

MATTHEW T. BODIE

Saint Louis University School of Law
3700 Lindell Boulevard
St. Louis, Missouri 63108
(314) 977-7507
mbodie@slu.edu

ACADEMIC EXPERIENCE

SAINT LOUIS UNIVERSITY SCHOOL OF LAW, St. Louis, Missouri, 2006 to present

Associate Dean for Research and Faculty Development, 2010-2012.

Professor, 2011 to present; *Associate Professor*, 2007-2011 (tenured 2009); *Visiting Associate Professor*, 2006-2007.

Courses: Contracts (I & II), Corporate Governance seminar, Employment Law, and Labor Law.

Thompson Coburn Award for Faculty Scholarship (2006, 2008).

Member, Dean Search Committee (2010-2011).

Chair, Faculty Appointments Committee (2008-2009).

Chair, Faculty Scholarship Committee (2010-2012).

Co-chair, Summer "Half-Baked Ideas" Workshop Series (2007 to present).

Co-chair, Curriculum and Academic Standards Committee (2013 to present).

Member, University Libraries Materials Cost Task Force (2012)

Advisor, *Saint Louis University Public Law Review* (2007-2012).

NOTRE DAME LAW SCHOOL, Notre Dame, Indiana, 2012

Visiting Professor of Law, Fall 2012.

Courses: Contracts, Seminar: Law and Theories of Employment.

HOFSTRA UNIVERSITY SCHOOL OF LAW, Hempstead, New York, 2002 to 2007

Associate Professor.

Courses: Business Organizations, Contracts I & II, Corporate Governance, and Employment Law.

Chair, Faculty Advisory Board, *Hofstra Labor and Employment Law Journal* (2003-2006).

Member, Entry-level faculty appointments committee (2004-2005).

Member, Curriculum committee (2002-2004).

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York, 2000 to 2002

Acting Assistant Professor, Lawyering Program.

PUBLICATIONS

Books and Chapters

Employment Law in the Roberts Court: Public Goals, Private Enforcement, in BUSINESS AND THE ROBERTS COURT (Jonathan H. Adler ed., Oxford Univ. Press, forthcoming 2014).

Chapter 7: Employee Privacy and Autonomy, § 7.08, in RESTATEMENT (THIRD) OF EMPLOYMENT LAW, Tentative Draft No. 6, March 30, 2013. Approved by ALI Membership, 2013.

Chapter 7: Employee Privacy and Autonomy, §§ 7.01-7.07, in RESTATEMENT (THIRD) OF EMPLOYMENT LAW, Tentative Draft No. 5, March 30, 2012. Approved by ALI Membership, 2012.

Employees and the Boundaries of the Corporation, in RESEARCH HANDBOOK ON THE ECONOMICS OF CORPORATE LAW (Claire Hill & Brett McDonnell eds., Edward Elgar Publishing, 2012).

Open Source and the Reinvention of Legal Education, in THE DIGITAL PATH OF THE LAW: THE FUTURE OF THE LAW SCHOOL COURSE BOOK (Edward L. Rubin ed., Cambridge Univ. Press, 2012).

Restatement Third of Employment Law Preliminary Formulation of Chapter 7: Workplace Privacy and Autonomy, in WORKPLACE PRIVACY (Jonathan R. Nash ed., Kluwer Law International 2010).

Editor (with Samuel Estreicher), WORKPLACE DISCRIMINATION, PRIVACY AND SECURITY IN AN AGE OF TERRORISM (Kluwer Law International 2007).

Articles

Participation as a Theory of Employment, 89 NOTRE DAME L. REV. ____ (forthcoming 2013).
Chosen for 2013 Annual Meeting of the American Law and Economics Association.

The Roberts Courts and the Law of Human Resources, 34 BERKELEY J. EMP. & LAB. L. ____ (forthcoming 2013).

The Bizarre Law & Economics of Business Roundtable v. SEC (with Grant M. Hayden), 38 J. CORP. L. 101 (2012).

Shareholder Democracy and the Curious Turn Toward Board Primacy (with Grant M. Hayden), 51 WILLIAM & MARY L. REV. 2071 (2010).

Arrow's Theorem and the Exclusive Shareholder Franchise (with Grant Hayden), 62 VAND. L. REV. 1217 (2009). Reprinted in 51 CORP. PRAC. COMMENTATOR 591 (2009).

One Share, One Vote and the False Promise of Shareholder Homogeneity (with Grant M. Hayden), 30 CARDOZO L. REV. 445 (2008).

Mother Jones Meets Gordon Gekko: The Complicated Relationship Between Labor and Private Equity, 79 U. COLO. L. REV. 1317 (2008).

Information and the Market for Union Representation, 94 VA. L. REV. 1 (2008).
Chosen for 2006 Stanford/Yale Junior Faculty Forum.
Chosen for 2007 Annual Meeting of the American Law and Economics Association.

Workers, Information, and Corporate Combinations: The Case for Non-Binding Employee Referenda in Transformative Transactions, 85 WASH. U. L. REV. 871 (2007).
Chosen for First Annual Seton Hall Law School Labor & Employment Law Scholars' Forum.

The Future of the Casebook: An Argument for an Open Source Approach, 57 J. LEGAL EDUC. 10 (2007).

AOL Time Warner and the False God of Shareholder Primacy, 31 J. CORP. L. 975 (2006).

The Effects of Jury Ignorance about Damages Caps: The Case of the 1991 Civil Rights Act (with Rebecca Hollander-Blumoff), 90 IOWA L. REV. 1361 (2005).
Reprinted in NYU SELECTED ESSAYS ON LABOR AND EMPLOYMENT LAW: VOLUME 3: BEHAVIORAL ANALYSES OF WORKPLACE DISCRIMINATION (Mitu Gulati & Michael J. Yelnosky eds., Kluwer Law International 2007).

Questions about the Efficiency of Employment Arbitration Agreements, 39 GA. L. REV. 1 (2004).

The Potential for State Labor Law: The New York Greengrocer Code of Conduct, 21 HOFSTRA LAB. & EMP. L.J. 183 (2003).

Reprinted in COMPENSATION, WORK HOURS AND BENEFITS: PROCEEDINGS OF NEW YORK UNIVERSITY 57TH ANNUAL CONFERENCE ON LABOR (Jeffrey M. Hirsch ed., Kluwer Law International 2009).

Aligning Incentives with Equity: Employee Stock Options and Rule 10b-5, 88 IOWA L. REV. 539 (2003).
Reprinted in 45 CORP. PRAC. COMMENTATOR 665 (2003).

Essays, Book Reviews, and Symposium Pieces

Collaboration and Community: The Labor Law Group and the Future of Labor and Employment Law Casebooks, 58 ST. LOUIS U. L.J. ____ (forthcoming 2013/2014) (Symposium: Teaching Labor and Employment Law).

Labor Speech, Corporate Speech, and Political Speech: A Response to Professor Sachs, 112 COLUM. L. REV. SIDEBAR 206 (2012), http://www.columbialawreview.org/wp-content/uploads/2012/10/206_Bodie.pdf.

The Post-Revolutionary Period in Corporate Law: Returning to the Theory of the Firm, 35 SEATTLE U. L. REV. 1033 (2012) (Berle III Symposium).

Law Students and Legal Scholarship, 1 J. L. 223 (2011).

NASCAR Green: A Case Study of Sustainability and the Nature of the Firm, 46 WAKE FOREST L. REV. 491 (2011) (Symposium: The Sustainable Corporation).

The Uncorporation and the Unraveling of "Nexus of Contract" Theory (with Grant M. Hayden), 109 MICH. L. REV. 1127 (2011) (reviewing LARRY E. RIBSTEIN, *THE RISE OF THE UNCORPORATION* (2010)).

Mandatory Disclosure in the Market for Union Representation, 5 FLA. INT'L U. L. REV. 617 (2011) (Symposium: Whither the Board? The National Labor Relations Board at 75).

Comment, *The Case for Employee Referenda in Transformative Transactions as Shareholder Proposals*, 87 WASH. U. L. REV. 897 (2010).

Reply: The Market for Union Services: Reframing the Debate, 94 VA. L. REV. IN BRIEF 23 (March 24, 2008), available at: <http://www.virginialawreview.org/inbrief/2008/03/24/bodie.pdf>.

Thoughts on the New Era of Law Review Companion Sites, 39 CONNTEMPLATIONS 1 (May 6, 2007), available at: <http://www.conntemplations.org/pdf/bodie.pdf> (Symposium: Do Law Reviews Matter?).

Open Access in Law Teaching: A New Approach to Legal Education, 10 LEWIS & CLARK L. REV. 885 (2006) (Symposium: Open Access Publishing and the Future of Legal Scholarship).

Administrative Delay at the NLRB: Some Modest Proposals (with Samuel Estreicher), 23 J. LAB. RES. 87 (2002) (reviewing EDWARD B. MILLER, *AN ADMINISTRATIVE APPRAISAL OF THE NLRB* (1999)).

Works in Progress

LABOR LAW (with Samuel Estreicher, Foundation Press: Concepts and Insights Series)

Stock Options as Corporate Governance

The Market as Negotiation (with Rebecca Hollander-Blumoff)

Student Works

Note, *The Principle of Equality in Takings Clause Jurisprudence*, 109 HARV. L. REV. 1030 (1996).

The Supreme Court, 1994 Term - Leading Cases, 109 HARV. L. REV. 111, 170 (1995) (discussing *Capitol Square Review & Advisory Board v. Pinette*, 515 U.S. 753 (1995)).

Recent Legislation, 108 HARV. L. REV. 519 (1994) (discussing Utah takings statute).

Book Note, 31 HARV. J. ON LEGIS. 511 (1994) (reviewing GEORGE WILL, *RESTORATION* (1992)).

PRESENTATIONS

Discussant, Panel: The Rise and Fall of the Wagner Model: An International and Comparative Perspective, Southeastern Association of American Law Schools (SEALS) Annual Meeting, Aug. 6, 2013.

Law and Theories of Employment, Panel: Interrogating Fundamental Assumptions about Labor and Employment Law, Annual Meeting, Law and Society Association, May 31, 2013.

Discussant, Panel: Law & Entrepreneurship II, Annual Meeting, Law and Society Association, May 31, 2013.

Draft of Chapter 7, § 7.08, Employee Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Annual Meeting, May 22, 2013.

Participation as a Theory of Employment, Annual Meeting, American Law & Economics Association, Vanderbilt Law School, May 17, 2013.

Collaboration and Community: The Labor Law Group and the Future of Labor and Employment Law Casebooks, Symposium: Teaching Employment and Labor Law, Saint Louis University School of Law, February 15, 2013.

Draft of Chapter 7, § 7.08, Employee Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Council Meeting, January 17, 2013.

Larry from the Left: An Appreciation, Session on Agency, Partnership, LLCs and Unincorporated Associations, AALS Annual Meeting, January 6, 2013.

Law and Theories of Employment, Faculty Workshop Series, Notre Dame Law School, November 6, 2012.

Draft of Chapter 7, § 7.08, Employee Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Council Meeting, October 18, 2012.

Stock Options and the New Corporate Governance, Annual Meeting, Midwestern Law & Economics

Association, Washington University School of Law, October 12, 2012.

Draft of Chapter 7, § 7.08-7.09, Employee Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Meeting of Members Consultative Group, Sept. 22, 2012.

Draft of Chapter 7, § 7.08-7.09, Employee Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Meeting of Advisers to the Restatement, Sept. 21, 2012.

SEIU and the Market for Public Sector Union Representation, in Seventh Annual Colloquium on Current Scholarship in Labor and Employment Law, Northwestern University School of Law & Loyola University Chicago School of Law, September 14, 2012.

SEIU and the Market for Public Sector Union Representation, in Panel: Collective Labor Law and Worker Participation, Law and Society Association Annual Meeting, June 5, 2012.

Draft of Chapter 7, §§ 7.01-7.07, Employee Privacy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Annual Meeting, May 22, 2012.

Workplace Privacy and Autonomy, Employment Law Workshop for Federal Judges, New York University School of Law, March 9, 2012.

Response to *The Case Against Public Sector Unions* by John O. McGinnis, Saint Louis University Federalist Society, March 8, 2012.

Draft of Chapter 7, Employee Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Council Meeting, January 27, 2012.

Corporation as Firm: A New Institutional Economics Approach to Corporate Law, Berle III Conference, Seattle University School of Law, January 13, 2012.

Draft of Chapter 7, Employee Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Council Meeting, October 20, 2011.

The Corporation and the Separation of Employees from the Firm, Sixth Annual Colloquium on Current Scholarship in Labor and Employment Law, Loyola Law School Los Angeles, Southwestern Law School, and UCLA School of Law, September 16, 2011.

Employees and the Boundaries of Corporate Law, Workshop, Loyola Law School Los Angeles, September 15, 2011.

Privacy and Autonomy in the Restatement of Employment Law, 2011 National Employment Law Attorneys (NELA) Conference, June 30, 2011.

Draft of Chapter 7, Employee Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Meeting of Members Consultative Group, June 17, 2011.

Draft of Chapter 7, Employee Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Meeting of Advisers to the Restatement, June 16, 2011.

NASCAR Green: A Case Study of Sustainability and the Nature of the Firm, Symposium: The Sustainable

- Corporation, Wake Forest University School of Law, April 1, 2011.
- Open Source and Legal Education Reform*, videotaped presentation to faculty at Washington College of Law, American University, March 21, 2011.
- Employees and the Boundaries of Corporate Law*, Class Presentation: Role of Corporations, Vanderbilt University Law School, February 28, 2011.
- The Roberts Court and the Law of Human Resources*, Fifth Annual Colloquium on Current Scholarship in Labor and Employment Law, Washington University School of Law & Saint Louis University School of Law, September 24, 2010.
- The Roberts Court and the Law of Human Resources*, Roundtable, “Business Law and Regulation in the Roberts Court,” Center for Business Law & Regulation, Case Western Reserve University School of Law, September 17, 2010.
- Employee Privacy*, Southeastern Association of American Law Schools (SEALS) Annual Meeting, Aug. 4, 2010.
- Privacy and Autonomy in the Restatement of Employment Law*, 2010 Carl A. Warns, Jr., Labor and Employment Law Conference, Brandeis School of Law, University of Louisville, June 25, 2010.
- Privacy and Autonomy in the Restatement of Employment Law*, 2010 Privacy Law Scholars Conference (PLSC), George Washington University School of Law, June 3, 2010.
- Entrepreneurship and Employee Ownership*, in Panel: Law & Entrepreneurship: Social Values, Law and Society Association Annual Meeting, May 28, 2010.
- Mere Votes*, in Panel: New Models of Corporate Regulation, Law and Society Association Annual Meeting, May 27, 2010.
- Information and the Market for Union Representation*, Thompson Coburn Award, April 29, 2010.
- Mandatory Disclosure in the Market for Union Representation*, Symposium: Whither the Board? The NLRB at 75, Florida International University College of Law, March 26, 2010.
- Corporate Voting Rights and the Myth of Contract*, Annual Meeting, Midwestern Law & Economics Association, Notre Dame Law School, October 10, 2009.
- Draft of Chapter 7, Workplace Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, Plenary Session, Fourth Annual Colloquium on Current Scholarship in Labor and Employment Law, September 26, 2009.
- Draft of Chapter 7, Workplace Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, Faculty Workshop, Saint Louis University School of Law, September 16, 2009.
- Draft of Chapter 7, Workplace Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, American Law Institute, Meeting of Members Consultative Group, June 16, 2009.
- Draft of Chapter 7, Workplace Privacy and Autonomy, RESTATEMENT (THIRD) OF EMPLOYMENT LAW,

American Law Institute, Meeting of Advisers to the Restatement, June 15, 2009.

Panelist, Corporate Law Approaches to Employee/Labor Interests, Joint Plenary of AALS Workshop on Business Associations and Workshop on Work Law, AALS Mid-Year Meeting, June 10, 2009.

Workers, Information, and Corporate Combinations: The Case for Non-Binding Employee Referenda in Transformative Transactions, Thompson Coburn Award Ceremony, May 6, 2009.

Luncheon Address, *The New Restatement of Employment Law: Employee Privacy*, American Bar Association, Technology in the Practice & Workplace Committee Meeting, May 1, 2009.

Moderator, Conference on Competition in the Global Workplace: The Role of Law in Economic Markets, Saint Louis University School of Law, April 3, 2009.

Stock Options as Corporate Governance, Junior Scholar Workshop, New Research in Regulation of Corporations, Managers and Financial Markets, Washington University School of Law, March 6, 2009.

Moderator, Panel: Property Ownership in the U.S.: New Definitions for a New Era, Conference on Property Ownership and Economic Stability: A Necessary Relationship?, Saint Louis University School of Law, February 27, 2009.

NASCAR and the Theory of the Firm, Session on Agency, Partnership, LLCs and Unincorporated Associations, AALS Annual Meeting, January 9, 2009.

Commenter, Health Law Scholars Workshop, Saint Louis University School of Law, October 18, 2008 (commenting on Susan Cancelosi, “The Automakers/UAW VEBA: A Knight in Shining Armor or a Trojan Horse?”).

Arrow’s Theorem and the Exclusive Shareholder Franchise, Annual Meeting, Midwestern Law & Economics Association, Northwestern University, October 3, 2008.

Stock Options: The Rise and Fall of a Financial Instrument, Presentation, Salmon P. Chase College of Law, Northern Kentucky University, September 29, 2008.

The Future of the Casebook: An Argument for an Open Source Approach, Faculty Workshop, Salmon P. Chase College of Law, Northern Kentucky University, September 29, 2008.

Moderator, Panel, *Competing Online Architectural Formats: Advantages & Disadvantages*, Workshop on the Future of the Legal Casebook, Seattle University School of Law, September 27, 2008.

NASCAR and the Theory of the Firm, Saint Louis University School of Law Summer Workshop Series, July 23, 2008.

Arrow’s Theorem and the Exclusive Shareholder Franchise, Washington University School of Law Junior Faculty Regional Workshop, June 21, 2008.

Moderator, *The Use of Technology by Agencies in Labor and Employment Cases*, American Bar Association, Technology in the Practice and Workplace Committee, May 2, 2008.

The False Promise of One Share, One Vote, Workshop, University of St. Thomas School of Law, April 16, 2008.

Information and the Market for Union Representation, Workshop, George Mason School of Law, October 23, 2007.

Workers, Information, and Corporate Combinations: The Case for Non-Binding Employee Referenda in Transformative Transactions, Midwestern Law & Economics Association, University of Minnesota, October 12-13, 2007.

Mother Jones Meets Gordon Gekko: The Complicated Relationship Between Labor and Private Equity, Second Annual Colloquium on Current Scholarship in Labor and Employment Law, Boulder, Colorado, September 29-30, 2007.

Stock Options: The Rise and Fall of a Financial Instrument, Saint Louis University School of Law Summer Workshop Series, June 13, 2007.

Information and the Market for Union Representation, Annual Meeting of the American Law & Economics Association, Harvard Law School, May 5-6, 2007.

Conflict Between the NLRB and the Courts: Resolution or Amplification?, Program on NLRA Developments, National Labor Relations Board, March 23, 2007.

Workers, Information, and Corporate Combinations: The Case for Non-Binding Employee Referenda in Transformative Transactions, First Annual Seton Hall Law School Labor & Employment Law Scholars' Forum, October 13-14, 2006.

Bringing Open Access to Legal Education, Workshop on Intellectual Property, AALS Mid-Year Meeting, June 16, 2006.

Workers, Information, and Corporate Combinations: The Case for Non-Binding Employee Referenda in Transformative Transactions, Washington & Lee Works-in-Progress Workshop, June 6, 2006.

Information Disclosure and Union Representation Elections, Stanford/Yale Junior Faculty Forum, June 3, 2006 (chosen for Labor Law and Social Welfare category).

Open Access in Law Teaching: A New Approach to Legal Education, Open Access Publishing and the Future of Legal Scholarship, Lewis & Clark Law Review Spring Symposium, March 10, 2006.

AOL Time Warner and the False God of Shareholder Primacy, Conglomerate Junior Scholars Workshop (online), August 22, 2005, available at:
http://www.theconglomerate.org/2005/08/conglomerate_ju_1.html.

AOL Time Warner and the False God of Shareholder Primacy, Third Summer Retreat, Sloan Program for the Study of Business in Society, June 26-30, 2005.

The Future of the Casebook: An Argument for an Open Source Approach, Conference for Law School Computing: Open Source :: Open Law :: Open Education, Center for Computer-Assisted Legal Instruction (CALI), June 11, 2005.

Information and the Union Representation Election: A New Role for the NLRB, Law and Society Association, 2005 Annual Meeting, June 4, 2005.

Moderator, Symposium, 40th Anniversary of Title VII of the Civil Rights Act of 1964, Hofstra University School of Law, February 25, 2005.

Questions about the Efficiency of Employment Arbitration Agreements, First Annual Georgia Law Review Invited Author Lecture, University of Georgia School of Law, February 7, 2005.

Questions about the Efficiency of Employment Arbitration Agreements, Workshop in Labor and Employment Law, New York University School of Law, January 31, 2005.

Information and the Union Representation Election: Technology as a Means to More Rational Decisionmaking, Conference, NextWave Organizing, New York Law School, January 28, 2005.

The Potential for State Labor Law: The New York Greengrocer Code of Conduct, 57th Annual Conference on Labor, New York University School of Law, May 20, 2004.

Arbitration in the Employment Relationship: An Economic and Behavioral Analysis, Conference, The Role of Contract in the Modern Employment Relationship, Texas Wesleyan University School of Law, March 7, 2003.

“You Can’t Handle the Truth”: The Effects of Jury Ignorance about the Damages Caps in the 1991 Civil Rights Act (with Rebecca Hollander-Blumoff), Conference, Behavioral Analyses of Workplace Discrimination (in memory of David Charny), New York University School of Law, April 19, 2002.

Aligning Incentives: Employee Stock Options and Rule 10b-5, Workshop in Labor and Employment Law, New York University School of Law, September 5, 2001.

The Internationalization of Film and Television Production, Conference, Transatlantic Perspectives on Labor and Employment Law, University College, Dublin, Ireland, July 22, 2000.

LEGAL EXPERIENCE

NATIONAL LABOR RELATIONS BOARD, REGION 2, New York, New York, 1997 to 2000

Field attorney.

Investigated unfair labor practice charges. Litigated cases involving complex bargaining and termination issues, including successful petition for 10(j) injunction in federal district court. Won Board appeal of administrative law judge decision concerning contract law. Conducted hearings and elections in representation cases.

HON. M. BLANE MICHAEL, U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT, 1996 to 1997

Law clerk. Charleston, West Virginia.

ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, Summer 1996

Summer associate.

BREDHOFF & KAISER, Washington, D.C., Summer 1995

Summer associate.

OBER, KALER, GRIMES & SHRIVER, Baltimore, Maryland, Summer 1994
Summer associate.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, LL.M. in Labor & Employment Law, 2005.

HARVARD LAW SCHOOL, J.D. *magna cum laude* 1996

Harvard Law Review, Editor and Social Chair

Best Team & Best Brief, Ames Moot Court Competition

Labor Law Project, President

Law and Philosophy Society, Co-Founder

Third-Year Paper: *Uniting Ownership and Control: An Argument for Employee Representation on Boards of Employee-Owned Companies*

PRINCETON UNIVERSITY, A.B. *magna cum laude* 1991, Woodrow Wilson School of Public and International Affairs

Princeton Debate Panel, President

Thesis: *The Disenfranchisement of Ex-Felons*

ACADEMIC AND PROFESSIONAL ACTIVITIES

American Law Institute

Reporter, RESTATEMENT (THIRD) OF EMPLOYMENT LAW, 2008 to present

Member, 2011 to present

New York University School of Law

Research Fellow, Center for Labor and Employment Law, 2002 to present.

PrawfsBlawg (prawfsblawg.blogs.com/prawfsblawg)

Contributor, October 2005 to present.

Notable Series:

Book Club, *Justifying Intellectual Property*, by Robert Merges, Jan. 2013

Reforming Legal Education's Finances, Nov. 2012

Book Club, *Cultivating Conscience* by Lynn Stout, Feb. 2012

Book Club, *The Myth of the Rational Market* by Justin Fox, April 2011

Book Club, *Privilege or Punish* by Dan Markel, Jennifer Collins, and Ethan Leib, Sept. 2010

Book Club, *Ordering the City* by Nicole Stelle Garnett, March 2010

Book Club, *The Ghost of Jim Crow* by Anders Walker, Feb. 2010

Book Club, *The Big Squeeze* by Steven Greenhouse, Sept. – Oct. 2008

Book Club, *oPtion\$* by fake steve jobs (Daniel Lyons), Dec. 2007

The Research Canons Project, Sept. – Oct. 2006

The Conglomerate (www.theconglomerate.org)

Conglomerate Masters Forum, 2011-2012

Conglomerate Books: Frank Partnoy, *F.I.A.S.C.O.: Blood in the Water*, Nov. 2007

Enron Forum, June 2006

Guest Contributor, Nov.-Dec. 2005

Jotwell (jotwell.com)

Contributor, 2010 to present

Choose or Lose (reviewing Zev J. Eigen & David Sherwyn, *A Moral/Contractual Approach to Labor Law Reform*, 63 HASTINGS L.J. 695 (2012), and Brishen Rogers, *Passion and Reason in Labor Law*, 47 HARV. CIV. RTS.-CIV. LIB. L. REV. 313 (2012)).

Labor Speech is Corporate Speech (reviewing Charlotte Garden, *Citizens, United and Citizens United: The Future of Labor Speech Rights*, 53 WILLIAM & MARY L. REV. 1 (2011), and Benjamin I. Sachs, *Unions, Corporations, and Political Opt-Out Rights after Citizens United*, 112 COLUM. L. REV. 800 (2012)).

Ramble On: How Workplace Rights Depend on Employee Conversations (reviewing Jeffery M. Hirsch, *Communication Breakdown: Reviving the Role of Discourse in the Regulation of Employee Collective Action*, 44 U.C. DAVIS L. REV. 1091 (2011)).

Deconstructing Stock Options (reviewing David I. Walker, *The Non-Option: Understanding the Dearth of Discounted Employee Stock Options*, 89 B.U. L. REV. 1505 (2009)).

eLangdell Project

Member, Board of Advisors, 2007-2010

Argumentation & Advocacy

Editorial Board Member, 2000-2002

Referee

Cambridge University Press

Yale University Press

Journal of Law, Economics & Policy

Journal of Philosophy, Science & Law

Rank and Tenure Reviewer

John Marshall Law School (Chicago)

Loyola New Orleans College of Law

University of North Carolina School of Law

University of Toledo College of Law

Admitted to Maryland Bar, U.S. Court of Appeals for the Fourth Circuit