38
	Ashraf Ahmed	53
	Lev Menand	57
	Thomas P. Schmidt	71
Bioethics	Nofar Yakovi Gan-Or	50
Business Associations	Konrad Borowicz	16
	Jade A. Craig	21
	Itai Fiegenbaum	29
	Lev Menand	57
	Amanda Parsons	66
Civil Procedure	Edith Beersden	11
	Neysun A. Mahboubi	38
	Michael Panfil	45
	Thomas P. Schmidt	71
Civil Rights	Eric Guthrie	32
	Ashraf Ahmed	53
Clinical Teaching	Jennifer M. Fernandez	25
	Michael Panfil	45
Commercial Law	Itai Fiegenbaum	29
Comparative Law	Neysun A. Mahboubi	38
Constitutional Law	Neysun A. Mahboubi	38
	Nofar Yakovi Gan-Or	50
	Ashraf Ahmed	53
	Thomas P. Schmidt	71
Contracts	Konrad Borowicz	16
	Itai Fiegenbaum	29
	Amanda Parsons	66
Corporate Finance	Konrad Borowicz	16
	Itai Fiegenbaum	29
Creditors and Debtors Rights	Konrad Borowicz	16
Criminal Law	Joseph J. Avery	1
Criminal Procedure	Joseph J. Avery	1
Election Law	Ashraf Ahmed	53
Employment Law	Jade A. Craig	21
	Eric Guthrie	32
Energy Law	Michael Panfil	45

SUBJECT MATTER	CANDIDATE NAME	PAGE
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Environmental Law	Michael Panfil	45
Estates and Gift Tax	Amanda Parsons	66
Evidence	Joseph J. Avery	1
	Edith Beersden	11
Family Law	Nofar Yakovi Gan-Or	50
Federal Courts	Thomas P. Schmidt	71
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Health Care Law	Nofar Yakovi Gan-Or	50
Immigration Law	Neysun A. Mahboubi	38
Intellectual Property (including Patents, Copyright, Trademark)	Thomas P. Schmidt	71
Jurisprudence	Ashraf Ahmed	53
Law and Science	Edith Beersden	11
Law and Social Science	Joseph J. Avery	1
Law and Technology	Joseph J. Avery	1
	Eric Guthrie	32
Legislation	Lev Menand	57
Professional Responsibility	Edith Beersden	11
Property	Jade A. Craig	21
Race and the Law	Jade A. Craig	21
	Eric Guthrie	32
Regulated Industries	Lev Menand	57
Securities Regulation	Konrad Borowicz	16
	Itai Fiegenbaum	29
Sexual Orientation and Gender Identity Issues	Nofar Yakovi Gan-Or	50
Tax Policy	Amanda Parsons	66
Taxation (Federal)	Amanda Parsons	66
Torts	Edith Beersden	11

JOSEPH J. AVERY

127 Wall Street • Yale Law School • New Haven, Connecticut 06511
609-917-0444 • joseph.avery@yale.edu

ACADEMIC APPOINTMENTS

Yale Law School

Resident Fellow 2021-present

Information Society Project

Advisor: Jack Balkin

As a postdoctoral fellow in-residence at Yale Law School's Information Society Project, I conduct research on law and technology.

National Science Foundation's Center for Quantum Networks

Visiting Fellow 2021-present

As a visiting fellow (remote) at this National Science Foundation Engineering Research Center, which is led by the University of Arizona, Harvard, MIT, and Yale, I conduct research on the legal and policy implications of emerging quantum computing technology.

EDUCATION

Princeton University

Ph.D. in Psychology 2021

M.A. in Psychology 2019

Dissertation: *Legal Data: Bias in The Law, and How Legal Technology Can Be Built to Help Correct for It*

Honors: National Defense Science & Engineering Graduate Fellow
Woodrow Wilson Scholars Graduate Fellow

Activities: Founding President, *The Princeton Project in Computational Law*

Columbia Law School

J.D. 2013

Honors: Harlan Fiske Stone Scholar

Activities: Founding Member, *The Columbia Journal of Tax Law*

New York University

B.A. in Economics and Philosophy 2008

Honors: *Magna Cum Laude*
Presidential Scholar
University Honors Scholar

RESEARCH AND TEACHING INTERESTS

- Primary: Criminal Law, Criminal Procedure, Evidence,
Law & Technology
- Secondary: Empirical Legal Methods, Computational Law,
Law & Social Science, Law & Psychology,
Bias & Stigma in the Law

PUBLICATIONS

I have 25 academic publications, numbered below. These publications are grouped as follows: (I) books; (II) law review articles; (III) peer-reviewed journal articles and book chapters on legal topics; (IV) peer-reviewed journal articles and book chapters on general social science topics. Additional sections include (V) works under review or in-preparation; (VI) public-facing and shorter works.

I. BOOKS

- [25] BIAS IN THE LAW: A DEFINITIVE LOOK AT RACIAL PREJUDICE IN THE U.S. CRIMINAL JUSTICE SYSTEM, Maryland: Lexington Books (2020) (co-edited).
- [24] THE STIGMA OF ADDICTION: AN ESSENTIAL GUIDE, New York: Springer Publishing (2019) (co-edited).

II. LAW REVIEW ARTICLES

- [23] Joseph J. Avery, *Legal Prediction, Up and Down*, THE UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW (forthcoming 2021).
- [22] Joseph J. Avery, *Greatly Exaggerating Dualism's Death: Neuroscience and U.S. Law*, 105 CORNELL LAW REVIEW ONLINE 127 (2020).
- [21] Joseph J. Avery and Joel Cooper, *Racial Bias in Post-Arrest and Pretrial Decision Making: The Problem and a Solution*, 29 CORNELL JOURNAL OF LAW & PUBLIC POLICY 257 (2020).
- [20] Joseph J. Avery, *An Uneasy Dance with Data: Racial Bias in Criminal Law*, 93 SOUTHERN CALIFORNIA LAW REVIEW POSTSCRIPT 28 (2019).
- [19] Joseph J. Avery, *Picking and Choosing: Inconsistent Use of Neuroscientific Legal Evidence*, 81 ALBANY LAW REVIEW 941 (2018).
★ Featured in Neurolaw News.

III. PEER-REVIEWED JOURNAL ARTICLES & BOOK CHAPTERS on legal topics

- [18] Joseph J. Avery et al., *Race and Perceived Immorality in Stereotypes of Criminal Subtypes*, BASIC AND APPLIED SOCIAL PSYCHOLOGY (2021).
- [17] Joseph J. Avery et al., *Is Your Own Team Against You? Implicit Bias and Interpersonal Regard in Criminal Defense*, JOURNAL OF SOCIAL PSYCHOLOGY (2020).
- [16] Joseph J. Avery et al., *Physicians' and Attorneys' Beliefs and Attitudes Related to the Brain Disease Model of Addiction*, 29 THE AMERICAN JOURNAL ON ADDICTIONS 305 (2020).
- [15] Joseph J. Avery and Joel Cooper, *Technology in the Legal System: Uses and Abuses*, in BIAS IN THE LAW: A DEFINITIVE LOOK AT RACIAL PREJUDICE IN THE U.S. CRIMINAL JUSTICE SYSTEM (2020).
- [14] Joseph J. Avery et al., *Using Artificial Intelligence to Remove Bias from Decisions: A Case Study of District Attorneys*, White Paper Funded and Reviewed by the IBM CENTER FOR THE BUSINESS OF GOVERNMENT (2020).
- [13] Joseph J. Avery, *Addiction Stigma in the U.S. Legal System*, in THE STIGMA OF ADDICTION: AN ESSENTIAL GUIDE 153-166 (2019).
- [12] Joseph J. Avery et al., *Attitudes Towards Defendants with Substance-Related Charges: An Analysis of a National Sample of Criminal Defense Attorneys*, 27 THE AMERICAN JOURNAL ON ADDICTIONS 639 (2018).

IV. PEER-REVIEWED JOURNAL ARTICLES & BOOK CHAPTERS on general social science topics

- [11] *Demonstrating the Efficacy of Incorporating Peers into Addiction Training for Internal Medicine Residents*, PRIMARY CARE COMPANION FOR CNS DISORDERS (2021) (co-authored).
- [10] *Value Framing and Support for Populist Propaganda*, in THE PSYCHOLOGY OF POPULISM 319-331 (2021) (co-authored).
- [9] *A Call for Increased Psychiatric Training in Emergency Medicine – Physician Attitudes Toward Substance Use Disorders and Co-Occurring Borderline Personality*, 22 PRIMARY CARE COMPANION FOR CNS DISORDERS 20br02674 (2020) (co-authored).
- [8] *Improved Emergency Medicine Physician Attitudes Towards Individuals with Opioid Use Disorder Following Training in Naloxone Rescue Kit Distribution*, 38 THE AMERICAN JOURNAL OF EMERGENCY MEDICINE 1039 (2020) (co-authored).

- [7] *Attitudes Toward Individuals with Mental Illness and Substance Use Disorders Among Resident Physicians*, 21 THE PRIMARY CARE COMPANION: CNS DISORDERS 18m02382 (2019) (co-authored).
- [6] *Gullibility and the Envelope of Legitimacy*, in THE SOCIAL PSYCHOLOGY OF GULLIBILITY 304-318 (2019) (co-authored).
- [5] Joseph J. Avery, *Rethinking the Freud-Rolland Relationship: A Translation and Explication of Freud's "Acropolis Letter"*, 76 AMERICAN IMAGO 99 (2019).
- [4] *Improvement in Residents' Attitudes toward Individuals with Substance Use Disorders Following an Online Training Module on Stigma*, 15 HSS JOURNAL 31 (2018) (co-authored).
- [3] *Changes in Psychiatry Residents' Attitudes Towards Individuals with Substance Use Disorders over the Course of Residency Training*, 26 THE AMERICAN JOURNAL ON ADDICTIONS 75 (2017) (co-authored).
- [2] Joseph J. Avery, *Professional and Lay Skepticism Concerning the Validity of Current Psychology*, 16 THE JOURNAL OF CRITICAL PSYCHOLOGY, COUNSELLING AND PSYCHOTHERAPY 241 (2016).
- [1] *Altruism Found: David Sloan Wilson's Multilevel Explanation*, 13 EVOLUTION, MIND AND BEHAVIOUR 53 (2015) (co-authored).

V. WORKS UNDER REVIEW OR IN-PREPARATION

- Joseph J. Avery et al., *Criminal Stereotypes of Muslim and Arab Americans and the Impact on Evaluations of Ambiguous Criminal Evidence*, JOURNAL OF LEGAL STUDIES (revise and resubmit).
- Joseph J. Avery, *Fumble! Anti-Human Bias in the Wake of Socio-Technical System Failures* (under review).
- Joseph J. Avery, *Criminal Defense's Escape from Sustained Analytical Scrutiny* (in prep).
- Joseph J. Avery et al., *No Thanks, HAL. Perceptions of Error and Bias in (Legal) Technology* (in prep).

VI. PUBLIC-FACING AND SHORTER WORKS

- Joseph J. Avery, *Legal Industry Should Pursue AI Prediction Progress*, LAW360, <https://www.law360.com/articles/1248191/legal-industry-should-pursue-ai-prediction-progress> (February 28, 2020).

- Joseph J. Avery, *Legal Prediction Is Demanding But Not Impossible*, LAW360, <https://www.law360.com/articles/1243338> (February 14, 2020).
- PSYCHOLOGY TODAY blog titled *Substance Use, Stigma & Society*, <https://www.psychologytoday.com/us/blog/substance-use-stigma-and-society> (May 2019-Present) (co-authored).
- *To Address Addiction, We Need to Address Stigma*, THE SAN FRANCISCO CHRONICLE (May 20, 2019) (co-authored).
- *The Education of a Contract: Smart Contracts Explained*, THE PRINCETON LEGAL JOURNAL, <https://www.princetonlegaljournal.com> (2019) (co-authored).
★ Invited contribution
- *Supporting Public Defenders Supports Substance Use Treatment*, THE BALTIMORE SUN (March 27, 2019) (co-authored).
- Joseph J. Avery, *Neuroethics in Neurolaw: Exploring Notions of Duality and the Implications for Evidence and Ethics*, THE DANA FOUNDATION (2017).
★ Winner of the 2017 International Neuroethics Society Academic Essay Award
★ Featured in *Neurolaw News*
- *Hope or Delusion: Issues in Addiction Psychotherapy*, THE FIX (May 5, 2016) (co-authored).

MEDIA FEATURES

I have been profiled in the following:

- Rebecca McCarthy, *Progress Report, Spring 2020: A Question of Fairness*, THE AMERICAN SCHOLAR (March 2, 2020), <https://theamericanscholar.org/progress-report-spring-2020/#.XoOfaNNKiqA>
- Beth Jarvie, *Innovations in the Legal System through Artificial Intelligence*, KELLER CENTER (Feb. 20, 2020), <https://kellercenter.princeton.edu/stories/innovations-legal-system-through-artificial-intelligence>

GRANTS

2021	SBIR Phase I, National Science Foundation (PI, \$256,000)
2020	American Psychology-Law Society (PI, \$1,000)
2020	Bouton Law Lectures Fund, Social Science Data Initiative et al. (\$30,100)
2020	Faculty New Ventures Assistance Fund, Princeton (PI, \$15,000)
2020	Keller Center eLab Entrepreneurship Grant (\$5,000)
2020	Innovation Corps Program, National Science Foundation (\$53,000)
2020	PRESS: Princeton Research in Experimental Social Science (PI, \$900)

2019-2020	Council on Science & Technology, Princeton University (PI, \$600)
2019-2020	Horowitz Foundation for Social Policy (PI, \$7,500)
2019-2020	IBM Center for the Business of Government (PI, \$20,000)
2019-2020	Woodrow Wilson Scholars Fellowship, Princeton University (\$88,250)
2019	Graham '83 Student Research Fund, Princeton University (PI, \$1,000)
2019	Princeton Tiger Entrepreneurs Conference Travel Award (\$1,500)
2018-2021	National Defense Science & Engineering Graduate Fellowship (\$230,000)
2018-2020	Academic Fellowship Stipend, Princeton University (\$12,000)
2018	Society for the Psychological Study of Social Issues (PI, \$1,000)
2018	Ungerleider/Zimbardo Award, American Psychological Foundation (\$300)
2017	American Psychological Association (\$300)
2017	American Psychology-Law Society (PI, \$600)
2017	Program in Cognitive Science, Princeton University (PI, \$2,294)

SELECTED HONORS & AWARDS

At the National Level

- **National Defense Science and Engineering Graduate (NDSEG) Fellowship**, United States Department of Defense, 2018. Awarded to U.S. citizens and nationals pursuing a doctoral degree in science and engineering disciplines of military importance, the NDSEG Fellowship is the highest honor awarded to graduate students by DOD agencies.
- **Behavioral Sciences Training Fellowship**, National Institute on Drug Abuse, 2018 (Declined). NIDA's largest, oldest, and most prestigious training fellowship for behavioral scientists.
- **Anne Anastasi Award**, American Psychological Association, Division 1, 2017. In recognition of a graduate student whose scholarship has made notable contributions to general psychology. Awarded yearly to one individual selected from a nationwide pool of nominees who is in his or her first two years of graduate study.

At Princeton University

- **Woodrow Wilson Scholars Fellowship**, 2019. Fellows are chosen from among those graduate students who have been nominated by Princeton faculty, with selection criteria including scholarly excellence and potential for formulating policy solutions. Each year, less than 0.2% of Princeton graduate students are named Graduate Fellows of the Woodrow Wilson Scholars.

At Columbia Law School

- **Harlan Fiske Stone Scholar**, 2011-2013. In recognition of superior academic achievement.

At New York University

- **University Honors Scholar & Founders Day Award Recipient**, 2008. In recognition of superior academic achievement.

- **Presidential Scholar, 2004.**
In recognition of superlative academic achievement and a consistent record of leadership and service to the community.

CONFERENCES ORGANIZED

Technologies of Deception, Yale Law School, Spring 2022.
Organizer and Moderator

Unintended: The Promises and Perils of Criminal Justice Reform, Princeton University,
Spring 2018.
Co-Organizer and Co-Moderator

TALKS & PRESENTATIONS

Joseph J. Avery. (May 2021). *Legal Data: Bias in the Law, and How Legal Technology Can Be Used to Help Correct for It.*
Final public oral delivered in defense of PhD dissertation at Princeton University,
Princeton, NJ.

Joseph J. Avery. (March 2021). *No Thanks, HAL. Perceptions of Error and Bias in (Legal) Technology.*
Talk delivered in the social psychology seminar at Princeton University, Princeton, NJ.

Joseph J. Avery. (December 2020). *Using Artificial Intelligence to Improve the Fairness and Equity of Government Decision Making.*
Invited talk delivered to the National Academy of Public Administration's "Joint Panel Session between the Standing Panel on Social Equity in Governance and the Standing Panel on Technology Leadership."

Joseph J. Avery. (April 2020). *Criminal Stereotypes: Unpacking the Race-Crime Congruency Effect.*
Invited talk delivered to the Society of Woodrow Wilson Fellows, Princeton, NJ.

Joseph J. Avery. (April 2020). *Coherent Congruency? Making Sense of the Race-Crime Congruency Effect.*
Talk delivered in the social psychology seminar at Princeton University, Princeton, NJ.

Joseph J. Avery. (March 2020). *Imagining and Sorting Criminal Subtypes.*
Talk delivered at the 2020 American Psychology-Law Society Annual Conference,
New Orleans, LA.

Joseph J. Avery. (April 2019). *Faces are Masks: How We Imagine and Sort Criminal Subtypes.*
Talk delivered in the social psychology seminar at Princeton University, Princeton, NJ.

Joseph J. Avery. (October 2018). *Bias in Criminal Defense Decision Making: Its Importance and Prevalence—and How to Fix It.*

Talk delivered in support of a master's thesis, Princeton University, Princeton, NJ.

Joseph J. Avery. (August 2018). *Exploring Stigma and Bias in Criminal Defense.*

Poster presented at the 2018 American Psychological Association Annual Convention, San Francisco, CA.

★ Winner of the Ungerleider/Zimbardo Travel Scholarship.

Joseph J. Avery. (April 2018). *Racialized Drug Stigma in Criminal Defense.*

Talk delivered in the social psychology seminar at Princeton University, Princeton, NJ.

Joseph J. Avery. (May 2017). *When Your Own Team Is Against You: A Potential Confluence of Stigma and Bias in Criminal Defense.*

Talk delivered in the social psychology seminar at Princeton University, Princeton, NJ.

Joseph J. Avery. (April 2017). *Uncertainty Induced Hope: Phenomenology and Related Mental States.*

Poster presented at the 2017 Annual Conference of the Society for Affective Science, Boston, MA.

Susan Sugarman & **Joseph J. Avery.** (October 2016). *Susan Sugarman & Joseph Avery in conversation. What Freud Really Meant: A Chronological Reconstruction of His Theory of the Mind.*

Discussion talk delivered at Labyrinth Books, Princeton, NJ.

SELECTED EXPERIENCE

Co-Founder, **Claudius Legal Intelligence, Inc.**, Princeton, NJ, 2019–Present.

Created the technology that was spun-out of Princeton University to focus on AI-powered tools that increase access-to-justice for individuals and optimize the decision making of attorneys. Princeton is a minority owner, and the startup is formally and financially backed by the National Science Foundation.

- ★ Supported by a 2021 National Science Foundation SBIR Phase I Grant
- ★ Member of the 2020 National Science Foundation's Innovation Corps
- ★ Member of the 2020 Princeton University Keller Center eLab Summer Accelerator
- ★ Member of the 2019-2020 Princeton University Keller Center eLab Incubator
- ★ Member of the 2019 Duke Law Tech Lab Accelerator

Research Assistant, **Columbia University Department of Psychiatry and the New York State Psychiatric Institute**, New York, NY, 2015–2016.

Conducted studies assessing the efficacy of various methods for inducing behavioral change. Collected, managed, and analyzed study data.

Associate Attorney, **Michie, Hamlett, Lowry, Rasmussen & Tweel, PLLC**, Charlottesville, VA, 2013–2015.

Managed all aspects of a full civil practice, including legal research and writing, depositions, hearings, trials, and dispute resolutions. Oversaw a staff consisting of paralegals, legal assistants, administrative aids, and interns.

Legal Intern, Criminal Appellate Division, **United States Department of Justice**, Washington, D.C., Summer 2009.

Researched and wrote memoranda recommending a course of action—appeal, rehearing en banc, petition for writ of certiorari—for the Office of the Solicitor General to pursue in response to adverse decisions. Also aided DOJ attorneys in brief writing.

TEACHING

Foundations of Psychological Thought, Spring 2021, Princeton University.

Head Preceptor (oversaw all other preceptors and was largely responsible for the form and function of the class)

Foundations of Psychological Thought, Spring 2019, Princeton University.

Preceptor / Assistant-in-Instruction (prior to the semester, helped with compiling content for and designing the course)

Psychology of Language, Fall 2017, Princeton University.

Preceptor / Assistant-in-Instruction

Freud on the Psychological Foundations of the Mind, Fall 2016, Princeton University.

Instructional Staff

BAR ADMISSION

Virginia State Bar: Active Member (2013—2016); Associate Member (2017—Present).

REFERENCES

Prof. Jack Balkin

Knight Professor of Constitutional Law and the First Amendment

Yale Law School

jack.balkin@yale.edu

Prof. Joel Cooper

Professor of Psychology

Princeton University

jcoops@princeton.edu

Prof. J. Nicole Shelton

Stuart Professor of Psychology
Princeton University
nshelton@princeton.edu

Prof. Susan Sugarman

Professor of Psychology
Princeton University
sugsue@princeton.edu

Prof. Joseph Raz

Thomas M. Macioce Professor of Law Emeritus
Columbia Law School
raz@law.columbia.edu

Prof. Eldar Shafir

Class of 1987 Professor of Behavioral Science and Public Policy
Princeton University
shafir@princeton.edu

Prof. Alin Coman

Associate Professor of Psychology and Public Affairs
Princeton University
acoman@princeton.edu

EDITH BEERDSEN

245 Sullivan St., Room C-34, New York, NY 10012 • (347) 410-0761 • edith.beerdsen@nyu.edu

CURRENT APPOINTMENT

New York University, School of Law, New York, NY

Acting Assistant Professor of Lawyering, 2019 – present

Teach year-long course on legal writing, research, and other lawyering skills to first-year law students. Research and write on evidence, science in the courtroom, and civil procedure.

Co-chair, Lawyering Scholarship Colloquium.

TEACHING INTERESTS

Primary: Evidence, Civil Procedure, Law and Science, Torts, Professional Responsibility

Secondary: Empirical Methods, Complex Litigation, Scientific Evidence, Discovery

EDUCATION

J.D., Columbia Law School, 2010

Harlan Fiske Stone Scholar

Articles Editor, Columbia Human Rights Law Review

Research assistant for Prof. J. Fagan and Prof. B. L. Liebman

Ph.D. (Computational Chemistry), University of Amsterdam, The Netherlands, 2007

Dissertation: “On Diffusion in Nanoporous Materials – a Simulation Study”

Published 11 articles in high-ranked international journals; co-inventor on 3 patents.

Presented work in 6 countries; co-organized and lectured in 7 editions of international “Molecular Simulations” course for Ph.D. students and postdocs.

M.Sc. (Chemistry), University of Amsterdam, The Netherlands, *cum laude*, 2002

(four-year undergraduate degree)

Thesis: “Adsorption in Zeolites”

Published 2 articles in high-ranked international journals.

Selected awards: University of Amsterdam’s Award for best first-year chemistry students, 1999;

Royal Dutch Chemistry Society Award for best chemistry students nationwide, 1999

PUBLICATIONS

Legal Scholarship

Discovery Culture (job talk)

Introduces “Discovery Culture,” the evolving norms and practices that govern the everyday practice of civil discovery, as an overlooked force in the civil discovery process. Explores the nature of this norms-based and party-driven practice and its implications.

Litigation Science after the Knowledge Crisis, 106 CORNELL L. REV. 529 (2021) ([link](#))

Identifies and discusses the implications of the social sciences’ Replication Crisis—a fundamental shift in understanding of what it takes to create reliable science—for the production of scientific knowledge in a civil litigation context.

Selected Peer-Reviewed Scientific Scholarship

I used computer simulation methods to investigate the movement of small molecules in confined spaces. Only first-authored publications listed; additional publications available upon request.

Understanding Diffusion in Nanoporous Materials, 96 PHYS. REV. LETT. 044501 (2006) (with David Dubbeldam and Berend Smit) ([link](#))

Loading Dependence of the Diffusion Coefficient of Methane in Nanoporous Materials, 110 J. PHYS. CHEM. B 22754 (2006) (with David Dubbeldam and Berend Smit) ([link](#))

Diffusion in Confinement: Agreement Between Experiments Better than Expected, 110 J. PHYS. CHEM. B 14529 (2006) (with David Dubbeldam and Berend Smit) ([link](#))

Molecular Understanding of Diffusion in Confinement, 95 PHYS. REV. LETT. 164505 (2005) (with David Dubbeldam and Berend Smit) ([link](#))

Molecular Simulation of Loading-Dependent Slow Diffusion in Confined Systems, 93 PHYS. REV. LETT. 248301 (2004) (with Berend Smit and David Dubbeldam) ([link](#))

Simulating the Effect of Non-framework Cations on the Adsorption of Alkanes in MFI-type Zeolites, 107 J. PHYS. CHEM. B. 12088 (2003) (with David Dubbeldam, Berend Smith, Thijs J. H. Vlugt, and Sofia Calero) ([link](#))

The Influence of Non-framework Sodium Cations on the Adsorption of Alkanes in MFI- and MOR-type Zeolites, 106 J. PHYS. CHEM. B 10659 (2002) (with Berend Smit and Sofia Calero) ([link](#))

PROFESSIONAL EXPERIENCE

Davis Polk & Wardwell LLP, New York, NY

Litigation associate, 2010 – 2018

Summer associate, 2009

Broad general commercial civil litigation practice, with focus on cases involving scientific or statistical expert testimony, as well as legal malpractice defense.

Hon. Alvin K. Hellerstein, District Court for the Southern District of N.Y.

Judicial intern, 2009

Chevron Energy and Technology Center, Richmond, CA

Visiting scientist, 2006

CECAM (European Center for Atomistic and Molecular Computation), Lyon, France

Visiting scientist, 2005

TEACHING EXPERIENCE

New York University School of Law, New York, 2019-present

- Instructor, Lawyering (Academic years 2019-2020, 2020-2021, and 2021-2022)

One World Middle School, Bronx, New York, 2017-2018

- Instructor, year-long eighth-grade class on legal system (2017-2018)
- Instructor, semester-long eighth-grade class on legal system (Spring 2017)

Davis Polk & Wardwell LLP, New York, New York, 2015-2018

- Co-taught CLE and other courses aimed at developing junior lawyers' skills

Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore, India, 2007

- Co-organizer and lecturer, School on Understanding Molecular Simulations

CECAM (European Center for Atomistic and Molecular Computation), Lyon, France, 2005

- Instructor and lecturer, Molecular Simulation Workshop

University of Amsterdam, Amsterdam, The Netherlands, 2003-2007

- Instructor, Understanding Molecular Simulation (four cohorts)
- Teaching Assistant, Symmetry and Patterns in Nature (three cohorts)
- Supervised research by master-level students

PRESENTATIONS

Legal Scholarship

Discovery Culture

- SEALS Prospective Teachers Workshop, Amelia Island, FL, Jul. 27, 2021
- Junior Scholars Workshop, online, Nov. 12, 2020
- NYU Lawyering Scholarship Colloquium, online, Nov. 6, 2020 and Jun. 14, 2021

Litigation after the Knowledge Crisis

- Evidence Summer Workshop 2020, online, Aug. 6, 2020
- NYU Academic Careers Program Scholarship Clinic, online, Apr. 13, 2020
- NYU Lawyering Scholarship Colloquium, NYU, January 23, 2020 and Nov. 13, 2019

On the Early Proceedings on the Admissibility of Expert Testimony

- NYU Lawyering Scholarship Colloquium, NYU, Aug. 1, 2019

Scientific Scholarship (Selected)

Diffusion in porous media: A new method for a better understanding.

- Amsterdam Center for Multiscale Modeling, The Netherlands, Jun. 8, 2007 (invited)

Understanding diffusion in nanoporous materials: How do molecules move in confinement?

- Prof. F. Keil Group, Hamburg University of Technology, Germany, Mar. 2, 2007 (invited)
- Conference on Nucleation, Aggregation, and Growth, Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore, India, Jan. 29-31, 2007 (invited)

Pinball machines and sliding block puzzles: How do molecules move in confinement?

- Prof. D. Chandler Group, UC Berkeley, Oct. 20, 2006 (invited)

How does loading affect diffusion in confinement? A new method for computing slow diffusion

- CECAM (European Center for Atomistic and Molecular Computing) workshop on catalytic and separation processes in nanoporous materials, Lyon, France, Sept. 5-7, 2005
- DFG (German Research Foundation) meeting, Frankfurt, Germany, Dec. 14, 2004

Diffusion of methane in LTA: How does loading affect diffusivity?

- Prof. T. H. J. Vlugt Group, University of Utrecht, The Netherlands, Nov. 15, 2004 (invited)
- DFG (German Research Foundation) meeting, Stuttgart, Germany, Sept. 23-24, 2004.
- Catalysis and Chemistry Conference, Noordwijkerhout, The Netherlands, Mar. 8-10, 2004

Substitution of silicon by aluminum in MFI and MOR type zeolites; effects on the adsorption of alkanes and selectivity

- Euroesco Conference on Isomorphous Substitution, Obernai, France, Mar. 15-20, 2002

MEDIA

Excited Utterance podcast, August 24, 2020 (podcast on evidence and proof; episode on *Litigation after the Knowledge Crisis*) ([link](#))

PATENTS

S. Zones, A. Burton, T. L. M. Maesen, B. Smit, E. Beerdsen. Hydrocarbon conversion using molecular sieve SSZ-75. U.S. Patent No. 8,177,961 (2012).

S. Zones, A. Burton, T. L. M. Maesen, B. Smit, E. Beerdsen. Hydrocarbon conversion using molecular sieve SSZ-75. U.S. Patent No. 7,906,698 (2011).

S. Zones, A. Burton, T. L. M. Maesen, B. Smit, E. Beerdsen. Hydrocarbon conversion using molecular sieve SSZ-75. U.S. Patent No. 7,651,603 (2010).

SERVICE

New York University School of Law

- Co-chair, Lawyering Scholarship Colloquium, 2020-2021 and 2021-2022
- Member, Lawyering Remote Teaching Committee, 2020-2021
- Member, Lawyering Negotiation Unit Curriculum Committee, 2019-2020 and 2020-2021

Davis Polk & Wardwell LLP

- Worked with Legal Aid, the Brennan Center, and other organizations on multiple multi-year projects focused on immigration, voting rights, and criminal justice, as part of extensive pro bono practice, 2010-2018

SELECTED AWARDS

Legal Aid Society Pro Bono Publico Awards 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011.

LANGUAGES

Dutch (native); Hebrew (native spoken); French and German (advanced); Spanish and Italian (reading knowledge).

BAR ADMISSIONS

New York; S.D.N.Y.; E.D.N.Y.

REFERENCES

Prof. Edward K. Cheng

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Prof. Helen Hershkoff

Herbert M. and Svetlana Wachtell Professor of Constitutional Law and Civil Liberties
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New York, NY 10012
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Prof. Alex Raskolnikov

Wilbur H. Friedman Professor of Tax Law
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Prof. Berend Smit

Professor of Chemical Engineering
École Polytechnique Fédérale de Lausanne
Laboratory of Molecular Simulation
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ACADEMIC APPOINTMENTS

Assistant Professor, Tilburg University, The Netherlands, 2018-present (exp. tenure as of January 2022)
Visiting Professor, Bar-Ilan University, Israel, 2019
Adjunct Professor, Florence University of the Arts, Italy, 2013

RESEARCH AND TEACHING INTERESTS

Primary Areas of Research & Teaching Interest: Bankruptcy, Contracts, Corporations, Securities Regulation
Other Areas of Teaching Interest: Secured Transactions, International Business Transactions, European Law

EDUCATION

Columbia University, USA, 2013-2020

J.S.D., Thesis: "Law and Macro-Finance: Legal Origins of Credit Booms and Busts"

Committee: Katharina Pistor, Yair Listokin, Jeffrey Gordon, Anna Gelper

European University Institute, Italy, 2010-2016

Ph.D. in Law, Thesis: "Contracts as Regulation: Model and Applications in OTC Markets"

Committee: Fabrizio Cafaggi, Katharina Pistor, Hans Micklitz, Paola Iamicelli

Duke University, USA, 2009-2010

LL.M. (*cum laude*)

Adam Mickiewicz University, Poland

Mgr. (J.D. equivalent), 2004-2009

B.A. (Art History), uncompleted

ACADEMIC HONORS, AWARDS, AND ACTIVITIES

At Columbia University

Full J.S.D. scholarship and tuition waiver funded by the Global Law and Finance Network, 2013-2015
Finkelstein Fellow (2013-2014)

At European University Institute

Full Ph.D. scholarship and tuition waiver funded by the Polish Foreign Affairs Ministry, 2010-2013
Managing Editor, *European Journal of Legal Studies*, 2012-2013

At Duke University

Staff Editor, *Duke Journal of International and Comparative Law*

At Adam Mickiewicz University

Prize for the best master thesis on IP Law awarded by the Polish Patent Office, 2009
Diploma in English and European Law, University of Cambridge, 2009
Diploma in European Law, University of Antwerp, 2008
European Commission, Erasmus scholarship to study at the University of Antwerp, 2007-2008

Other

European Commission, Erasmus+ scholarship to teach at Bar Ilan University (2019)
Richard Stewart/Sabino Cassese Prize for Emerging Scholars in Global Administrative Law (2010)

PUBLICATIONS

JOB MARKET PAPER

[*Law and Macro-Finance: How Law Affects Liquidity and Monetary Policy*](#)

BOOKS EDITED

"The Evolutions of Transnational Rule-Makers Through Crises" (with P. Delimatsis & S. Bijlmakers)

Under review, Cambridge University Press

CHAPTERS IN BOOKS

"The internal ratings-based and advanced measurement approaches for regulatory capital under the Basel regime," in [THE GOVERNANCE AND REGULATION OF INTERNATIONAL FINANCE \(EDS. GEOFFREY P. MILLER & FABRIZIO CAFAGGI\) \(Edward Elgar\)](#) 167-208 (2013)

"Financial markets, regulatory failures and transnational regulatory safety nets: the building of a policy-making metaphor," in [INFORMAL INTERNATIONAL LAW-MAKING: CONCEPTS AND CASE STUDIES \(EDS. JOOST PAUWELYN, RAMSES WESSEL, JAN WOUTERS\) \(Toaep\)](#) 221-248 (2012)

PEER-REVIEWED ARTICLES

[A Theoretical Framework for Law and Macro-Finance](#) (49 pages)

Under review, JOURNAL OF FINANCIAL REGULATION

[Law and Macro-Finance of Corporate Debt](#) (36 pages)

Revise and resubmit, JOURNAL OF CORPORATE LAW STUDIES

[Contracts as Regulation: The ISDA Master Agreement](#)

CAPITAL MARKETS LAW JOURNAL 16(1) 2021, pp. 72-94

LAW REVIEW ARTICLES

[The Mechanisms of Loan Market Efficiency](#) (53 pages)

REVIEW OF BANKING AND FINANCIAL LAW (forthcoming, 2021)

[Private Power and International Law: The Case of ISDA](#)

EUROPEAN JOURNAL OF LEGAL STUDIES, 8(1) 2015, pp. 46-66 (earlier version published in the Emerging Scholars Working Paper series of the New York University Institute for International Law and Justice (23/2012) under the title "[Accountability in Transnational Contractual Governance](#)")

TEACHING EXPERIENCE

Tilburg University, School of Law

Global e-Commerce & Internet Liability (co-teaching), 2021, 2020

Making and Shaping of EU Markets (co-teaching), Undergraduate, 2020, 2019

Law & Economics, Undergraduate, 2019, 2018

EU & Crises (co-teaching), Graduate, 2019

Bar-Ilan University, School of Law

Law & FinTech, Graduate, 2021 (exp.), 2019

Columbia University, School of Law

TA, International Financial Transactions, Graduate, 2014

Florence University of the Arts, School of Business

International Banking, Undergraduate, 2013

ACADEMIC PRESENTATIONS

2021 (planned/scheduled): Queen Mary University (4th Law & Macroeconomics Conference); Bocconi/Oxford Corporate Law Seminar; Center for Advanced Studies on the Foundations of Law and Finance, Frankfurt (LawFin Research Seminar); Tilburg University (Law & Economics Seminar)

2020: Tilburg University (Law & Economics Seminar; Conference, The Evolution of Transnational Private Rule-Makers), Yale University (3rd Law & Macroeconomics Conference), Columbia (JSD Workshop)

2019: Bar-Ilan University (Law & Economics Workshop); Tel Aviv University (European Law and Economics Association Meeting); Chinese University of Hong Kong (Conference, Regulatory Governance in a Globalized World); University of California, Berkeley (National Business Law Scholars Conference); Tilburg University (Law & Economics Seminar); University of Milan (Conference, Minsky at 100, accepted)

2016: Columbia University (Global Law and Finance Network Workshop on the Hierarchy of Money)

2015: Oxford University (Global Law and Finance Network Workshop on Liquidity)

2014: University of Toronto (Canadian Law & Economics Association Meeting); Sapienza University of Rome (Italian Law and Economics Association Meeting, accepted), Columbia University's Global Center in Paris (Global Law and Finance Network Workshop)

2013: Columbia University (JSD Workshop), University of Trento (Workshop on Contractual Networks)

2012: Fordham Law School (Visiting Scholars' Workshop); European University Institute (PhD Workshop).

2011: European University Institute (Conference, Rethinking Financial Institutions and their Regulation: Public and Private Approaches to Risk and Instability in a Post-Crisis World); Netherlands Institute for Advanced Study in the Humanities and Social Sciences (Informal International Law-making Workshop); University of Gdansk, Institute of Philosophy, Sociology and Journalism (Workshop on Unintended Consequences of Social Action)

2010: Italian Institute for Research in Public Administration (Global Administrative Law Seminar)

GRADUATE SUPERVISION

2 PhD students, 7 master students

OTHER PROFESSIONAL EXPERIENCE

Associate (Finance Group), Ropes & Gray, London, 2015-2018

Trainee (Corporate Group), SKS Legal, Warsaw, 2009

Summer Associate (Privacy Group), DLA Piper, Brussels, 2008

Clerk, Poznan Court of Appeals, 2006

PROFESSIONAL MEMBERSHIPS

Admitted to the New York Bar (since 2011)

Member, American Law and Economics Association

Member, European Law and Economics Association

Member, Central Bank Research Association

DEAL SHEET (REPRESENTATIVE LIST OF TRANSACTIONS)

Issuer	Transaction Types/Security	Responsibilities
Underwriter Representations		
Goldman Sachs (January-February 2017)	<i>Credit Facilities</i>	<ul style="list-style-type: none"> • Draft credit agreement for Navico Inc • Draft intercreditor agreement • Draft syndication term sheet • Review and comment on lender presentation
Goldman Sachs, JP Morgan, Morgan Stanley, Danske Bank, DNB, Nordea, Nykredit and Swedbank (November 2016-June 2017)	<i>Credit Facilities</i>	<ul style="list-style-type: none"> • Draft commitment papers in connection with contemplated financing of the combination of Intrum Justitia and Lindorff • Draft revolving credit facilities agreement • Draft intercreditor agreement • Coordinate local counsel (Germany, the Netherlands, Switzerland, Hungary, Denmark, Sweden, Norway, Spain) • Negotiate scope of credit support • Review and comment on road show materials
Issuer Representations		
Numericable-SFR (March-April 2016)	<i>High Yield Notes 144A/Regulation S Notes Offering</i>	<ul style="list-style-type: none"> • Draft offering memorandum in connection with a \$5.190 billion high yield bond offering • Perform due diligence review and coordinate back-up • Coordinate with tax, ERISA and 40' Act teams • Draft board resolutions • Coordinate with French and Lux counsel • Draft opinions • Prepare Lux listing application
Ziggo (August-September 2016)	<i>High Yield Notes 144A/Regulation S Notes Offering</i>	<ul style="list-style-type: none"> • Draft offering memorandum in connection with a \$3.250 billion high yield bond offering to fund the joint venture between Ziggo and Vodafone in the Netherlands • Perform due diligence review and coordinate back-up • Coordinate with tax, ERISA and 40' Act teams • Coordinate Dutch counsel, SPV trustee, escrow agent • Draft closing documents and coordinate capital markets, M&A and finance closing • Prepare Lux listing application
Cable & Wireless Communications (July-August 2017)	<i>High Yield Notes 144A/Regulation S Notes Offering</i>	<ul style="list-style-type: none"> • Draft offering memorandum in connection with a \$700 high yield bond offering • Draft and negotiate purchase agreement, backstop commitment letter and fee letter • Oversee due diligence process • Coordinate local counsel (Barbados, Cayman Islands) and SPV trustee
Samsonite (February-April 2018)	<i>High Yield Notes 144A/Regulation S Notes Offering</i>	<ul style="list-style-type: none"> • Draft offering memorandum • Oversee due diligence process and all capital markets work streams • Coordinate local counsel (Luxembourg, Hungary, Canada, Belgium, New Jersey, Hong Kong, Mexico) • Review and comment on road show materials • Review and comment on press releases for HKSE • Advise company with respect to covenant compliance matters

LANGUAGES

Polish (native)

OTHER PERSONAL INFORMATION

Date of birth: October 5, 1985

Place of birth: Poznan, Poland

Citizenship: Polish

REFERENCES

Katharina Pistor

Edwin B. Parker Professor of Comparative Law
Director, Centre on Global Legal Transformations
Columbia Law School
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New York NY 10027
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Yair Listokin

Shibley Family Fund Professor of Law
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Fabrizio Cafaggi

Member of the Italian Council of State
Former Professor at the European University Institute
Professor, University of Trento (on leave)
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JADE ALEXANDER CRAIG

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EDUCATION

Columbia Law School, J.D., 2012

- S.K. Yee Fellowship
- *Columbia Journal of Race & Law* – Editor-in-Chief
- Mediation Clinic
- Civil Rights Law Society – Co-Chair
- Black Law Students Association – Academic Success Committee Chair
- LGBT Rights Committee, New York City Bar Association – Student Member

University of Virginia, B.A., 2006

- Majors: French Language and Literature; Political and Social Thought (Distinguished Majors Program with thesis)
- Senior Thesis: *Felt Like Livin': Black Women, Leisure, and Liberation in the Second Wave of the Great Migration*
- Echols Scholar (Arts & Sciences honors program)
- Holland Scholar (full-tuition academic scholarship)
- Resident of the Lawn (honor bestowed upon 54 seniors from class of over 3,000 for leadership and service)
- Black Leadership Institute – Co-Chair for consortium of black student organizations
- Study Abroad
 - Rabat, Morocco – UVA French Department (Summer 2004)
 - Cape Town, South Africa – Africa Symposium, Institute for International Mediation and Conflict Resolution & University of Cape Town (Winter 2005)

FEDERAL JUDICIAL CLERKSHIPS

- **Hon. Damon J., Keith, U.S. Court of Appeals for the Sixth Circuit, Detroit, MI**
Law Clerk – 2012-2013
- **Hon. Carlton W. Reeves, U.S. District Court for the Southern District of Mississippi, Jackson, MS**
Law Clerk – 2013-2014

TEACHING AND RESEARCH INTERESTS

- Primary interests: Business Associations; Property; Race and the Law
- Additional interests: Labor & Employment Law; Administrative Law; State and Local Government Law

PUBLICATIONS AND SCHOLARLY WORKS

- *Gentrification and Interest-Convergence Theory* (submitted for publication)
- *Pigs in the Parlor: The Legacy of Racial Zoning and the Challenge of Affirmatively Furthering Fair Housing in the South* (submitted for publication)
- *A Piece of the Pie: ERISA, Race, and Mature Employee Stock Ownership Programs* (work in progress)
- *Baby Bonds: Using Social Security and Juvenile Whole Life Insurance to Close the Racial Wealth Gap* (work in progress)

progress)

- Jade Craig, *Federal appeals courts reconsider whether student interns are “employees” under the Fair Labor Standards Act*, Phelps Dunbar LLP – Labor and Employment Insights (Sept. 16, 2015) (available via Lexology)
- *Federal government issues Final Rule on new pay transparency requirements for federal contractors*, Phelps Dunbar LLP – Labor and Employment Insights (Sept. 14, 2015) (available via Lexology)
- *A Sweeping Crackdown: Operation Stolen Dreams Has Been The Largest Government Crackdown On Mortgage Fraud In Our Nation’s History*, MORTGAGE BANKING MAGAZINE (Oct. 2010) (with Brian Heslin)
- *Finding Criminal Liability When the Smoke Clears...*, LAW360 (Jun. 14, 2010), <http://energy.law360.com> (on the BP oil spill) (with Brian Heslin)

LAW TEACHING EXPERIENCE

Florida State University College of Law, Tallahassee, Florida

Adjunct Professor – 2020-Present – Created and teach course entitled “Workplace Safety & Wellness” for Juris Master degree program.

Everglades University, Tampa, Florida

Adjunct Professor – 2018-Present – Teach the following courses: “Legal Aspects of Construction” (in Master of Business Administration program in Construction Management) & “Construction Law” (in undergraduate Construction Management program).

PROFESSIONAL EXPERIENCE

Jade A. Craig, PA, Tampa, Florida

Owner and Founder – 2020-Present – Represent victims of fraudulent surrogacy agent in federal court proceeding and in communications with law enforcement agencies. Advise financial services company in negotiations with state and federal regulators to obtain bank charter and authority to provide banking services. Draft discovery requests, dispositive motions, and appellate briefs for solo practitioners and small firms.

Bleakley Bovol Denman & Grace, Tampa, Florida

Attorney – 2018-2019 – Represented high-net worth individuals in guardianship and probate litigation. Prepared appellate briefs in state court litigation and federal Occupational Safety and Health Review Commission. Prosecuted claims on behalf of unit owners against condominium associations in state court and mandatory arbitration conducted by Florida agency.

Phelps Dunbar LLP, Tampa, Florida

Associate – 2015-2017 – Represented corporations and small businesses in commercial litigation matters, including employment discrimination claims, contract disputes, professional malpractice actions, fraud and trademark infringement. Defended employers in proceedings before the U.S. Equal Employment Opportunity Commission and National Labor Relations Board. Advised clients on drafting employee agreements and compliance with wage & hour laws.

U.S. Department of Housing and Urban Development, Washington, District of Columbia

Special Policy Advisor for the Office of Fair Housing and Equal Opportunity – 2014-2015 – Appointed by President Barack Obama to the staff of Assistant Secretary for Fair Housing. Co-authored 2014-2015 *Annual Report on Fair Housing* submitted to U.S. Congress to outline achievements in compliance and enforcement and account for appropriation of more than \$348 million. Represented Office of Fair Housing in agency working group meetings which led to the promulgation of the Affirmatively Furthering Fair Housing Final Rule, 80 Fed. Reg. 42271 (July 16, 2015), and the development of the Assessment of Fair Housing provided for therein. Served as HUD’s liaison to interagency working group led by U.S.

Department of State to provide HUD's response in report submitted by the United States to UN Human Rights Council during Universal Period Review ("UPR") in Geneva, Switzerland. Spearheaded conference on Housing and Human Rights between HUD officials and civil society as part of consultation process required under UPR. Managed stakeholder engagement with affordable housing developers and civil rights groups on fair housing matters on behalf of HUD Secretary.

Fair Housing Justice Center, New York, New York

Intern – Spring 2012 – Analyzed requirements to establish standing to bring housing discrimination claims in landlord-tenant disputes. Prepared memorandum on documentation requirements governing landlords under New York City law.

DLA Piper LLP (US), New York, New York

Summer Associate – Summer 2011 – Documented witness interviews to prepare for arbitration. Drafted request for administrative hearing for special education student. Drafted outlines for client training on indemnity clauses in contracts.

NAACP Legal Defense and Educational Fund, New York, NY

Law Clerk – Fall 2010 – Wrote memorandum on procedural requirements for Title VI liability for Hurricane Katrina recovery cases. Researched the use of corporal punishment and assisted in planning conference on school discipline reform.

Wells Fargo & Company - Law Department, Charlotte, North Carolina

Summer Intern – Summer 2010 – Conducted multistate research on legal requirements for establishing new bank branches. Researched bank's obligations under Telephone Consumer Protection Act and consumers' rights under Bankruptcy Code.

Moore & Van Allen, PLLC, Charlotte, North Carolina

Summer Associate – Summers 2010 & 2011 – Wrote court filings and section of brief compelling arbitration. Co-authored articles on government investigations published in *Law360* and *Mortgage Banking*. Prepared bankruptcy pleadings.

Teach For America/Darling Elementary School, Greenville, Mississippi

Corps Member & Kindergarten Teacher – 2006-2009 – Led classrooms totaling 50 students to exceed one year's growth in reading and mastery of state benchmarks in math. Organized schoolwide day of service for Martin Luther King Day. Served as national spokesperson and recruiter for TFA. Received TFA's inaugural Malkin Fellowship for excellence and service.

Glencree Centre for Reconciliation, Glencree, Ireland

Intern – Summer 2005 – Drafted introduction to Strategic Plan based on interviews conducted with current staff, surveys of Irish residents, and analysis of programs dedicated to the conflict in Northern Ireland and global conflict negotiation.

Miller Center for Public Affairs, Charlottesville, Virginia

Intern & Research Assistant – Fall 2003 – Researched social integration and informal community banking among Haitian immigrants in the United States for Ph.D. candidate. Transcribed recordings in center's Presidential Oral History archives.

BAR ADMISSIONS

- States
 - Florida
 - Mississippi
 - New York
- Federal
 - U.S. District Courts of the Middle, Northern and Southern Districts of Florida
 - U.S. Bankruptcy Court for the Middle District of Florida
 - U.S. District Court for the Southern District of Mississippi
 - U.S. Court of Appeals for the Fifth, Eleventh and Federal Circuits

LANGUAGES

- French: Proficient in reading, speaking and writing

REFERENCES

Brian P. Battaglia
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Hon. Carlton W. Reeves
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Jennifer M. Fernandez, Esq.

University of Pennsylvania Carey Law School | 3501 Sansom Street, Philadelphia, PA 19104

EDUCATION

Juris Doctor, Columbia University School of Law, New York, New York

- Honors: Columbia Law School Social Justice Institute Honors for Pro Bono Hours; Frederick Douglass Moot Court; *Soto/Weil, Gotshal & Manges LLP Scholarship*; Postgraduate Social Justice Fellowship.
- Activities: Lawyering in the Digital Age Clinic, Spring 2012; Columbia Journal of Race and Law, 2011-2012; Black Law Students Association- Alumni Development Chair, 2011-2012; Columbia High School Law Institute, 2010- 2011.
- Internships: Advocates for Children, 2012; California Appellate Project, 2012; Inwood Academy of Leadership Board of Directors, 2011-2012; Legal Outreach, 2011; Miami-Dade County Public Defender, 2011.

Master of Science in Teaching, Pace University School of Education, New York, New York

- Honors: New York City Teaching Fellowship

Bachelor of Arts in American Studies, Yale University, New Haven, Connecticut

- Honors: CORO Fellowship in Public Affairs, National Urban League Scholarship, Yale Club of Queens Scholarship.
- Activities: Urban Improvement Corps., Inc., Delta Sigma Theta Sorority, Inc., Dwight Hall Center for Public Service and Social Justice, Performing Arts.

TEACHING EXPERIENCE

Faculty Appointments

Clinical Supervisor and Lecturer, Civil Practice Clinic, University of Pennsylvania Law School, Philadelphia, PA, 2018- Present

- *Civil Practice Clinic*
 - Course planning, teaching, and providing close supervision to law students in the representation of low-income clients on legal matters in substantive areas including landlord-tenant, disability benefits, consumer, family, and employment/ wage theft.
 - Using clinical teaching methodology to facilitate student learning of core competencies including client interviewing, case planning, client counseling, fact development, problem solving, legal research and writing, ethical decision-making, negotiation, and trial presentation skills.
 - Implementing and designing instructional materials and curricula to learn core lawyering skills and address relevant topics such as implicit bias, language access, and diversity in the legal profession.
 - Collaborating with faculty, students, and community stakeholders to plan and implement community projects such as virtual brief advice sessions, an IRS Economic Impact (Stimulus) Payments community education and assistance project, and a student community education presentation and legal clinic on wage theft in conjunction with the Mayor's Offices of Labor and Immigrant Affairs.
- *Externship Supervisor*
 - Serve as a faculty liaison and support for off-site Gittis and Ad Hoc externships.
 - Review students' biweekly reflective journals and timesheets. Identify issues raised in student journals and identify instructive materials and discussion topics.

- Meet bi-weekly with externship students for a one-hour tutorial to discuss the students' work and to explore broader issues identified in the students' reflective journals.
 - Recommend and assign relevant readings and media to enhance the learning experience.
- *Public Service*
 - Provide support and guidance for students in various capacities, including serving as a public interest fellowship bootcamp adviser, participating in mock interviews for public interest students and alumni, and speaking on various law school panels, such as "Diverse Perspectives—Q&A with Faculty," "Toll Public Interest Center's Engaged for Impact Orientation Panel," and "Planning Ahead for the Public Interest Student."

Adjunct Assistant Professor, Queens College, City University of New York, Department of Sociology, Queens, NY, 2016- 2018

- Design and implement curriculum for undergraduate courses. Courses include:
 - *Sociology of Law*, Spring 2018, an examination of the relationship between law and society. Topics include theories of law; the structure and function of the legal system, defining and implementing justice, social change, law and social control, and inequality in our legal system.
 - *Sociological Theory*, Fall 2017, an introduction to sociological theory, critically examining the theories and perspectives of sociologists, including Weber, Marx, Durkheim, and DuBois.
 - *Criminal Justice*, Fall 2016, Spring 2017, an introduction to the United States' Criminal Justice system, including its history and development, examining prosecutorial discretion, policing, the prison system, juvenile justice, the administration of justice, and bias.

Other

Special Education Teacher, Department of Education, Queens, New York, 2007- 2010

- Taught Math, English, and Social Studies to middle school students with learning disabilities.

SELECTED PRESENTATIONS

"The Covid-19 Experience: Law School Responses and Effect on Clinicians," American Association of Law Schools Clinical, Externship, and Experiential Law Program Directors Workshop, June 2021 (co-presenter).

"Thurgood Marshall Summer Law Internship Program," New York City Bar Association Diversity Pipeline Initiatives Committee Event, May 2021 (speaker).

"Increasing Equity and Diversity in Clinical Faculty Ranks," American Association of Law Schools Clinical Conference, May 2021 (co-presenter).

"Launching Your Career," New York City Bar Association Diversity Pipeline Initiatives Committee Event, April 2021 (speaker).

"Advocating for Black and Brown Low-Wage Workers," Penn Law Clinical Legal Studies Workshop, April 2021 (co-planner and moderator).

"Annual LSAT Prep and Law School Conference," New York City Bar Association Diversity Pipeline Initiatives Committee Event, January 2021 (speaker).

LEGAL EXPERIENCE

Staff Attorney, Queens Legal Services, Queens, NY, 2016- 2018

Domestic Violence Family Law Advocacy Practice

- Provide consultations, representation, and advocacy for survivors of domestic violence in custody, visitation, and family offense proceedings in Queens Family Court and in matrimonial matters in New York State Supreme Court- Queens County.

Housing Defense Practice

- Provide representation and advocacy for tenants in New York City Civil Court- Queens County, New York City Housing Authority (NYCHA) administrative hearings; New York City Housing Preservation and Development (HPD) Hearings, and in New York State Supreme Court actions.
- Draft and filed a variety of motions; court appearances; prepare numerous matters for trial; conduct trials.
- Conduct trainings and presentations in the community.

Assistant Law Clerk to Hon. Lawrence H. Ecker, New York State Supreme Court, White Plains, NY, 2015-2016

- Research and draft judicial orders and decisions in matrimonial, foreclosure, and other complex civil matters.
- Review of applications for mortgage foreclosure, name change, divorce, and other motions.
- Filing of documents; handling communications with lawyers, pro se litigants, and court personnel.

Staff Attorney, Neighborhood Defender Service of Harlem, New York, NY, 2013-2015

- Promoted from Columbia Law School Postgraduate Social Justice Fellow.
- Represent tenants in holdover and nonpayment proceedings in New York City Civil Court- Manhattan County, NYCHA, and HPD administrative hearings.
- Advocacy to restore benefits lost as a consequence of contact with the criminal justice system.
- Draft and file a variety of motions and prepared matters for trial.
- Conduct trainings and provide legal advice at tenant association meetings and community events.
- Provide housing law trainings and materials to criminal defense attorneys; receive criminal defense training.

Law Clerk, Kraus & Zuchlewski, LLP, New York, NY, 2012-2013

- Legal writing, legal research, direct client services, and office support for midtown employment law firm.

FELLOWSHIPS

Columbia Law School Postgraduate Social Justice Fellowship, New York, New York, 2013

New York City Teaching Fellowship, New York, New York, 2007-2010

- One of the country's largest and most selective alternative routes to teacher certification. The program involves training, preparation for the classroom, mentorship with concurrent graduate school enrollment.

CORO Fellowship in Public Affairs, St. Louis, Missouri, 2006- 2007

- A nationally accredited nine-month, full-time, graduate-level program examining the dynamics of public affairs while building communication, decision-making, team-work, and analytical skills through placements.
- Worked directly with upper-level management at a private company, state government campaign, government organization, university, and a nonprofit to complete eight high impact projects involving program evaluation, human resources, capacity building, management, design, grant-writing, research, and marketing.

ACTIVITIES

- Clinical Legal Education Association- Faculty Equity and Inclusion Committee Member
- New York City Bar Association- Diversity Pipeline Initiatives Affiliate Committee Member
- Association of American Law Schools- Member
- Philadelphia Bar Association- Member
- Association of Yale Alumni- Leadership Volunteer
- Association of American Law School Clinical Section Teaching Methodologies Committee's Online Clinical Teaching Rounds- Participant, Fall 2019
- The University of Pennsylvania High School Upward Bound Program- Volunteer Speaker, Summer 2021

LANGUAGE SKILLS: Advanced Spanish, Beginning Portuguese

LICENSES: Admitted to practice in New York and Pennsylvania; Notary Public, State of New York

ITAI FIEGENBAUM

245 Winter St., Room 425
Salem, OR 97301
(617) 417-0714 | ifiegenbaum@willamette.edu

TEACHING AND RESEARCH INTERESTS

Primary: Business Organizations; Secured Transactions; Mergers and Acquisitions

Secondary: Shareholder Litigation; Corporate Governance; Securities Regulation

CURRENT ACADEMIC APPOINTMENT

Willamette University College of Law, Salem, OR

Visiting Assistant Professor (August 2019-present)

Courses taught: Business Organizations, Mergers and Acquisitions, Secured Transactions, Unincorporated Business Entities

EDUCATION

Tel Aviv University, Faculty of Law, PhD 2019

Dissertation: Self-Dealing in Corporate Law: An Economic and Behavioral Analysis (Prof. Sharon Hannes, supervisor)

Columbia University in New York, LLM, 2008

Tel Aviv University, Faculty of Law, LLB 2003

ACADEMIC POSITIONS

Tel Aviv University, Faculty of Law, Adjunct Professor

Corporate Law (2012, 2016)

The College of Law & Business, Ramat Gan, Israel Adjunct

Professor Corporate Law (2014-2017) (*taught in English*)

Comparative Corporate Law: Israel and Delaware (2016-2017) (*taught in English*)

Bar Ilan University, Faculty of Law, Adjunct Professor

Cooperative Associations (2017)

Interdisciplinary Center, Herzliya, Raphael Recanati International School, Adjunct Professor

Corporate Law (2009-2012) (*taught in English*)

PUBLICATIONS AND WORKS IN PROGRESS

Book Chapters

Corporate Law, in THE ISRAELI LEGAL SYSTEM – AN INTRODUCTION (Christian Walter *et al.*, eds.) (with Amir Licht) (2019) [[link](#)]

- featured in the Oxford Business Law Blog [[link](#)]

Lost in Translation: "Good Faith" in Israeli and Delaware Corporate Law, in FESTCHRIFT FOR PROFESSOR JOSEPH GROSS (Aharon Barak, Yitzhak Zamir & David Libai, eds.) (with Jana Rabinovich) (2015) (in Hebrew)

Law Review Articles

Taking Corwin Seriously (job talk paper)

The Controlling Shareholder Enforcement Gap, 56 AM. BUS. L. J. 583 (2019) [[link](#)]

- featured in the Harvard Law School Forum on Corporate Governance and Financial Regulation [[link](#)]

The Geography of MFW-Land, 42 Del. J. Corp. L. 763 (2017)

- featured in the Business Law Prof Blog [[link](#)]

- reviewed by Stephen Bainbridge in ProfessorBainbridge.com [[link](#)]

Presumptions of Overt Personal Interest, 10(3) Bus. Org. 224 (2013) (with Barak Yarkoni) (in Hebrew)

On the Proper Scope of a Shareholder's Intervention in Internal Affairs of Fellow Shareholders, 9(3) Bus. Org. 169 (2012) (in Hebrew)

Shareholder's Overt and Covert Negative Personal Interest, 8(4) Bus. Org. 51 (2011) (with Barak Yarkoni) (in Hebrew)

Does Appointing a Substitute Director Eliminate a Personal Interest? 6(1) Bus. Org. 29 (2009) (with Shahar Agmon) (in Hebrew)

Reconsidering the Definition of a Security Under Israeli Law, 7 Israel J.L. & Bus. 11 (2007) (with Sharon Hannes) (in Hebrew)

On the Insufficient Flexibility of Corporate Law, 2(4) Bus. Org. 20 (2005) (with Sharon Hannes) (in Hebrew)

LANGUAGES

English (native speaker), Hebrew (native speaker), German (basic understanding)

GRANTS AND FELLOWSHIPS

Harvard Law School Program on Corporate Governance and Financial Regulation, July 2017-July 2019

Max Planck Institute for Comparative and International Private Law, Hamburg, Germany, September 2016-October 2016

The Sacher Institute for Legislative Research and Comparative Law, The Hebrew University of Jerusalem, Israel, September 2015-September 2016

Tel Aviv University Faculty of Law – Meitar Fellowship, Israel, October 2010-October 2014

CONFERENCE PARTICIPATION

Rocky Mountain Junior Scholars Conference, November 2020 (Presented “Taking Corwin Seriously”)

Canadian Law & Economics Association, September 2019 (presented “Taking Corwin Seriously”)

Corporate & Securities Litigation Workshop, University of Richmond, October 2018 (presented “Reassessing Friendly Sales of Control”)

Northwestern University Pritzker School of Law Legal Scholarship Workshop, October 2018 (presented “The Controlling Shareholder Enforcement Gap”)

University of Chicago Law School Legal Scholarship Workshop, October 2018 (presented “The Controlling Shareholder Enforcement Gap”)

Midwestern Law & Economics Association (MLEA), September 2018, The University of Alabama (presented “Reassessing Delaware’s New Takeover Standards”)

National Business Law Scholars Conference, June 2018, The University of Georgia (presented “Reassessing Delaware’s New Takeover Standards”)

Corporate & Securities Litigation Workshop, October 2017, UCLA (presented “The Controlling Shareholder Enforcement Gap”)

Corporate & Securities Litigation Workshop, October 2015, Boston University (presented "The Geography of MFW-Land")

Tel Aviv University Workshop for Junior Scholars, November 2014, Tel Aviv University (presented "The Geography of MFW-Land")

Financial Regulation and Comparative Corporate Governance, January 2014, The Cegla Center for Interdisciplinary Research of the Law, Tel Aviv University (discussed Gerhard Wagner, "Officers' and Directors' Liability Under German Law – A Potemkin Village")

Firm Governance: Law in History, The David Berg Institute for Law and History, Tel Aviv University, June 2010 (discussed Benito Arruñada, "Institutional Support of the Firm: Theory and History of Business Registries")

ACADEMIC AND PROFESSIONAL AFFILIATIONS

European Corporate Governance Institute (ECGI) – Academic Member

Israeli Bar (inactive)

ERIC LANCE GUTHRIE, ESQ.

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Experienced Attorney, Adjunct Professor, Global Trainer and Published Author with 18 years of proven expertise and success in: curriculum design, training delivery, labor and employment law, EEO, diversity, and blockchain technology.

COLUMBIA UNIVERSITY SCHOOL OF LAW, New York, NY, Juris Doctor

- Notes Editor, Journal of Law and the Arts
- Student Director, Volunteer Lawyers for the Arts

MOREHOUSE COLLEGE, Atlanta, GA, Bachelor of Science

- Cum Laude Honors

RELEVANT TRAINING EXPERIENCE AND LEADERSHIP SUMMARY

- Adjunct Professor for the Department of State Foreign Service Institute.
- Designed and teach a DC Bar MCLE accredited Blockchain Legal Certification course
- Repeat visiting pre-law Professor at Morehouse College
- Design and deliver highly customized and interactive trainings for global professionals on the following topics: global and local legal issues, EEO/discrimination, employee relations, leadership, diversity and blockchain technology.
- Increased Department of State distance learning training options in response to the global pandemic.
- Director of Training Programs for the Government Blockchain Association.
- Serve in leadership and legal positions on numerous for-profit, non-profit boards, and a college Board of Trustees.

RESEARCH AND TEACHING INTERESTS

Labor and Employment Law, Discrimination Law, Blockchain Law, Intellectual Property, Critical Race Theory and Law, Entertainment Law, and Entertainment Law Clinic

OTHER RESEARCH AND TEACHING INTERESTS

Currently conducting legal research to write a blockchain legal textbook.

PUBLICATIONS

Diversify or Die. Diversity. Inclusion. Evolution. Success. Better ME Better WE Publishing (2016)

Blockchain or Die: Learn to Profit from Cryptocurrencies and Blockchains: Better ME Better WE Publishing (2019)

CONFERENCES AND PRESENTATIONS

Cryptocurrencies, Blockchains and the Law

- 2017 - 2019 National Training Institute
- 2018 Blacks in Blockchain National Conference
- 2018 Government Blockchain Association Annual Leadership Meeting

Decentralized Autonomous Organizations, Diversity and the Law

- 2019 IBTechCon Conference
- 2019 Washington Elite Blockchain A.I. Summit

The Impact of Blockchain Technology on Global Energy Systems

- 2019 Energy Exchange Conference

The Critical Role of Training in the Adoption of Blockchain Technology

- 2019 – 2020 Government Blockchain Association, Future of Money, Governance and the Law

Juneteenth, Black Wall Street and Blockchain Technology

- 2021 Blockchain and Liberty for All

EMPLOYMENT AND TRAINING EXPERIENCE

DEPARTMENT OF STATE
Arlington, VA

Global Training Coordinator; Adjunct Professor
October 2014 – Present

Global Training Coordinator: Created, and currently manage, the Department of State Global Facilities Training Department, including establishment of (1) a global training plan for 7000 staff, (2) a comprehensive strategic plan, (3) a global digital learning platform and centralized web-based training site, and (4) a cutting edge technical training for local embassy staff in the Brazil embassy and all Brazil consulates (professionally recorded and translated into multiple languages for distribution to local embassy staff across the globe). Additional duties include recruiting graduates of historically black colleges and universities (HBCUs) to join the foreign service.

Adjunct Professor, Foreign Service Institute: using state-of-the-art knowledge of course design and development, (1) designed more than ten course curricula specifically tailored to meet the needs of numerous embassies, and (2) delivered trainings to staff overseas, including the embassies of Thailand, Hungary, Bahrain, Cameroon, Ecuador, Sri Lanka, South Korea, and India. Most supervisory trainings address equal employment opportunity and discrimination issues.

Preparation for all courses includes months of discussions with Senior Locally-Employed Staff and Foreign Service Executives to identify workplace issues at each embassy so the course can be tailored to address the issues in a positive cultural context. Course preparation also includes researching labor and employment laws for each country, as well as country diversity norms. All courses are highly interactive and designed to create an organizational strategic plan. Each course addresses legal issues, teamwork, leadership, diversity, ethics and other organizational topics.

Post training debriefings of embassy executives, including Deputy Chief of Mission, Management Officer, Human Resources Officer, and Facility Manager.

All trainings received excellent reviews and resulted in increased teamwork and problem solving across departments.

Redesigned the Global Training Program to increase distance learning training options in response to the global COVID-19 pandemic. **(GS – 14 Equivalent position)**

DEPARTMENT OF STATE
Arlington, VA

Labor and Employee Relations Specialist; Adjunct Professor
January 2010 – October 2014

Labor and Employee Relations Specialist: Primary advisor and expert consultant on a broad range of Human Resources (HR), legal, equal employment opportunity and diversity issues.

- Partnered with key executives to drive employee engagement, morale, performance, and diversity in an environment experiencing both significant external and internal organizational change.
- Established and implemented short and long-term human capital/strategic plans, including increasing diversity, maintaining or improving employee and labor relations, training, talent acquisition and development, succession planning, workforce planning, compensation and benefits, and performance management.
- Served on government-wide special projects and/or initiatives.

Adjunct Professor, Foreign Service Institute: using state-of-the-art knowledge of course design and development, (1) designed and delivered diversity and inclusion courses for managers, supervisors, and team leaders, (2) designed and delivered labor law courses for numerous embassies to address labor issues, (3) assessed training program effectiveness, resulting in updates and changes to many existing trainings.

Regularly coordinated with Legal Department, Office of Civil Rights, and Labor and Grievance Departments to investigate and resolve formal and informal complaints.

Served as one of the lead negotiators in the 2012 - 2013 American Federation of Government Employees (AFGE), AFL-CIO contract negotiations resulting in a successfully ratified contract.

Managed the Overseas Buildings Operations Diversity Recruiting Department's recruiting efforts at diversity career fairs and colleges, particularly historically black colleges and universities (HBCUs). **(GS – 14 Equivalent position)**

TIME WARNER CABLE
Charlotte, NC

Director, Employee Relations
May 2007 – October 2008

Director, Employee Relations: Directed EEO and employee relations strategy for 50,000 employees. Chief Advisor on policies, investigations, training programs and affirmative action plans. Worked closely with the Time Warner Cable (TWC) Director of Diversity and Inclusion. Managed a team of five HR professionals.

Managed the response to US Government Office of Federal Contract Compliance (OFCCP) audits and pre-emptively managed internal audits to ensure compliance. Lead an audit team that conducted numerous internal HR audits of TWC facilities, including ethics audits.

Designed a domestic training program with curricula to address labor and employment relations, discrimination and diversity issues. Partnered with Security and Legal departments to draft ethics policies and the pre-employment background check and “on-boarding” process.

Directed an alternate dispute resolution (ADR) team that created training programs and provided the guidance, experience and support to launch a successful ADR program.

Designed the Employee Relations Case Tracking Database to track cases and identify departments and managers that exhibit a consistently high rate of cases.

Designed and managed the Employee Relations Business Continuity Plan to prepare Time Warner Cable for disasters through disaster planning. **(SES Equivalent position)**

WACHOVIA CORPORATION
Charlotte, NC

Employee Relations Manager
December 2002 – May 2007

Employee Relations Manager: Managed a team of 12 Employee Relations (ER) professionals to investigate and resolve employee relations issues. Served as a diversity subject matter liaison to the Wachovia Diversity Leadership Council. Advised senior executives on legal, labor, employee relations, diversity and inclusion, EEO, and policy issues. Provided strategic labor and employee relations management to multiple business lines. Managed internal investigations and created effective follow up action items resulting in a steep reduction in equal employment opportunity commission charge activity and employment litigation. Provided actionable recommendations to leadership based on proactive reporting and analysis of diversity, EEO/ER trends and issues. Developed and implemented numerous training programs, including employee relations, diversity, and cultural awareness.

UNITED TECHNOLOGIES CORPORATION
Hartford, CT

Manager, HR and Employment Attorney
September 2000 – December 2002

Manager, HR and Employment Attorney: Directed a corporate-wide program of 12 employment and labor relations professionals. Managed a multi-million dollar labor and employee relations compliance budget. Managed corporate defense of employment discrimination complaints and litigation on state and federal levels. Served as lead interface with the government on proposed regulatory changes, including providing responses on equal employment and affirmative action issues. Successfully directed the investigations and responses to all EEO cases and OFCCP audits. Ensured timely, accurate submission of government reports. Designed and implemented an outsourcing plan for 200 affirmative action (AA) plans resulting in 100% corporate compliance. Provided legal advice to corporate executives and operating unit leadership on EEO/AA/legal issues. Directed diversity recruiting efforts and budget allocations. Developed curricula and trained attorneys and managers on diversity and EEO/legal principles. Advised management in collective bargaining negotiations, labor arbitrations, and unfair labor practice charges.

UNITED TECHNOLOGIES CORPORATION
Hartford, CT

Manager, Diversity & EEO Programs
September 1998 – September 2000

Manager, Diversity & EEO Programs: Managed 10 Diversity and EEO Managers. Served as UTC’s Diversity and Worklife spokesperson at conferences and industry events. Served as Advisor to the Corporate Executive Diversity Council and Employee Resource Groups. Developed and implemented diversity strategies to improve the recruitment and retention of highly educated professionals, including engineers, technicians, attorneys, and business professionals. Successfully revised UTC’s diversity recruitment at fairs and colleges resulting in a 100% increase in second interviews, and a 50% increase in hires. Served as UTC liaison on extensive community and governmental initiatives on a local, state and national level. Edited and published the UTC’s Monthly EEO/Labor Report. Supervised responses to OFCCP audits.

Conducted investigations into EEO and labor issues. Managed supplier diversity relationships with community organizations, non-profits, and minority and female-owned businesses.

NORTHEAST UTILITIES
Berlin, CT

Human Resources Attorney
April 1997 – September 1998

Human Resources Attorney: Represented Northeast Utilities in state and federal labor, employment, and discrimination cases. Primary advisor to senior management on EEO/AA issues. Designed a full day managerial training program to address labor and employment issues to comply with an order from the Nuclear Regulatory Commission resulting in a full compliance decision.

Created the Northeast Utilities Diversity Department. Managed executive incentives, diversity recruiting, diversity councils, training, mentorship programs and community relations. Managed and conducted internal investigations into employment issues. Served as legal advisor in collective bargaining negotiations and arbitrations.

PUBLICATIONS

2016 *Diversify or Die. Diversity. Inclusion. Evolution. Success.* Better ME Better WE Publishing, Arlington, VA

Awards

- 2017 Finalist American BookFest, Best Business Book
- 2018 Readers Choice Awards

2019 *Blockchain or Die: Learn to Profit from Cryptocurrencies and Blockchains.* Better ME Better WE Publishing, Arlington, VA

Awards

- Amazon #1 Best Seller
- 2020 Independent Press Award, Distinguished Favorite
- 2020 Indie Book Awards Finalist
- 2020 NYC Big Book Award Winner, Technology

BOARDS OF DIRECTORS AND EXECUTIVE POSITIONS SUMMARY

- Board of Trustees, Barber-Scotia College (2019 – Present)
- Director of Training Programs, Government Blockchain Association (2017 – Present)
- President, Blacks in Government, Department of State (2016 – 2020)
- Board of Directors, Regional Vice President and General Counsel, Morehouse College National Alumni Association (2016 – Present)
- First Vice-President, Grooming Greatness Foundation (2016 to Present)
- First Vice-President, Board of Directors, Unique Caring Foundation (2007 – Present)
- Board Member, National Society for Hispanic MBAs Corporate Advisory Board (2000 – 2006)

BARBER-SCOTIA COLLEGE, BOARD OF TRUSTEES

Board Member
Concord, NC

November 2019 - Present

Primary legal advisor to the Board of Trustees including litigation, contracting issues. Advise on fundraising and methods to increase endowment funding. Advise on college accreditation issues. Negotiate college affairs with City of Concord. Designed the Barber-Scotia College Continuing Education program. Deliver the *Blockchain Technology Certification* course and the *Disaster Planning* course.

GOVERNMENT BLOCKCHAIN ASSOCIATION

Director of Training Programs
Fairfax, VA

January 2017 – Present

Designed, and currently manage, the Government Blockchain Association (GBA) training policies for global training providers. Design, and currently deliver, GBA Blockchain Certification courses, including: *Blockchain Foundations*, *Blockchain Technical Consulting*, and *Blockchain Executive Consulting*. Design and deliver specialized blockchain

courses including *Blockchain Legal* course and *Blockchain Government Contracting and Consulting* course. Featured speaker at GBA global conferences.

DEPARTMENT OF STATE, BLACKS IN GOVERNMENT

**President, Department of State Chapter
Washington, DC**

January 2016 – December 2019

Coordinated all chapter affairs and resided over all chapter meetings. Reported to Ambassador McEldowney, the Department of State Liaison to our chapter, on all chapter successes and events on a monthly basis. Raised \$19,000 for the E.J. Montgomery Scholarship Program for 19 high school seniors to attend college. Successfully coordinated with the Cote D'Ivoire Ambassador to the United States and a retired United States Ambassador to host the 2016 E.J. Montgomery Scholarship Dinner at the Embassy Cote D'Ivoire to present five scholarships to students. Coordinated Black History Month Events every year, including a keynote speech from Representative Sanford Bishop (D-GA) at the Department of State in 2018. Presented at the Department of State HBCU Policy Conference every year. Serve as a Delegate for the Department of State Chapter at the Blacks in Government National Delegates Assembly every year of my tenure.

MOREHOUSE COLLEGE NATIONAL ALUMNI ASSOCIATION

**Board of Directors, Regional Vice President and General Counsel
Atlanta, GA**

July 2016 – Present

Represent DC, VA, MD, DE, PA, WV, Bermuda and South Africa on the National Alumni Board or Directors. Recommend and implement actions to increase recruiting, fundraising, and community activities resulting in an increase in chapter members and scholarship funds. Recommend and implement actions to increase chapter membership, reactivate dormant chapters and establish new chapters resulting in an increase in financial membership, attendance and involvement in two chapters. Presided over large fundraising efforts in my region that collectively raised over \$100,000 for the Caesar Hill Endowed College fund. Conceived and successfully implemented the first alumni crowdfunding campaign to raise funds at the annual golf tournament.

GROOMING GREATNESS FOUNDATION

**Board of Directors, First Vice Chairperson
Charlotte, NC**

January 2016 – Present

Established the Board of Directors for Grooming Greatness Foundation, a 501(c)(3) foundation that provides educational and mentorship opportunities for underprivileged youth. Secured the initial funding for the Foundation through grants, sponsorships and events. Research and recommend options for new funding sources which are currently under consideration. Drafted the first set of board bylaws, ethics statements, conflict of interest documents and job descriptions. Designed the board application and onboarding process; recruit and select qualified board members. Preside over the Foundation board meetings in the absence of the Board Chairperson. Monitor financial planning and financial reports. Formally evaluate the performance of the Executive Director, and all board members. Annually evaluate the performance of the organization in achieving its mission.

UNIQUE CARING NETWORK

**Board of Directors, First Vice Chairperson
Charlotte, NC**

January 2007 – Present

Established the Board of Directors for Unique Caring Network (UCN), a multimillion-dollar company that provides stable home and educational environments for economically and developmentally disadvantaged children and young adults. Drafted the initial Board bylaws, ethics statements, conflict of interest documents and job descriptions. Designed the board application and onboarding process; recruit and select qualified board members. Preside over the Board meetings in the absence of the Board Chairperson. Coordinate and preside over the annual full-day board retreat. Conduct climate staff assessments and submit recommendations on HR, staffing, diversity and legal issues. Provide recommendations for updates and changes to the bylaws, ethics documents, and code of conduct. Serve as the Board spokesperson to external auditors. Review all employee and contractor reassignments and terminations. Review any issues of concern to the organization's finances with the Board Treasurer and the UCN Comptroller. Monitor financial planning and financial reports. Formally evaluate the performance of the CEO, Director of Operations, all Board members and UCN.

NATIONAL SOCIETY OF HISPANIC MBAs (Currently PROSPANICA)

Corporate Advisory Board, Member

January 2000 – May 2006

Dallas, TX

Served as the primary National Society of Hispanic MBAs (NHSMBAs) Corporate Advisory Board (CAB) Member for United Technologies Corporation. Served on Conference and Fundraising committees. Advocated for the creation of multiple funding streams to reduce NSHMBA's reliance on the annual conference as the main source of revenue for the organization. Negotiated the use of portable Carrier HVAC Chillers for the external interview booths during the Orlando, FL, conference at the Disney Coronado Springs Resort, as the Coronado Springs conference space did not have enough room for interview booths. 100% attendance for board meetings and conferences during my tenure.

NEYSUN A. MAHBOUBI

University of Pennsylvania, Center for the Study of Contemporary China
Perelman Center for Political Science & Economics
133 South 36th Street, Room 417, Philadelphia, PA 19104-6215
(215) 573-4874 • neysun.mahboubi@sas.upenn.edu

EDUCATION

Columbia Law School, J.D., 2001

- Harlan Fiske Stone Scholar (all years)
- Articles Editor, *Columbia Journal of Transnational Law*
- Paul & Daisy Soros Fellowship for New Americans

Princeton University, A.B., cum laude, Politics, East Asian Studies, 1997

- Lyman H. Atwater Prize (for best senior thesis in the Department of Politics)
- Research Grant, George & O'Bie Shultz Fund
- Princeton-in-Beijing Language Program

ACADEMIC EXPERIENCE

University of Pennsylvania, Center for the Study of Contemporary China, Philadelphia, PA

Research Scholar (2012-Present) – Research and writing on Chinese administrative law. Organized symposium on “The Future of Chinese Administrative Law” (report at <https://tinyurl.com/yc5u5ogj>, volume 1 at <https://scholarship.law.upenn.edu/alr/vol13/iss1/>). Host CSCC Podcast (<https://cscs.sas.upenn.edu/podcasts>). Project Leader, Penn Project on the Future of U.S.-China Relations (<https://web.sas.upenn.edu/future-of-us-china-relations/>).

University of Pennsylvania, Carey Law School, Philadelphia, PA

Research Affiliate, Penn Program on Regulation (2021-Present) – Co-organized (with Cary Coglianese) series in *The Regulatory Review* on “Comparing Nations’ Responses to COVID-19”.
Lecturer-in-Law (Spring 2016) – Taught course on “Chinese Law and Legal Institutions”.

Peking University, School of Law, Beijing, China

Jones Day Fellow (Winter 2018) – Research on new developments in Chinese administrative law.
Visiting Scholar (Fall 2015) – Research on Chinese administrative litigation and procedure laws, including field investigations to Shanghai, Hangzhou, Zhengzhou, Wuhan, Changsha, and Xi’an.

Princeton University, School of Public & International Affairs, Princeton, NJ

Visiting Lecturer (Fall 2013) – Co-taught (with Martin Flaherty) policy task force on “Building the Rule of Law in China: Is there a Role for the United States?”, which presented its findings at the Council on Foreign Relations, the State Department, and the White House.

University of Connecticut School of Law, Hartford, CT

Visiting Assistant Professor/Research Fellow (2008-2012) – Taught courses on Administrative Law and Comparative Law. Faculty advisor to the *Connecticut Journal of International Law*.

Yale Law School, New Haven, CT

Tutor-in-Law (2006-2008) – Advised LL.M. candidates on their programs of study and J.S.D. proposals. Founded and organized annual Graduate Programs Works-in-Progress Symposium.
Fellow, The China Law Center (2004-2008) – Research and writing on Chinese administrative law. Co-founded and directed Social Science Workshop on Contemporary China. Led Reading Group on Contemporary Chinese Law.

ACADEMIC PUBLICATIONS

Administrative Law in a Time of Crisis: Comparing National Responses to COVID-19 (with Cary Coglianese), 73 ADMINISTRATIVE LAW REVIEW 1 (2021) – Forward to special issue exploring different national regulatory responses to the COVID-19 pandemic. Discussed on “A Hard Look” Podcast, Season 2, ep. 2 (July 17, 2020) and ep. 14 (March 19, 2021).

Volumes on Chinese Administrative Law (special editor, with Jacques deLisle), UNIVERSITY OF PENNSYLVANIA ASIAN LAW REVIEW Vol. 16, no. 2 (2021) and Vol. 13, no. 1 (2018) – Two-part series which features original articles by ten leading Chinese professors of administrative and constitutional law.

New Approaches to International Regulatory Cooperation (special editor, with Reeve T. Bull, Richard B. Stewart and Jonathan B. Wiener), 78 LAW & CONTEMPORARY PROBLEMS no. 4 (2015).

Suing the Government in China, in Kate Xiao Zhou, Shelly Rigger, and Lynn T. White III, eds., DEMOCRATIZATION IN CHINA, KOREA, AND SOUTHEAST ASIA? LOCAL AND NATIONAL PERSPECTIVES (Routledge, February 2014).

WORKS IN PROGRESS

Zombie Legal Reform?: Judicial and Administrative Law Development in China under Xi Jinping (job talk paper) – Evaluates judicial and administrative law reform in China since the so-called “rule of law” plenum of the 18th Party Congress in 2014, with special consideration given to the impact of top-down political mobilization, the role of legal professionals, and the nature of legal culture.

What Path Forward for U.S.-China Legal Exchange? – Against the backdrop of a substantial worsening in U.S.-China relations, considers possibilities for the maintenance of traditional efforts at legal exchange, and suggests ways in which recognition of shared regulatory challenges could offer a useful path forward.

At the Boundaries of Authoritarian Legality: Revision of China’s Administrative Litigation Law – Evaluates the 2014 and 2017 revisions of the *Administrative Litigation Law*, and subsequent implementation of those changes, as a particularly illuminating case study for understanding the possibilities and limits of “authoritarian legality” in China.

Participation and Accountability in Chinese Administrative Procedure – Examines how many of the procedural rules and accompanying bureaucratic practices associated with U.S. administrative law have been advanced under national and local regulations in China, with special attention to the question of how such rules and practices can reasonably operate in a non-democratic setting.

Suing the Government in China – Considers the impact of lawsuits against Chinese government entities in three different respects: as a mechanism for strengthening the application of state law to government action, as a site of autonomous legal development, and as a potential source for political reform.

SHORTER COMMENTARIES

“The Future of China Studies in the U.S.” (<https://bit.ly/3bIVk3b>), *ChinaFile* (August 27, 2020).

“Comparative Administrative Law Matters in the Fight Against COVID” (<https://bit.ly/3uGLH6N>), *The Regulatory Review* (July 2, 2020).

“The Future of China’s Legal System” (<https://bit.ly/2Rcv44h>), *ChinaFile* (August 11, 2016).

RECENT MEDIA APPEARANCES

Podcasts:

Appearance on Prof. Eric Segall's "Supreme Myths" (<https://tinyurl.com/avfd52w6>), Supreme Myths Podcast, May 12, 2021

"Revisiting 'Coronavirus and Comparative Administrative Law'" (<https://tinyurl.com/5me64v2y>), A Hard Look Podcast, March 19, 2021

"Coronavirus and Comparative Administrative Law" (<https://tinyurl.com/488vrek6>), A Hard Look Podcast, July 17, 2020

Appearance on "The Gist with Mike Pesca" (<https://tinyurl.com/auy99p4h>), The Gist, July 20, 2020

"Is There Really an Epidemic of Self-Censorship Among China Scholars?" (<https://bit.ly/2oDpucY>), Sinica Podcast, March 14, 2019

Print:

"How China's Communists Came to Lead World's Largest Army, Soon Economy, in 100 Years" (<https://tinyurl.com/tr6sh96x>), *Newsweek*, July 1, 2021

"China Scholarship in the US Takes a Hit from Strained Ties" (<https://tinyurl.com/nyz4mvvd>), *The Straits Times*, May 10, 2021

"American Students' Love Affair with China Cools as Political Tensions Rise" (<https://tinyurl.com/kb7ew4kn>), *The Wall Street Journal*, January 16, 2021

"Penn Launches U.S.-China Relations Project in Response to Increased International Tensions" (<https://tinyurl.com/hwhvu8>), *The Daily Pennsylvanian*, October 4, 2020

"An Ambitious New Project on the Future of U.S.-China Relations" (<https://tinyurl.com/wsvy8tvc>), *Penn Today*, September 23, 2020

"These Trump Allies Are Preparing for a New Cold War with China" (<https://bit.ly/333SM3p>), *Mother Jones*, April 22, 2019

"CSCC Podcast Explores Chinese Politics, Economics, Law, and Society," (<https://tinyurl.com/29vyeze6>), *Omnia*, December 3, 2018

"Extradition Talks with China Could Take Years" (<https://tgam.ca/31Z2cvz>), *The Globe and Mail*, October 6, 2016

"China Grants Courts Greater Autonomy on Limited Matters" (<http://tinyurl.com/z93snsq>), *The New York Times*, January 2, 2016

Television/Video:

Featured in Prof. Oswald Jansen's series, for American University Washington College of Law, on experts of comparative administrative law (<https://tinyurl.com/mhzsdazp>), Spring 2021

"Interview with Neysun Mahboubi" (<https://tinyurl.com/92byhe8d>), 2nd GEN, April 17, 2021

Commentator, CGTN and CGTN America (appearances at <https://tinyurl.com/krfayexf>), 2014-Present

RECENT PRESENTATIONS

Talks:

“The Drafting of the U.S. Administrative Procedure Act in Comparative Perspective,” International Workshop on the Common Core of European Administrative Law, Rome, June 25, 2021

“Zombie Legal Reform?: Judicial and Administrative Law Developments after the Fourth Plenum,” (video at <https://tinyurl.com/5d83nauy>), Centre for Chinese Law, HKU Faculty of Law, May 6, 2021

“Comparative Regulatory Approaches to COVID-19,” Symposium on COVID-19 and International Law, *Florida Journal of International Law*, University of Florida Levin College of Law, April 9, 2021

“Judicial and Administrative Law Reform after the Fourth Plenum,” Conference on China’s Legal Construction Program at 40 Years, University of Michigan Law School, October 13, 2019

“The Present Crisis in US-China Relations,” Schwarzman College, Tsinghua University, Beijing, September 11, 2019

“China’s Specialized Administrative Courts,” Conference on Courts, Law, and Politics in Asia and the US, University of Pennsylvania Law School, April 5, 2019

“China’s Belt & Road Initiative and Administrative Law,” Annual Symposium of the *University of Pennsylvania Asian Law Review*, University of Pennsylvania Law School, February 15, 2019

“The Administrative Law Dimensions of China’s Belt & Road Initiative,” Hong Kong University Faculty of Law, Hong Kong, January 4, 2019

“The Belt and Road Initiative: Dialogue between International Law & Administrative Law” (report at <https://bit.ly/2PxSON2>), UIBE Law School, Beijing, January 2, 2019

“The Trump Administration and the Rule of Law,” Boya Public Law Forum, Peking University Law School, Beijing, December 25, 2018

“A Comparative Perspective on One Belt One Road,” 10th Anniversary Symposium of the *Tsinghua China Law Review*, Tsinghua University Law School, Beijing, September 8, 2018

“Idealism, Pragmatism, and Constraint in Chinese Legal Reform: Evaluating the Revision of China’s Administrative Litigation Law,” Tilburg Law School, Tilburg, The Netherlands, April 19, 2018

“Judicial Reform in China: Notes from the Field,” Center for the Study of Contemporary China, University of Pennsylvania, January 26, 2017

“A Comparative Approach to Administrative Licensing Problems” (report at <https://tinyurl.com/m4mut4x>), Sichuan University School of Law, Chengdu, January 5, 2017

“A Comparative Perspective on China’s Revised Administrative Litigation Law” (report at <https://tinyurl.com/ybeebf2c>), Wuhan University School of Law, Wuhan, January 3, 2017

“A Comparative Approach to Administrative Licensing Problems” (report at <https://tinyurl.com/lo9o4tw>), Zhejiang University School of Law, Hangzhou, December 22, 2017

“The Development of Modern Chinese Administrative Law,” Conference on Comparative Administrative Law, Yale Law School, April 29, 2016

Panel Discussions:

Presenter, “Challenges to U.S.-China Education Exchange,” Carter Center/Grandview Institution Dialogue Series on Seeking Firmer Ground, May 3, 2021

Presenter, “U.S.-China Relations and the Biden Administration” (video at <https://tinyurl.com/7nfa9bfu>), Perry World House, University of Pennsylvania, April 21, 2021

Presenter, “The Impact of the EU-China CAI and RCEP” (video at <https://tinyurl.com/rw463r5s>), Trade, Investment and Development Program, American University Law School, April 7, 2021

Presenter, “U.S.-Asia Trade Relations,” Annual Symposium of the *University of Pennsylvania Asian Law Review*, University of Pennsylvania Law School, March 14, 2021

Moderator, “Comparing Regulatory Responses to the COVID-19 Pandemic, One Year On,” ABA Section of Administrative Law & Regulatory Practice, March 12, 2021

Moderator, “China's Western Horizon: Beijing and the New Geopolitics of Eurasia” (video at <https://tinyurl.com/2j526e47>), Perry World House, University of Pennsylvania, November 24, 2020

Presenter, “National Committee on U.S.-China Relations 2020 ‘China Town Hall’ Webinar, Penn Panel,” Center for the Study of Contemporary China, University of Pennsylvania, November 10, 2020

Discussant, “COVID’s Challenge to Japan and Korea” (video at <https://tinyurl.com/4r4ddesn>), U.S.-Asia Law Institute, New York University, November 6, 2020

Moderator, “New Perspectives on US-China Relations: Technology” (video at <https://tinyurl.com/rmv2m6tj>), Penn Project on the Future of U.S.-China Relations, October 30, 2020

Presenter, “New Perspectives on US-China Relations: Human Rights, Law & Democracy” (video at <https://tinyurl.com/3wud9mm2>), Penn Project on the Future of U.S.-China Relations, October 19, 2020

Presenter, “Comparative Law, Covid 19, and Racial Justice” (video at <https://tinyurl.com/3d8p27cc>), Annual Symposium of the American Society of Comparative Law, October 17, 2020

Moderator, “New Perspectives on US-China Relations: Research, Education” (video at <https://tinyurl.com/k63h7fjj>), Penn Project on the Future of U.S.-China Relations, October 12, 2020

Presenter, “TikTok and Tech Export Restrictions” (video at <https://tinyurl.com/k5txbpez>), International Trade and Investment Law Society, American University Law School, October 7, 2020

Presenter, “COVID-19 and Comparative Administrative Law” (video at <https://tinyurl.com/8w35cmhh>), ABA Section of Administrative Law & Regulatory Practice, October 2, 2020

Presenter, “Introducing The Penn Project on the Future of US-China Relations” (video at <https://tinyurl.com/258nyj3u>), Penn Global China Program, September 1, 2020

Moderator, “Comparing National Responses to the COVID 19 Crisis” (video at <https://tinyurl.com/vscpwyk>), Penn Program on Regulation, University of Pennsylvania, August 4, 2020

Presenter, “Human Rights, Law, and Democracy,” 1st Plenary Conference of the Penn Project on the Future of U.S.-China Relations, Center for the Study of Contemporary China, University of Pennsylvania, June 5, 2020

Presenter, “The Future of U.S.-China Relations,” Penn China Research Symposium, Perry World House, University of Pennsylvania, February 4, 2020

PROFESSIONAL ACTIVITIES & EXPERIENCE

Co-host, “Zhengfawei: Conversations about Chinese Law and Politics”

(<https://www.joinclubhouse.com/club/zhengfawei-政法委>), February 2021-Present

Co-organizer (with Shen Kui), U.S.-China Scholars Dialogue Group, July 2020-Present

Project Leader (with Jacques deLisle and Avery Goldstein), Penn Project on the Future of U.S.-China Relations (<https://web.sas.upenn.edu/future-of-us-china-relations/>), January 2020-Present

Visiting Faculty, Schwarzman College, Tsinghua University, Beijing, September 10-16, 2019

Visiting Faculty, Tilburg Law School, Tilburg, The Netherlands, April 15-20, 2018

Host, Podcast of the University of Pennsylvania’s Center for the Study of Contemporary China (<https://cscs.sas.upenn.edu/podcasts>), September 2017-Present

Faculty, Aresty Institute of Executive Education, The Wharton School (UPenn), June 2017-Present

Co-organizer (with China University of Politics & Law), International Conference on Administrative Regulation and Administrative Licensing (report at <http://tinyurl.com/hy6z6xn>), China University of Politics & Law, Beijing, December 17-18, 2016

Co-organizer (with Tom Ginsburg and Wang Xixin), Workshop on Chinese Judicial Reform (report at <https://tinyurl.com/y85zxttm>), University of Chicago Center in Beijing and Peking University Law School, Beijing, December 15-16, 2016

Participant, China-U.S. Legal Experts Dialogue (organized jointly by the Chinese Ministry of Foreign Affairs and the U.S. Department of State), Diaoyutai State Guesthouse, October 15, 2015

Co-organizer (with China University of Politics & Law), International Conference on Administrative Law, China University of Politics & Law, Beijing, June 15, 2014

Co-organizer (with Russell Weaver and Cheng-Yi Huang), 9th Administrative Law Discussion Forum (<http://tinyurl.com/odvpacn>), Institutum Iurisprudentiae, Academia Sinica, Taipei, June 10-11, 2014

Co-organizer (with Richard Stewart), Symposium on “New Approaches to International Regulatory Cooperation” (report at <http://tinyurl.com/od57vwq>), NYU Law School, February 27-28, 2014

Advisor on Chinese administrative law, Administrative Conference of the United States, 2013-2016

Organizer, Program on Chinese Administrative Law (week-long academic and professional exchange featuring visiting delegation of leading Chinese administrative law professors), ABA Section of Administrative Law & Regulatory Practice, Washington, DC and Philadelphia, October 20-27, 2012

Co-chair, Int’l Committee, ABA Section of Administrative Law & Regulatory Practice, 2012-2016

Consultant, China Administrative Law & Procedure Project, The Asia Foundation, 2011-2014

Co-moderator (with Susan Rose-Ackerman), Yale Law School Listserv on Comparative Administrative Law (current membership of 515 senior and junior scholars from 40 countries), 2008-Present

Trial Attorney, U.S. Department of Justice, Civil Division, Federal Programs Branch, 2002-2003

Law Clerk to The Hon. Douglas P. Woodlock, U.S. District Court, D. Mass., 2001-2002

LANGUAGES

Chinese (Mandarin)

Farsi

BAR ADMISSION

Massachusetts

ACADEMIC REFERENCES

Jacques deLisle
University of Pennsylvania Law School
(215) 898-5781
jdelisle@law.upenn.edu

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EDUCATION

Columbia Law School, New York, NY

J.D., *Harlan Fiske Stone Scholar*, May 2011

Journal of Environmental Law, Notes Editor
Environmental Law Clinic
Columbia Parker School of Foreign and Comparative Law, Honoree
International Joint Certificate in Global Business Law and Governance, Sorbonne and Institute d'Etudes Politiques, Paris, France

The College of Wooster, Wooster, OH

B.A., *magna cum laude*, May 2007

Departmental Honors
National Honors Societies

TEACHING AND RESEARCH INTERESTS

Course Interests: Torts, Civil Procedure, Administrative Law, Energy Law, Environmental Law, Clinical and Experiential Learning, Financial Regulation.

Research Interests: Energy transition and federalism; Climate change, risk, and energy; Climate risk and foundational legal obligations.

SELECTED PUBLICATIONS AND PRESENTATIONS

Journals

Climate Resilience and Private Law's Duty to Adapt (work in progress) (with Jim Rossi).

Mandating Disclosure of Climate-Related Financial Risk, N.Y.U. J. LEGIS. & PUB. POL'Y (Forthcoming 2021) (with Madison Condon, Sarah Ladin, Jack Lienke, and Alex Song).

Climate Risk in the Electricity Sector: Legal Obligations to Advance Climate Resilience Planning by Electric Utilities, ENVIRONMENTAL LAW REVIEW (Forthcoming 2021) (with Romany Webb and Sarah Ladin).

From Attleboro to EPSA: The Pace of Change and Evolving Jurisdictional Frameworks in the Electricity Sector, UCLA J. ENVTL. LAW & POLICY, 38(1) (2020).

Uncovering Wholesale Electricity Market Principles, 9 MICH. J. ENVTL. & ADMIN. L. 145 (2020) (with Rama Zakaria).

Shorter and Online Pieces

What Investors and the SEC Can Learn from the Texas Power Crisis, Brookings (2021) (with Gabe Malek, Stephanie Jones, and David Victor).

Cuba's Electricity Future, The Electricity Journal (2017) (with Dan Whittle and Korey Silverman-Roati).

The Demand Response U.S. Supreme Court Decision: Optimizing Energy Markets for Efficiency, The Electricity Journal (2016).

Non-Transmission Alternatives, Distributed Energy Resources, and a Multi-Directional Grid, ELI (2016).

Demand Response, Order 745 and the Supreme Court, The Electricity Journal (2015).

Protective Carbon Pollution Standards and Electric Reliability, EDF (2015).

How the Electricity World Has Changed, Medium (2015).

Presentations and Guest Lectures

Speaker, *Climate Risk in the Electric Sector*, The Brookings Institution (2021).

Speaker, *Preparing the U.S. Energy System for the Impacts of Climate Change*, American Bar Association (2021).

Testimony, *Governance reform in ISO New England*, New England States Committee on Electricity (2021).

Speaker, *Climate Risk Disclosure and the SEC*, EDF Webinar (2021).

Speaker, *The U.S. Energy Sector and Environmental Law*, Georgetown Law School (2019).

Moderator, *Energy Resilience and National Security*, Columbia University Center on Global Energy Policy (2019).

Podcast, *Who Should Control Wholesale Markets*, The Energy Transition Show (2018).

Keynote Address, *Wholesale Markets and Regulatory Constructs*, State Department (2018).

Speaker, *Federal and State Dividing Lines in Electricity Law*, UNC Law School (2017).

Speaker, *Electricity Demand Management*, Duke Law School (2017).

Speaker, *Energy Innovation in Cuba*, The Brookings Institution (2017).

Guest Lecture, *Electric Sector Design*, Harvard Law School (2016).

Roundtable Participant, *Global Electricity and Technology*, The Brookings Institution (2016).

Speaker, *Climate Change Adaptation and Renewable Energy*, U.S. State Department (2016).

Speaker, *Comment on Non-Transmission Alternatives*, ELPAR Conference (2016).

Op-eds and Articles

Climate change is a threat to our nation's financial health, The Hill (2021) (with Sarah Ladin).

Without planning, climate change will bring more Texas-style blackouts, The Hill (2021) (with Romany Webb).

The SEC Should Require Companies to Disclose Climate Change Risk, Slate (2020).

Utilities should be required to disclose their climate-related financial risks, Utility Dive (2020) (with Romany Webb and Justin Gundlach).

Supreme Court Denials Have Significant Implications for the Power Sector, Legal Planet (2019).

Fundamentals Should Guide FERC on PJM's State Policy Proposal, EDF (2018).

New Study Answers the Question, 'What is Grid Resilience?', EDF (2018) (with Rama Zakaria).

Recommendations for a Resilient Grid, EDF (2018) (with Rama Zakaria).

FERC's Rejection of DOE's Pro-Coal and Nuclear Proposal, The Energy Collective (2018).

CURRENT EXPERIENCE

Environmental Defense Fund, Washington, D.C.

Director of Climate Risk Strategies and Lead Counsel

September 2011 – Present

Lead organization's climate risk initiative and efforts, with focus upon energy and financial regulation, longstanding legal duties, and environmental justice. Experience managing organization's federal clean energy regulatory strategy and engagement.

Litigation experience before Federal Supreme, Appellate, and District courts; Regulatory experience before agencies including the Federal Energy Regulatory Commission, Environmental Protection Agency, Department of Labor, and Securities and Exchange Commission.

Experience partnering with law school faculty, centers, and clinical students, including Howard University School of Law Environmental Justice Center, Harvard Law School Environmental Law and Policy Clinic, Columbia Law School Environmental Law Clinic, NYU School of Law Guarini Center, UCLA School of Law Emmett Institute, and Yale Law School Rule of Law Clinic.

American University Washington College of Law, Washington, D.C.

Adjunct Professorial Lecturer

August 2019 – Current

Teach Regulation of Energy and Advanced Energy Law.

Howard University School of Law, Washington, D.C.

Adjunct Professor

August 2020 – Current

Teach Environmental Law Experiential Practicum and Environmental Law (*Spring 2022*).

Initiative on Climate Risk and Resilience Law, Washington, D.C.

Lead

April 2021 – Current

Co-lead joint initiative across NGO and academic institutions. Oversee Initiative's scholarship, development, and direction.

PRIOR EXPERIENCE

Renewable Energy Buyers Alliance, Washington, D.C.

Counsel, Policy Advisor

March 2020 – April 2021

White House, Executive Office of the President, Washington, D.C.

Council on Environmental Quality, Legal Intern

May 2010 – August 2010

United Nations, New York, NY

United Nations Development Programme, Legal Intern

October 2009 – December 2009

PROFESSIONAL ACTIVITIES

Other Affiliations

American Bar Association Section of Environment, Energy, and Resources - Climate Change, Sustainable Development, and Ecosystems Committee, Vice Chair

Future Power Markets, Johns Hopkins & Columbia University, Advisory Committee Member

Columbia Law School Social Justice Initiatives, Remote Advisor

Bar Admissions and Associations

Admission to New York State Bar, Third Department

Admission to U.S. Court of Appeals for the Second Circuit, Seventh Circuit, and DC Circuit

REFERENCES

Jim Rossi

Judge D. L. Lansden Chair in Law
Vanderbilt Law School
j.rossi@vanderbilt.edu
(615) 343-6620

Shelley Welton

Associate Professor of Law
University of South Carolina School of Law
swelton@law.sc.edu
803-777-5662

David Victor

Professor of Innovation and Public Policy
Public Policy at the UC San Diego School of Global Policy and Strategy; Scripps Institution
of Oceanography; The Brookings Institution
david.victor@ucsd.edu
(858) 534-3254

NOFAR YAKOVI GAN-OR

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EDUCATION

COLUMBIA UNIVERSITY SCHOOL OF LAW, New York, New York, USA

J.S.D. Candidate, 2022 (expected)

Doctoral Committee: Carol Sanger (supervisor); Elizabeth Scott (reader); Jane M. Spinak (reader)
Awards & Honors: E. David Fischman Scholar (merit-based doctoral degree full tuition scholarship)
Columbia Law School Doctoral Student Grant, 2016-2018

LL.M., May 2016

Awards & Honors: Harlan Fiske Stone Scholar (merit-based graduation honor)
E. David Fischman Scholar (merit-based master's degree tuition scholarship)
Norman E. Alexander Scholar (merit-based tuition scholarship)

TEL-AVIV UNIVERSITY, Tel-Aviv, Israel

LL.B., *magna cum laude*, 2013

Awards & Honors: Dean's List for Academic Achievements, 2010
Dean's List for Academic Achievements, 2013
Mifal Hapais Higher Education Scholarship, 2010-2013

B.A. Additional Undergraduate Program in Political Science, *magna cum laude*, 2013

Awards & Honors: Dean's List for Academic Achievements, 2012

RESEARCH AND TEACHING INTERESTS

Family Law, Health law, Reproductive Rights and Justice, Gender, Bioethics, Constitutional Law

SELECTED WORKS & PUBLICATIONS

Going Solo: The Law and Ethics of Childbirth During the COVID-19 Pandemic, 7 JOURNAL OF LAW AND THE BIOSCIENCES (2020)(*peer-review*)

Reproductive Dreams and Nightmares: Sperm Donation in the Age of At-Home Genetic Testing, 51 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 791 (2020)

Securing Posterity: The Right to Postmortem Grandparenthood and the Problem for Law, 37 COLUMBIA JOURNAL OF GENDER & LAW 109 (2019)

There is No Shame in Shaming: On the Promotion of Social Rights by Public Petitioners, Tel-Aviv University Faculty of Law, Human Rights Clinic (2012) (in Hebrew)

WORKS IN PROGRESS

Men's Reproductive Rights: The Regulation of Assisted Reproduction in Israel as a Case Study (in preparation for submission)

Birth Nomads: Cross-Border Childbirth and the Effects of the Covid-19 Pandemic (work in progress)

Theorizing Reproductive Law (work in progress)

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PROFESSIONAL EXPERIENCE

SUPREME COURT OF ISRAEL, Jerusalem, Israel, Law Clerk to Hon. Justice Edna Arbel 2013-2014

ACADEMIC EXPERIENCE

COLUMBIA LAW SCHOOL, New York, New York, USA

Instructor, Meanings of Motherhood: Historical and Legal Perspectives (Seminar, with Professor Carol Sanger) 2021

Doctoral Candidates Workshop, Founder and Organizer 2019-present

Teaching Assistant (Introduction to American Law) for Professor Carol Sanger 2016-2019

Teaching Assistant (Reproductive Rights and Practices; Meanings of Motherhood) for Professor Carol Sanger, Visiting Professor at Harvard Law School 2018

Gendered Families in the Era of Bordered Globalization Panel, Organizer 2018

Research Assistant (Abortion Law) for Professor Carol Sanger 2015-2017

Law, Rights, and Religion Project, Member 2015-2016

New York Area Family Law Scholars Workshop, Member 2019-present

Family Law Scholars and Teachers Annual Conference Planning Committee, Member 2020-present

The Institute for Constitutional History Seminar, Participant 2017

TEL-AVIV UNIVERSITY FACULTY OF LAW, Tel-Aviv, Israel
2010-2013

Research Assistant (Legal, moral, and political philosophy) for Professor Chaim Gans 2010-2013

Research Assistant (Criminal law) for Dr. Amit Pundik 2012

Research Assistant (Labor law) for Professor Guy Mundlak 2011

Tel-Aviv University Faculty of Law Orientation Program, Director 2012

Human Rights Legal Clinic, Participant 2011-2012

Tel Aviv University Law Review (Iyune Mishpat) Editorial Board, Member 2010-2011

Mazza Book, Honoring the Judicial work of Supreme Court Justice Eliyahu Mazza, Editorial Team Member 2010-2011

SELECTED PRESENTATIONS & INVITED TALKS

- **Cross-Border Families under Covid-19 International Workshop**, Minerva Center for Human Rights, Tel-Aviv University Faculty of Law, June 2021, *Birth Interrupted: Cross-Border Childbirth and the Covid-19 Pandemic*
- **Family Law Teachers and Scholar Annual Conference**, Brooklyn Law School, June 2021, *Reproducing Fathers: Fatherhood, Masculinities, and the Regulation of Assisted reproduction*
- **Law and Society Association Annual Meeting**, May 2021, *Theorizing Reproductive Law*

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- **Society of Legal Scholars Annual Conference**, University of Exeter, Sept. 2020, *Theorizing Reproductive Law*
 - **Family Law Scholars and Teachers Annual Conference**, Brooklyn Law School, June 2020, *The Case for a Unified Israeli Reproductive Law*
 - **Columbia University School of International Public Affairs**, Regulating Reproduction: Care, Procreation and Equality Seminar, invited speaker, March 2020, *The Law and Ethics of Sperm Donation: Past, Present, and Future*
 - **Law and Society Association Junior Scholars Workshop**, Washington D.C., May 2019, *Fatherhood Matters: Three Israeli Case Studies*
 - **Law and Society Association Annual Meeting**, Washington D.C., May 2019, *Fatherhood Matters: Three Israeli Case Studies*
 - **Columbia University Law School Associates & Fellows Workshop**, July 2018, *Regulating Postmortem Grandparenthood*
 - **Law and Society Association Annual Meeting**, Toronto, June 2018, *To Be Continued: The A.R.T of Postmortem Grandparenthood and the Law*
 - **Annual Meeting of the Association for the Study of Law, Culture, and the Humanities**, Georgetown Law School, Washington D.C., March 2018, *To Be Continued: Assisted Reproductive Technologies and Postmortem Grandparenthood*
 - **Columbia University Law School Doctoral Colloquium**, Jan. 2017, *The Legal Apparatus of Posthumous Reproduction*

PROFESSIONAL ASSOCIATIONS

Feminist Legal Theory Collaborative Research Network, Member	2019-present
Law & Society Association, Member	2019-present
Israel Bar Association, Member	2014-present

EMPLOYMENT

Columbia Law School

Academic Fellow & Lecturer in Law, 2020–Present

EDUCATION

Yale Law School, New Haven, CT

J.D. 2019

Activities: *Yale Law Journal*, Articles Editor
 Cristina Rodriguez, Reva Siegel, Issa Kohler-Hausmann, Research Assistant
 American Constitution Society, Vice President for Scholarship
 South Asian Law Student Association, 3L President
 Law & Political Economy Blog, Editor
 First Generation Professionals, Member

Columbia University, New York, NY

Ph.D. in Political Science, Expected 2022

Thesis: “The Conventional Constitution”
 Fields: Political Theory; Comparative Politics
 Awards: Philip E. Mosley Fellow
 Teaching Scholar
 Faculty Fellowship

Corpus Christi College, Cambridge, Cambridge, UK

M.Phil., Political Thought and Intellectual History, 2012

Harvard College, Cambridge, MA

A.B. *cum laude* with high honors, Social Studies, 2011

Awards: Semper Cor Award
 German Book Prize

TEACHING INTERESTS

Primary: Constitutional Law, Election Law, Administrative Law, Civil Rights Law, Jurisprudence

Secondary: Separation of Powers, First Amendment, Legal Theory, Legal History, History of Political Thought

PUBLICATIONS

A Theory of Constitutional Norms, 120 MICH. L. REV. (forthcoming 2022)

The political convulsions of the past decade have fueled acute interest in constitutional norms or “conventions.” Despite intense scholarly attention, existing accounts are incomplete and do not answer at least one or more of three major questions: (1) What must all constitutional norms do? (2) What makes them conventional? (3) And why are they constitutional? This Article advances an original theory of constitutional norms that answers these questions. First it defines them and explains their general character: they are normative, contingent, and arbitrary practices that implement constitutional text and principle. Constitutional norms convert abstract principles, like the separation of powers, or indeterminate text, such as “advice and consent,” into specific behavior and action. They are normative because they command respect and allegiance. They are contingent, because they depend on political, social, and intellectual conditions to emerge and endure. They are arbitrary, because they represent one of many possible ways of realizing constitutional text and principle. And they are constitutional because the values they implement arise from the Constitution itself. This Article animates its theory through case studies: blue slips, the norm against court packing, and executive non-interference in law enforcement. It concludes by questioning the use of historical practice in constitutional interpretation. Because norms are intrinsically contingent and arbitrary, when scholars and judges draw on them, they embed unstated assumptions about the past and how it should constrain the future.

***Administrative Law Pluralism and State Building*, VANDERBILT LAW REVIEW EN BANC (forthcoming 2021)**

This piece responds to Lev Menand's Article *Why Supervise Banks? The Foundations of the American Monetary Settlement*. It situates Menand's work in two historiographies: accounts of American state building and the history of American administrative law. It argues that Menand's theory of the American Monetary Settlement is best understood as a neo-chartalist account of the American monetary system that provides further support for William Novak's famous critique of "the myth of the 'weak' American state." Second, it explains how the Article extends the timeline of American administrative law well before the advent of the Administrative Procedure Act.

***Presidential Administration Amidst Democratic Decline* (with Karen Tani), HARV. L. REV. F. (forthcoming 2021)**

This piece is a response to the forthcoming *Harvard Law Review* Supreme Court Foreword. It considers the democratic merits of presidential administration and historicizes it during a period of democratic decline. It examines two historical developments in the Supreme Court's jurisprudence that have helped hasten decline while increasing the relative attractions of executive power: the decline in private civil rights enforcement and the rightwards drift of federalism and constitutional rights doctrine. It concludes by considering a broader threat looming over presidential administration and any rival models of governance: the erosion of the democratic process itself.

WORKS IN PROGRESS

***The Concept of Representation in the Law of Democracy* (Job Market Paper)**

Few concepts are as central to the law of democracy as "representation." Yet the concept has divided judges and scholars ever since the Supreme Court's decision to enter the "political thicket" in *Baker v. Carr*. In dissent, Justice Frankfurter urged against judicial supervision of the political process since it required the Court to decide between competing theories of representation. Over the past half century, Frankfurter's position has migrated from dissent into the majority. Recent decisions on partisan gerrymandering and the relevant population for one-person one-vote have rehearsed Frankfurter's skepticism. This paper challenges the skeptical position by creating a framework for understanding the concept of representation in the law of democracy. It draws on the philosophical idea of an essentially contested concept to argue that representation consists of three parts: inclusion, association, and responsiveness. Each element corresponds to the following questions respectively: (1) who belongs to the polity and to what extent? (2) which groups are constitutionally relevant in the political process? (3) how should the relationship between a constituent and representative be structured? The paper uses this framework to show that judicial denials notwithstanding, our current law does have a de facto theory of representation and it is potentially exclusionary, sociologically thin, and narrowly libertarian. The de facto theory permits states to exclude non-voters for the purposes of state redistricting, drastically reducing the political power of minorities. It views partisan affiliation as irrelevant for the purposes of majority rule. And the de facto theory conceptualizes campaign contributions and expenditures as ways for individual actors to ensure responsiveness, framing the constitutional analysis as a matter of curbing incursions on free speech. In addition to illuminating the de facto theory, this paper surfaces shared normative concerns underlying current doctrine and helps map current scholarship and reveals where and how prominent approaches are either partial or unresponsive to the law's animating concerns.

***The Tragedy of Presidential Administration* (with Lev Menand & Noah Rosenblum)**

This Article recovers the historical origins of presidential administration in the intense deregulatory and constitutional politics of the Reagan administration. It thus challenges the whig history of executive control then-professor Elena Kagan offered in her seminal article, *Presidential Administration*. Where Kagan's piece emphasized harmonious development and continuity between the Reagan Revolution and the Clinton administration, our Article restores the political and constitutional conflict she suppressed. The Article explains that President Reagan's E.O. 12,291 ignited a fierce and enduring interbranch battle over control of the administrative state. The order rested on inchoate constitutional claims about Article II that shifted constitutional and administrative law norms away from Congressional authorization towards implicit presidential authority and laid the foundations for the radical claims of unitary executive theory in the early 1990s. And Supreme Court decisions in the 1980s progressively undermined Congress's ability to respond to executive overreach. Kagan's achievement, on our account, was to triangulate presidential control as a plausibly liberal strategy. However, as the 2000s progressed,

presidential administration has drifted towards plebiscitary governance. Recovering this lost history both challenges prevailing narratives about the development of the administrative state and reveals a tragedy of unintended consequences.

PROFESSIONAL EXPERIENCE

Demos, New York, NY
Consultant, 2019-2020

Columbia University Department of Political Science, New York, NY
Teaching Assistant, 2012-2016; 2019

Yale University Departments of History & Comparative Literature, New Haven, CT
Teaching Assistant, 207-2018

New York University School of Professional Studies, New York, NY
Adjunct Instructor, 2016

United Auto Workers, New York, NY
Organizer, 2015 – 2016

CONFERENCE PRESENTATIONS

Center for the Study of Administrative Law, Antonin Scalia Law School, June 2021
Roundtable on Presidential Administration and Political Polarization

Berkeley Graduate Conference in the History of Political Thought, October 2014
“Rational Means to Honest Ends”: J.S. Mill on Parties

Cambridge Graduate Conference in Political Thought and Intellectual History, March 2013
“The Moral Realism of G.A. Cohen”

REFERENCES

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CURRENT EMPLOYMENT

COLUMBIA LAW SCHOOL, New York, NY

Academic Fellow and Lecturer in Law, 2019-present

UNIVERSITY OF MICHIGAN CENTER ON FINANCE, LAW & POLICY

Assistant Investigator, The Central Bank of the Future Project, 2020-present

PAST EXPERIENCE

BIDEN-HARRIS PRESIDENTIAL TRANSITION TEAM, Washington, DC

Co-Lead, Federal Reserve Agency Review Team, 2020-2021

Member, Federal Reserve, Banking, and Securities Regulators Review Team, 2020-2021

U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT, New York, NY

Law Clerk to the Honorable Robert A. Katzmann, 2018-2019

U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK, New York, NY

Law Clerk to the Honorable Jed S. Rakoff, 2017-2018

FEDERAL RESERVE BANK OF NEW YORK, New York, NY

Economist, Financial Institutions Supervision Group, 2016-2017

U.S. DEPARTMENT OF THE TREASURY, Washington DC

Senior Advisor to the Deputy Secretary of the Treasury, 2015-2016

Senior Advisor to the Assistant Secretary for Financial Institutions, 2014-2015

FINANCIAL STABILITY OVERSIGHT COUNCIL, Washington DC

Economist, June 2011-August 2011

FEDERAL RESERVE BANK OF NEW YORK, New York, NY

Economist, Research and Statistics Group, Financial Intermediation, 2011

Assistant Economist, Research and Statistics Group, Financial Intermediation, 2010-2011

Research Associate, Research and Statistics Group, Financial Intermediation, 2009-2010

EDUCATION

J.D., YALE LAW SCHOOL, New Haven, CT (2014)

A.B. *Magna Cum Laude* with Highest Honors in Social Studies, HARVARD COLLEGE, Cambridge, MA (2009)

BAR ADMISSIONS

New York (active)

AWARDS

The Treasury Medal in Recognition of Singular Accomplishments and Leadership, U.S. Treasury (2016)

The President's Award for Excellence, Federal Reserve Bank of New York (2011)

Alexis de Tocqueville Prize for the Best Senior Honors Thesis in Social Studies, Harvard College (2009)

Thomas Temple Hoopes Prize for Outstanding Academic Research, Harvard College (2009)

John Harvard Scholarship for Academic Achievement, Harvard College (2008)

TEACHING AND RESEARCH INTERESTS

Primary: Financial Institutions, Administrative Law, Regulated Industries, Legislation, Business Associations

Secondary: Separation of Powers, Contracts, Central Banking, the Law of Money, History of Economic Thought

ARTICLES AND BOOK CHAPTERS

Federal Corporate Law and the Business of Banking

88 UNIVERSITY OF CHICAGO LAW REVIEW (forthcoming 2021) (with Morgan Ricks)

This Article reinterprets the National Bank Act—the organic statute governing national banks—as a corporation law and recovers the reasons why Congress wrote it: not to catalyze private wealth creation or to regulate an existing industry, but to solve an economic governance problem. National banks are federal instrumentalities charged with augmenting the money supply—a delegated sovereign privilege. Congress recruited private shareholders and managers to run these instrumentalities as a check on monetary overissue and to prevent politicized asset allocation by government officials—a form of premodern agency independence. Viewing the NBA as corporation law exposes an error at the heart of U.S. banking jurisprudence: the corporate powers of national banks are not a regulatory statute for which courts should read ambiguous language broadly, but part of the federal charters of national banks. The opposite rule of construction applies—ambiguity cuts strictly *against* the corporation. This Article also reveals that the primary supervisor of national banks, the Comptroller of the Currency, lacks a statutory basis to charter nondepository “banks” and its current efforts to do so threaten an unprecedented colonization of American enterprise law by a federal government agency.

The Banker Removal Power

108 VIRGINIA LAW REVIEW (forthcoming 2022) (with Da Lin)

The Federal Reserve can remove bankers from office if they violate the law, engage in unsafe or unsound practices, or breach their fiduciary duties. But the Fed has never used this power to remove a senior executive of a major U.S. bank. Few even realize this authority exists. This Article offers the first comprehensive account of the banker removal power. It makes four contributions. First, drawing on a range of primary sources, it recovers the removal power’s history, showing that Congress created the authority to better align the interests of senior bankers and the public. Second, using a novel dataset obtained through Freedom of Information Act requests, it maps the actual practice of banker removal—who is removed, how often removal occurs, and for what reasons. It reveals that the Fed now uses the removal power mostly to prevent already-terminated, low-level employees from working at other banks, even though Congress never intended for the power to be used primarily in this way. Third, harnessing corporate law theory, the Article defends the legislative design. It argues that removal of senior bank executives for unsound management practices is an indispensable component of contemporary bank supervision, filling gaps left by regulatory rules and traditional corporate governance measures. Finally, in light of theory and practice, the Article recommends several changes to the removal power’s statutory design and implementation.

Why Supervise Banks? The Foundations of the American Monetary Settlement

74 VANDERBILT LAW REVIEW 951 (2021)

Administrative agencies are generally designed to operate at arm’s length, making rules and adjudicating cases. But the banking agencies are different: they are designed to supervise. They work cooperatively with banks and their remedial powers are so extensive they rarely use them. Oversight proceeds through informal, confidential dialogue. Today, supervision is in retreat: banks oppose it, the banking agencies restrict it, and scholars misconstrue it. This Article rescues supervision and its historical pedigree. It argues that understanding supervision requires understanding the broader institutional order that depends on it. It labels that order the “American Monetary Settlement” (“AMS”). The AMS is designed to create an elastic money supply using chartered banks. It has four pillars: delegation—privately owned banks, not the government,

create the bulk of the money supply; (2) open access—anyone is eligible for a charter to expand the money supply if they are willing to comply with certain terms and conditions; (3) separation—banks cannot engage in commerce and vice versa; and (4) supervision—special government officials, empowered to stamp out “unsound” banking, ensure that banks fulfill their public purpose. Supervisors, in other words, act as outsourcers, chartering banks and overseeing their managers. The recent decline of supervisory governance, especially stress testing, cedes public power to private actors and raises questions about durability of current monetary arrangements.

The Federal Reserve and the 2020 Economic and Financial Crisis
24 STANFORD JOURNAL OF LAW, BUSINESS AND FINANCE 295 (2021)

This Article provides a comprehensive legal analysis of the Federal Reserve’s response to the 2020 financial crisis. First, it examines the Fed’s sixteen ad hoc lending facilities and sorts them into two categories. Six advance the Fed’s monetary mission and were designed to halt a run on financial institutions. Ten go beyond the Fed’s traditional role and are designed to directly support financial markets and the real economy. Second, it maps these programs onto the statutory framework for money and banking. It shows that Congress’s signature crisis legislation, the CARES Act, suspended several existing restrictions on Fed lending sub silentio. It also reveals that the Fed’s lending to securities dealers and foreign central banks, a practice dating back more than fifty years, has never been expressly authorized by Congress. Third, it argues that these tensions reflect deficiencies in our contemporary economic and financial architecture. Finally, it suggests three statutory reforms targeted at improving the government’s response to future economic and financial emergencies.

The Three Permissions: Presidential Removal and the Statutory Limits of Agency Independence
121 COLUMBIA LAW REVIEW 1 (2021) (with Jane Manners)

- Cited by Amici Bruff et al. in *Seila Law v. CFPB*

Seven words stand between the President and the heads of over a dozen “independent agencies”: inefficiency, neglect of duty, and malfeasance in office (INM). The President can remove the heads of these agencies for INM and only INM. But neither Congress nor the courts have defined INM and hence the extent of agency independence. Stepping into this void, some proponents of presidential administration have argued that INM allows the President to dismiss officials who do not follow presidential directives. Others contend that INM is unconstitutional because it prevents Presidents from fulfilling their duty to take care that the laws are faithfully executed. This Article recovers the lost history of INM, explaining its origins and meaning, inverting our current understanding of its purpose, and rejecting both challenges to agency independence. It shows that INM provisions are not removal “protections” that prevent at-pleasure removal; they are removal permissions that authorize removal where it is otherwise prohibited by an officer’s term of years, a tenure long understood to bar executive removal for any reason. INM provisions are narrow exceptions to term tenures: Neglect of duty and malfeasance in office cash out an official’s failure to faithfully execute official duties, while inefficiency relates to government waste and ineptitude. INM provisions do not permit the President to remove agency heads for failing to follow presidential directives. But they do not clash with the Take Care Clause either, because even on an expansive reading of the clause, INM provisions authorize Presidents to remove unfaithful or incompetent officials.

FedAccounts: Digital Dollars
89 GEORGE WASHINGTON LAW REVIEW 113 (2021) (with Morgan Ricks & John Crawford)

- Covered by Roll Call, N.Y. Times, the New Republic, the American Prospect, Bloomberg, and Vox
- Proposal the basis for legislation introduced in the House Financial Services Committee and the Senate Banking Committee

We are on the cusp of a new monetary era. In response to the rise of privately controlled digital currencies, central bankers have been studying, and in some cases actively pursuing, issuing digital currencies of their own: so-called central bank digital currency (CBDC). But to date, policy makers have all but overlooked the most straightforward and, we argue, most appealing strategy for implementing CBDC: expanding access to the bank accounts the Federal Reserve already offers to a small, favored set of clients. These accounts consist of entries in a digital ledger—just like other digital currencies—and are extremely desirable, offering high interest, instant payments, and full government backing no matter how large the account balance. Congress should authorize the Federal Reserve to give the general public—individuals, businesses, and institutions—the option to hold accounts at the central bank, which we call FedAccounts. FedAccounts would offer an astonishing range of benefits that other CBDC proposals—not to mention privately controlled digital currencies—cannot match, including a much more inclusive financial system, better consumer protection, faster and more efficient payments, greater financial and macroeconomic stability, improved monetary policy transmission, reduced payment tolls, streamlined regulatory structures, and increased fiscal revenue.

Too Big To Supervise: The Rise of Financial Conglomerates and the Decline of Discretionary Oversight in Banking

103 CORNELL LAW REVIEW 1527 (2018)

The authority of government officials to define and eliminate “unsafe and unsound” banking practices is one of the oldest and broadest powers in U.S. banking law. But this authority has been neglected in the recent literature, in part because of a movement in the 1990s to convert many supervisory judgments about “safety and soundness” into bright line rules. This movement did not entirely do away with discretionary oversight, but it refocused supervisors on compliance, risk management, and governance—in other words, on internal bank processes. Drawing on the rules versus standards literature, this Article develops a taxonomy for parsing the various approaches to banking law and documents a shift in supervisory policy over the last thirty years. It shows how today’s focus on internal bank processes was the result of a larger deregulatory agenda that reconceptualized the role of banks in the economy and led to the emergence of large, complex banking organizations (LCBOs). LCBOs engage in a wide range of nonmonetary financial activities, including making markets in derivatives and corporate securities and investing in private equity funds. The architects of this new system believed that government oversight of these activities was costly and unnecessary—if even possible. Therefore, they constructed a new legal framework based on facilitating market discipline through monitoring processes and enforcing risk-based capital requirements. Following the 2008 crisis, officials revived substantive supervisory oversight, pioneering new initiatives like stress testing. But back sliding has already begun. This backsliding raises pressing questions about the scope of today’s conglomerates and the stability of the existing banking and financial system.

Microinsurance: A Case Study of the Indian Rainfall Index Insurance Market

OXFORD HANDBOOK OF THE INDIAN ECONOMY (2012) (with James Vickery, Xavier Giné & Robert Townsend)

In response to climate change, policy makers and the private sector have developed formal insurance markets to improve diversification of weather-related income shocks especially among the poor. This Chapter surveys the features of one of these markets, the Indian rainfall index insurance market. “Index insurance” refers to a contract whose payouts are linked to a publicly observable index; in this case, the index is cumulative rainfall recorded on a local rain gauge during different phases of the monsoon season. This form of insurance is now available at a retail level in many parts of India, although these markets are still in their relative infancy in terms of product design and distribution.

WORKING PAPERS

“Shadow Digital Money” (available on SSRN) (with Jamie McAndrews)

Promises by media platforms to provide digital transaction services will likely lead to a flood of new money. While these developments are potentially valuable, under current law the money created is unsound. It is not insured by the government, nor is it backed by safe assets. We should not yoke good technology to unsound money. Legislation is needed to guarantee safety and soundness, to restore monetary control to the Federal Reserve, and to prevent a race to the bottom between competing state and federal regulatory regimes. With modest changes to the U.S. Code, innovation in payments will be just that—innovation in payments—and not also unsupervised and unsound money issuance.

WHITE PAPERS, BOOK REVIEWS, AND SHORTER PUBLICATIONS

“Should Central Banks Use Distributed Ledger Technology and Digital Currencies to Advance Financial Inclusion?” Central Bank of the Future Paper No. 7, U. Mich. Center on Finance, Law & Policy (May 17, 2021) (with Michael Barr, Adrienne Harris & Karin Thrasher)

“Exemplary Legal Writing 2020: Books,” 11 JOURNAL OF LAW __ (2021) (with Jed S. Rakoff)

“Building the Payment System of the Future: How Central Banks Can Improve Payments to Enhance Financial Inclusion,” Central Bank of the Future Paper No. 3, U. Mich. Center on Finance, Law & Policy (Jul. 31, 2020) (with Michael Barr, Adrienne Harris & Wenqi Wu)

“The Rise of RegTech and the Divergence of Compliance and Risk,” *in* GLOBAL FINTECH: FINANCIAL INNOVATION IN THE CONNECTED WORLD, Alex Pentland & David Shrier, eds. (forthcoming MIT Press) (with Amias Gerety)

“Exemplary Legal Writing 2019: Books,” 10 JOURNAL OF LAW 378 (2020) (with Jed S. Rakoff)

“Recovering the Lost History of Presidential Removal Law,” ADMINISTRATIVE & REGULATORY LAW NEWS (2020) (with Jane Manners)

“Exemplary Law Books of 2018,” 9 JOURNAL OF LAW 244 (2019) (with Jed S. Rakoff)

“Misconduct Risk, Culture, and Supervision,” *Federal Reserve Bank of New York White Paper* (December 2017) (with Stephanie Chaly, James Hennessy, Kevin Stiroh & Joe Tracy)

“Stilling the Pendulum: Regulatory, Supervisory, and Structural Approaches,” 70 VANDERBILT LAW REVIEW EN BANC 273 (2017)

BLOG POSTS AND EDITORIALS

“The Banker Removal Power,” CLS Blue Sky Blog (Apr. 7, 2021) (with Da Lin)

“How Central Banks Can Make the Future of Payments Inclusive,” *The FinReg Blog*, Duke University Law School (Oct. 15, 2020) (with Michael Barr & Adrienne Harris)

“FedAccounts: Digital Dollars,” Roundtable on Public Money, *Just Money* (Aug. 10, 2020) (with Morgan Ricks & John Crawford)

“*Lacovell v. OCC*,” Policy Spotlight, *Just Money* (Aug. 2, 2020) (with Morgan Ricks)

“Fed to the Rescue: Unprecedented Scope; Stretched Authority,” *CLS Blue Sky Blog* (Apr. 27, 2020); *European Corporate Governance Institute Series* (Apr. 27, 2020); *Oxford Business Law Blog* (Apr. 30, 2020)

“Let’s Pay the Stimulus in Digital Dollars,” BLOOMBERG (Mar. 24, 2020) (with Morgan Ricks)

“Seven Lessons From the Great Recession,” THE AMERICAN PROSPECT (Mar. 21, 2020) (with Ganesh Sitaraman)

“Will the Supreme Court Protect Agencies From Trump’s Reach?” N.Y. TIMES (Mar. 3, 2020) (with Jane Manners)

“Regulate Virtual Currencies as Currency,” Roundtable on Virtual Currencies, *Just Money* (Feb. 14, 2020)

“A Public Option for Bank Accounts (or Central Banking for All),” *Harvard Law School Forum on Corporate Governance and Financial Regulation* (June 22, 2018) (with Morgan Ricks & John Crawford)

“Central Banking for All: Reply to Objections,” *Oxford Business Law Blog* (August 27, 2018) (with Morgan Ricks & John Crawford)

AMICUS BRIEFS, CONGRESSIONAL TESTIMONY, AND REGULATORY COMMENTS

Testimony on Building a Stronger Financial System: Opportunities of a Central Bank Digital Currency, before the U.S. Senate Committee on Banking, Housing and Urban Affairs, Subcommittee on Economic Policy, June 9, 2021

Amicus Brief of 33 Banking Law Scholars in Support of Appellee, *Lacwell v. Office of the Comptroller of the Currency*, No. 19 Civ. 4271 (2d Cir. Jul. 30, 2020) (organizer and co-lead author; represented by Walfish & Fissell PLLC)

Comment Letter to the Office of the Comptroller of the Currency regarding Advanced Notice of Proposed Rulemaking regarding “National Bank and Federal Savings Association Digital Activities,” RIN 1557-AE74, Jul. 31, 2020 (with Dan Awrey & Jamie McAndrews)

WORKS IN PROGRESS: BOOKS

THE FED UNBOUND: CENTRAL BANKING IN THE TWENTY-FIRST CENTURY (Columbia Global Reports) (forthcoming 2022)

THE LAW OF INFRASTRUCTURE INDUSTRIES: NETWORKS, PLATFORMS, UTILITIES (with Lina Khan, Morgan Ricks, Ganesh Sitaraman & Shelley Welton) (forthcoming 2022)

THE RISE AND FALL OF THE AMERICAN MONETARY SETTLEMENT

CONFERENCES AND PRESENTATIONS

Discussant, “The Regulator of Last Resort,” Roundtable on Financial Regulation, Gray Center for the Study of the Administrative State (September 2, 2021)

“The Power of the Fed,” FRONTLINE, PBS (July 13, 2021)

Presenter, “A Theory of the Federal Reserve,” Central Banking and Financial Regulation Conference, Vanderbilt University Law School (June 24, 2021)

Co-Presenter, “The Tragedy of Presidential Administration,” Roundtable on Presidential Administration and Political Polarization, Gray Center for the Study of the Administrative State (June 10, 2021)

Panelist, “Cryptocurrencies,” Public Law Workshop, Columbia Law School (June 9, 2020)

Panelist, “Supervision & Governance of Conglomerates,” Regulating Megabanks: A Conference in Honor of Arthur Wilmarth, University of Colorado Law School (May 24, 2021)

Presenter, “The Law of Money and Banking,” LPE 101 Lecture Series, The American Constitution Society & The LPE Project (Apr. 9, 2021)

Co-Presenter, “The Banker Removal Power,” Workshop on Financial Regulation, Boston University School of Law (Apr. 8, 2021).

Moderator, Roundtable on “Climate Change & Financial Inclusion,” Central Bank of the Future Project, University of Michigan, Center on Finance, Law & Policy (Mar. 30, 2021)

Presenter, “Systemic Risk in the Consumer Financial Services Ecosystem,” Systemic Risk Integration Forum, Federal Reserve System (Mar. 4, 2021)

Podcast Guest, “The Past, Present, and Future of Financial Regulation,” Gray Matters, Gray Center for the Study of the Administrative State, George Mason University (Mar 3, 2021)

Panelist, “The First 30 Days, Forward: The Biden-Harris Administration’s Present and Potential Impact on U.S. Institutions, Law & Policy,” Columbia Law School (Feb. 10, 2021)

Presenter, “The Law and Political Economy of Bank Supervision,” Law and Political Economy Conference, Yale Law School, New Haven, CT (Jan. 28, 2021)

Presenter, “Federal Corporate Law and the Business of Banking,” Blue Sky Workshop, Center for Business, Law, and Public Policy, Columbia University (Nov. 11, 2020)

Co-Presenter, “Federal Corporate Law and the Business of Banking,” Financial Regulation Fall Workshop, Wharton, University of Pennsylvania (Oct. 20, 2020)

Presenter, “Unappropriated Dollars,” Conference on Emergency Powers, Gray Center, George Mason University (Oct. 2, 2020)

Presenter, “Unappropriated Dollars: Evaluating the Fed’s Crisis Response,” Workshop on Money, History, and Finance, Department of Economics, Rutgers University (Sept. 14, 2020)

Participant, The Democratic Politics of Monetary Policy Roundtable, Rhodes Center for International Economics and Finance, Brown University (Sept. 4, 2020)

Co-Presenter, “Federal Corporate Law and the Business of Banking,” 22nd Annual Law & Business Conference, Vanderbilt Law School (Sept. 4, 2020) (with Morgan Ricks)

Co-Presenter, “Presidential Removal,” Administrative Law New Scholarship Roundtable, Yale Law School (Aug. 31, 2020) (with Janes Manners)

Co-Presenter, “*Seila v. CFPB*,” Public Law Workshop, Columbia Law School (July 22, 2020)

Presenter, “The Government’s Crisis Response,” Financial Regulation Summer Workshop, Wharton, University of Pennsylvania (July 21, 2020)

Participant, Roundtable on the “Central Bank of the Future,” Center on Finance, Law & Policy, University of Michigan, Ann Arbor, MI (June 23, 2020)

Panelist, “Reforming Credit Policy,” *A Fed For Next Time*, Mercatus Center – Cato Online Conference (June 16, 2020)

Co-Presenter, “The Banker Removal Power,” National Business Law Scholars Conference (June 19, 2020) (with Da Lin)

Podcast Guest, “The Fed’s Lending Facilities and the Legal Concerns That Surround Them,” Macromusings with David Beckworth (May 18, 2020)

Presenter, “The Fed to the Rescue: Unprecedented Scope, Stretched Authority,” The Covid-19 Crisis and Its Aftermath: Corporate Governance Implications and Policy Challenges, European Corporate Governance Institute, Global Webinar (Apr. 16, 2020)

Co-Presenter, “Presidential Removal,” University of Pennsylvania Law School, Legal History Writer’s Bloc, Zoom (Apr. 15, 2020) (with Jane Manners)

Presenter, “The Monetary Basis of Bank Supervision,” EPIC Workshop, Columbia University, New York, NY (Feb. 6, 2020)

Presenter, “The Limits of Agency Independence,” Columbia Legal History Workshop, Columbia Law School, New York, NY (Jan. 29, 2020) (with Jane Manners)

Presenter & Panelist, “Digital Dollars,” Public Options for Banking: A Symposium, Americans For Financial Reform, Washington, D.C. (Jan. 24, 2020)

Presenter, “The Monetary Basis of Bank Supervision,” University of California Hastings College of Law, Faculty Colloquium, San Francisco, CA (Oct. 1, 2019)

Discussant, *Crucible of Care* by Gabe Winant, 20th Century Politics and Society Workshop, Columbia University, New York, NY (Sept. 19, 2019)

Moderator, “Consumer Finance at the Crossroads,” Second Annual Central Banking and Financial Regulation Conference, Vanderbilt University Law School, Nashville, TN (March 24-25, 2017)

REFERENCES

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CURRENT POSITION

COLUMBIA LAW SCHOOL
Academic Fellow, Lecturer in Law

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July 2019-Present

EDUCATION

YALE LAW SCHOOL
J.D., June 2015
Activities:

New Haven, CT

Yale Law Journal, Projects Editor
Yale Law and Policy Review, Submissions Editor
Veterans Legal Services Clinic, Advocacy for Children and Youth Clinic
Research Assistant: Professor Abbe Gluck, Professor John Morley, and Rudd Center
for Food Policy and Obesity

UNIVERSITY OF OXFORD

Oxford, England

M.Phil., Evidence-Based Social Intervention, Department of Social Policy & Intervention, July 2012
Thesis: Fat Chance: An Evaluation of Childhood Obesity Prevention Programmes

A systematic review of the effectiveness of childhood obesity prevention programs, finding evidence of limited effectiveness overall and no evidence of effectiveness for underserved populations or adolescents.

COLUMBIA UNIVERSITY, COLUMBIA COLLEGE

New York, NY

B.A., *summa cum laude*, History, May 2010
Thesis: From Middle America to the Inner-Cities: How the National School Lunch Program Became Black in the 1960s and 1970s

Honors:

Euretta J. Kellett Fellowship—*Funded two years of study at Oxford*
Phi Beta Kappa, Junior Year Inductee
History Departmental Honors

TEACHING INTERESTS

Primary: Federal Income Taxation, International Taxation, Corporate Taxation, Contracts

Secondary: Tax Policy, Partnership Taxation, Trusts & Estates Taxation, Corporations, Exempt Organizations

PUBLICATIONS AND WORKING PAPERS

Tax's Digital Labor Dilemma (Job Talk Paper)

This article argues that the international tax system should recognize the labor furnished by users and customers to multinational companies when allocating taxing authority amongst countries. In an increasingly digitalized economy, users and customers frequently act as producers for companies as well as consumers, creating valuable content and data. In this role of “digital laborer,” they serve a similar function as a traditional worker. This article shows that, once digital laborers are treated in the same way as a traditional workforce, their home countries can be granted taxing authority over income stemming directly from their work under the existing principles and structure of international tax law. By not recognizing the role that digital laborers play, both the current international tax system and proposed reforms inappropriately tax similar business activities differently, creating incoherence in international tax law as it strives to adapt to the realities of the modern economy.

The Shifting Economic Allegiance of Capital Gains (Working Paper)

This article calls for a revision of the international tax sourcing rules, which drive allocation of taxing authority amongst countries, in order to challenge the dominant model for taxing capital gains. The current sourcing rules stem from the “1920s Compromise,” in which global tax authorities determined that capital gains income had a closer economic allegiance to the residence of the shareholder than the country in which the company’s economic activities occur. This article demonstrates that several features of digital business models—the centrality of data, the importance of network effects, and the reliance on free labor from users/customers—create a close economic connection to the source country. It argues that this close economic allegiance, combined with the disconnect between current corporate income and corporate growth, warrants granting the source country some level of taxing authority over capital gains income. It concludes with a policy proposal to implement this new theoretical framework—an annual mark-to-market tax on increases in company value.

Destination-Based Income Taxation: Neither Principled Nor Practical?, 71 TAX LAW REVIEW 515 (2018) (with Paul Oosterhuis)

This article concludes that modified source rules, an outsourcing model for transfer pricing, and expanded taxable presence rules can create a destination-based income tax consistent with underlying principles of international income taxation. It analyzes the history and development of the current and past source, transfer pricing, and taxable presence rules in U.S. international tax in making this determination. However, it identifies serious design concerns with the most-discussed destination-based reform proposals and calls for further analysis to provide a workable path forward for destination-based income taxation.

Slam the Door: Why Congress Should End the Backdoor Roth IRA, 35 YALE LAW & POLICY REVIEW INTER ALIA 41 (2017)

This essay contends that the backdoor Roth IRA is poor tax policy, lowering revenues without furthering the long-term legislative goals of tax expenditures for retirement policies. The essay analyzes the legislative history of the backdoor Roth IRA, a popular method used by high-income taxpayers to skirt the income limits for Roth IRA contributions, and its impact within the broader

landscape of tax policy. It advocates closing the backdoor Roth IRA loophole as a step towards a more equitable and effective tax system.

Home Visits for Prevention of Impairment and Death in Older Adults: A Systematic Review, 10
CAMPBELL SYSTEMATIC REVIEWS 1 (2014) (with S. Grant et al.)

This study is a systematic review that assesses the effectiveness of home visits to the elderly in preventing impairment, institutionalization, and death in older adults and finds no high-quality evidence of effectiveness for any outcome analyzed. Data was extracted in pre-specified domains from sixty-four studies and risk of bias of those results was assessed using the Cochrane Risk of Bias tool and quality of evidence using the GRADE criteria. Outcomes were pooled using a random effects model and effects were analyzed on various outcomes, such as mortality, falls, and quality of life measures.

PROFESSIONAL EXPERIENCE

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

Associate, Tax Department

Summer Associate

New York, NY

2015-2019

Summer 2014

- Advised on tax components of broad range of transactions, including mergers and acquisitions, restructurings, and capital markets transactions.
- Participated in international tax planning and strategy for multinational corporations, including planning with respect to the Tax Cuts and Jobs Act of 2017.
- Advised private clients on individual tax matters as well as trusts and estates planning in both the domestic and international context.

SOUTHERN POVERTY LAW CENTER

Legal Intern

Montgomery, AL

Summer 2013

BRADLEY ARANT BOULT CUMMINGS LLP

Summer Associate

Birmingham, AL

Summer 2013, Summer 2014

THE BROOKINGS INSTITUTE

Metropolitan Policy Program Intern

Washington, DC

Summer/Fall 2011

TEACHING EXPERIENCE

Columbia Law School: teach course in legal writing to LLM candidates

- *Legal Research and Writing* (August 2019-Present)

Yale College, Economics and History Departments: served as a teaching fellow, leading weekly discussion sections and supervising and grading student papers

- *American Economic History* (Spring 2013 and Spring 2015)
- *Epidemics in Western Society Since 1600* (Spring 2014)
- *Media and Medicine in Modern America* (Fall 2013 and Fall 2014)

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BAR ADMISSION

New York (2016)

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ACADEMIC APPOINTMENT

Columbia Law School

Academic Fellow and Lecturer in Law (2020–current)

EDUCATION

Yale Law School, J.D., 2011

Projects Editor, *Yale Law Journal*

Executive Editor, *Yale Journal of Law & Humanities*

Student Co-Director, Global Constitutionalism Seminar

Research Assistant, Dean Robert Post

University of Cambridge, M.Phil. (Classics), 2008

Paul Mellon Fellowship (full scholarship awarded to one graduating senior at Yale College)

Yale University, B.A. (Classics), 2006

Summa cum laude (GPA 3.93); Phi Beta Kappa

Winthrop Prize (twice) and Bristed Scholarship for excellence in Classics

Betts Prize and Curtis Prize for excellence in English and expository writing

Research Assistant, Professor Harold Bloom

CLERKSHIPS

Justice Stephen G. Breyer, U.S. Supreme Court

Law Clerk (2013–2014)

Judge Merrick B. Garland, U.S. Court of Appeals for the D.C. Circuit

Law Clerk (2011–2012)

OTHER LEGAL EXPERIENCE

Hogan Lovells US LLP

Counsel (2020–current)

Senior Associate (2016–2019)

Associate (2012–2013, 2015–2016)

Litigated dozens of cases in the U.S. Supreme Court, U.S. courts of appeals, U.S. district courts, and state courts in a variety of fields. Argued three federal appeals. Representative cases:

- Represented the State of Hawaii and several individuals in challenges to President Trump’s travel bans, culminating in *Trump v. Hawaii*, 138 S. Ct. 2392 (2018). Oversaw procedural aspects of the case, like standing, cause of action, and scope of relief.
- Briefed, argued, and won a precedent-setting case in the Federal Circuit holding that a computer server does not constitute a “place of business” for purposes of the patent venue statute.
- Represented Philadelphia in *Fulton v. City of Philadelphia* (U.S. 2021), involving religious exemptions from anti-discrimination rules.
- Represented a group of anti-discrimination scholars as *amici* in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020). One client’s scholarship was cited several times in the Court’s opinion, and the brief was discussed in Justice Kavanaugh’s dissent.
- Drafted briefs and second-chaired oral arguments in *McDonough v. Smith*, 139 S. Ct. 2149 (2019), regarding when the statute of limitations begins to run on a § 1983 claim, and *Rodriguez v. FDIC*, 140 S. Ct. 713 (2020), regarding the validity of a federal common law rule governing ownership of tax refunds in bankruptcy.
- Represented the Governor of Pennsylvania and state election officials in the U.S. Supreme Court in a case regarding the constitutionality of partisan gerrymandering. Successfully defeated stay application and petition for certiorari after state court victory. *Turzai v. League of Women Voters of Pa.*, No. 17A909 (U.S. 2018); *Turzai v. Brandt*, No. 17–1700 (U.S. 2018).
- Represented asylum-seekers in challenges to two of President Trump’s asylum policies. Won vacatur of both policies in district court. Appeals pending. *O.A. v. Trump*, 404 F. Supp. 3d 109 (D.D.C. 2019); *Capital Area Immigrants’ Rights Coalition v. Trump*, 471 F. Supp. 3d 25 (D.D.C. 2020).

Georgetown University Law Center
Visiting Researcher (2014)

Judge Stefan R. Underhill, U.S. District Court for the District of Connecticut
Judicial Intern (Summer 2009)

PUBLICATIONS

Judicial Minimalism in the Lower Courts (job talk paper).

Debate about the virtues and vices of “judicial minimalism” is evergreen. But as is often the case in public law, that debate so far has centered on the Supreme Court, despite the fact that the vast bulk of federal adjudication happens in lower courts. This Article argues that various institutional features of lower courts make judicial minimalism a particularly compelling ideal for lower court judges. At the same time, minimalism is in tension with the institutional premises of the Supreme Court. The Article begins by unpacking the various meanings of “minimalism,” then makes the case for minimalism in the context of lower courts, and concludes with a variety of suggestions for realizing lower court minimalism despite some present structural obstacles.

The Puzzles and Possibilities of Article V, 121 COLUM. L. REV. (forthcoming 2021) (with David Pozen) (draft available at <https://ssrn.com/abstract=3834066>).

The standard picture of Article V is that it sets down specific rules that are clear in application even if they are difficult to satisfy. In this paper, we challenge this view, arguing that our lived experience under Article V has been far messier. The text and original understanding of Article V leave open a number of fundamental questions about the amending process; the vast majority of successful efforts to amend the constitutional text have faced credible, contemporaneous challenges to their validity; and two hundred plus years of amending the Constitution have not settled a series of basic procedural questions. Appreciating the full extent of Article V's ongoing ambiguity, we suggest, counsels a new approach to judging the validity of contested amendments, undermines some of the premises of originalism and textualism, and helps us to see new possibilities for constitutional change.

Active Avoidance: The Modern Supreme Court and Legal Change, 128 HARV. L. REV. 2109 (2015) (with Neal Kumar Katyal).

The Roberts Court has resolved some of the most divisive and consequential cases before it, including constitutional challenges to the Affordable Care Act and the Voting Rights Act, with the same maneuver: the avoidance canon. In this Article, we critique the Roberts Court's use of the avoidance canon along two axes. First, the Court has invoked the canon to articulate new constitutional norms; second, it has invoked the canon to adopt strained readings of statutes that would be unthinkable in the canon's absence. The Article explores the role the avoidance canon played in giving rise to what we call the "antinovelty doctrine" in *NFIB* and the equal sovereignty principle in *Northwest Austin* and *Shelby County*. And it argues that the Court has employed the rhetoric of restraint to camouflage acts of constitutional and statutory innovation.

SELECTED PRESENTATIONS

Conference on AKHIL REED AMAR, *THE WORDS THAT MADE US: AMERICA'S CONSTITUTIONAL CONVERSATION, 1760–1840*, University of Illinois College of Law, 2021 (upcoming, contributions to be published in *Constitutional Commentary*).

Fulton v. City of Philadelphia, Summer Public Law Workshop, Columbia Law School, 2021 (with Jeremy Kessler).

The Passive Virtues in the Lower Courts, Fellows Workshop, Columbia Law School, 2020.

Panelist, 25th Annual U.S. Supreme Court Roundup; Lawyers, Community, and Impact Series; Columbia Law School, 2020.

What Is the Text of the Constitution?, Faculty Workshop, Columbia Law School, 2020 (with David Pozen).

Commentary on *Mazars* and *Vance*, Summer Public Law Workshop, Columbia Law School, 2020 (with Jessica Bulman-Pozen).

Panelist, The “Muslim Travel Ban”: Legal and Social Implications, American Constitution Society Event, Columbia Law School, 2017.

Active Avoidance, Faculty Workshop, Georgetown University Law Center, 2014 (with Neal Kumar Katyal).

TEACHING EXPERIENCE

Instructor, LL.M. Legal Research and Writing, Columbia Law School, Spring 2021 and Fall 2021.

Co-Instructor (with Prof. Henry Monaghan), Conflict of Laws, Columbia Law School, Spring 2021.

Co-Instructor (with Prof. Henry Monaghan), Advanced Constitutional Law: Separation of Powers, Columbia Law School, Fall 2020.

Guest Lecturer, Advanced Patents Seminar, Columbia Law School, Prof. Harold Edgar, 2017 (co-taught class session on patent eligibility and covered business method review in the PTAB).

Guest Lecturer, Contemporary Civilization, Columbia University, Prof. Kathryn Tabb, 2016 and 2017 (co-taught sessions of Columbia core undergraduate course on the Federalist Papers and American constitutionalism).

Teaching Assistant, Constitutional Law, Yale University, 2011 (taught two sections of Akhil Amar’s undergraduate course on constitutional law).

Tutor, University of Cambridge, 2008 (taught three undergraduate supervisions on Ancient Greek and Homer’s *Odyssey*).

RESEARCH AND TEACHING INTERESTS

Primary: Federal Courts; Civil Procedure; Constitutional Law; Legislation and Regulation.

Secondary: Administrative Law; Legislation; Remedies; Conflict of Laws; Intellectual Property; Patents.

BAR AND COURT ADMISSIONS

New York

U.S. Supreme Court

U.S. Court of Appeals for the Fourth, Fifth, Seventh, Eighth, Ninth, Eleventh, Federal, and D.C. Circuits

U.S. District Court for the District of Columbia

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Hon. Stephen G. Breyer

United States Supreme Court

Hon. Merrick B. Garland

United States Department of Justice