

Ann Morales Olazábal

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Coral Gables Campus
305 284 4508
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Current Academic Rank:	Professor
Primary Department:	Business Law Department
Secondary or Joint Appointments:	n/a
Citizenship:	USA

HIGHER EDUCATION

Institutional

University of Notre Dame Law School, Notre Dame, Indiana / London, England, U.K. (Emphasis in International Law)	JD 1987
University of Miami School of Business Administration, Coral Gables, Florida (Specialization in International Business)	MBA 1997
Texas Christian University, Fort Worth, Texas <i>cum laude</i> (Major: International Affairs; Minor: Economics)	BA 1984

Licensure, Certification

State Bar of Arizona	1987
U.S. Federal District Court (Arizona)	1987

EXPERIENCE

Academic Appointments

University of Miami School of Business Administration Vice Dean for Undergraduate Business Education	2011 – present
Full Time Faculty (tenure track 2000, tenure 2006, full 2011)	1997 – present

Non-Academic Employment

Vice Pres. and Gen. Counsel, EXKO Services Inc. International Exporting Consultants, Miami, Florida	1995 – 1997
Attorney at Law in Phoenix, Arizona Sculth French Zwillinger, P.A. (NKA Stinson, Morrison & Hecker) Gallagher & Kennedy, P.A., Phoenix Arizona	1987 – 1995

Consulting/Executive Education

Johnson & Johnson/LatAm Medical Device Industry	2011 – 2012
The BGK Group Financial Training	2010 – 2011
FINRA (Financial Institution Regulatory Agency)	2008 – 2009
NASD (National Association of Securities Dealers)	2002 – 2007

Expert Witness

Eartha Jean Johnson v. United Airlines, No. 4:14-cv-646 U.S. Dist. (S.D. Tex.)	2016
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PUBLICATIONS**LAW REVIEW ARTICLES**

Recklessness as a State of Mind in 10b Cases: The Civil-Criminal Dialectic, with P. Abril. **18 NYU JOURNAL OF LEGISLATION AND PUBLIC POLICY 305** (2015).

Frequent Flyer Programs: Empirically Assessing Consumers' Reasonable Expectations, with H. Marmorstein and D. Sarel. **51 AMERICAN BUSINESS LAW JOURNAL 175** (2014).

Behavioral Science and Scienter in Class Action Securities Fraud Litigation, **44 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 1423** (2013).

Global Sales Law: Analysis of Precedents Under the Convention on Contracts for the International Sale of Goods, 2004-2011, with R. Emerson, R. Sacasas, and K. Turner, **67 THE BUSINESS LAWYER 1351** (2012).

False Forward-Looking Statements and the PSLRA's Safe Harbor, **86 INDIANA LAW JOURNAL 596** (2011), reprinted in **SECURITIES LAW REVIEW**, D. LANGEVOORT, ED. (2012).

Defining Recklessness: A Doctrinal Approach to Deterrence of Open Market Securities Fraud. **2010 WISCONSIN LAW REVIEW 1415** (2011).

Structured Products for the Retail Market: Regulatory Implications of Investor Innumeracy and Consumer Information Processing, with H. Marmorstein. **52 ARIZONA LAW REVIEW 623** (2010).

Celebrity CEOs: Disclosure at the Intersection of Privacy and Securities Law, with P. Abril. **46 HOUSTON LAW REVIEW 1545** (2010).

The Ubiquity of Greed: A Contextual Model for Analysis of Scienter, with P. Abril. **60 FLORIDA LAW REVIEW 401** (2008).

The Locus of Corporate Scienter, with P. Abril. **2006 COLUMBIA BUSINESS LAW REVIEW 81** (2006), reprinted in **56 DEFENSE LAW JOURNAL 463** (2007).

Auditor Independence Post-Sarbanes Oxley: The Case for Increased Self-Regulation, with L. Christiansen. **13 JOURNAL OF LEGAL STUDIES IN BUSINESS 69** (2007).

Loss Causation in Fraud on the Market Cases Post-Dura Pharmaceuticals, **3 BERKELEY BUSINESS LAW JOURNAL 337** (2006).

Law as Haiku, **22 JOURNAL OF LEGAL STUDIES EDUCATION 123** (Winter/Spring 2005).

Analyst and Broker-Dealer Liability Under 10(b) for Biased Stock Recommendations, **1 NYU JOURNAL OF LAW AND BUSINESS 1** (2004).

Formal and Operative Rules in Overliquidation Per Se Cases, **41 AMERICAN BUSINESS LAW JOURNAL 503** (2004).

Consumer Bankruptcy Reform and 11 U.S.C. §707(b): A Case-Based Analysis, with A. Foti. **12 BOSTON UNIVERSITY PUBLIC INTEREST LAW JOURNAL 317** (2003).

Redefining Realtor Relationships and Responsibilities: The Failure of State Regulatory Responses, **40 HARVARD JOURNAL ON LEGISLATION 65** (2003).

Real Estate Agent as "Superbroker": Defining and Bridging the Gap Between Residential Realtors' Abilities and Liabilities in the New Millennium, with R. Sacasas. **30 REAL ESTATE LAW JOURNAL 173** (Winter 2001/2002).

The Search for Middle Ground: Towards a Harmonized Interpretation of the Private Securities Litigation Reform Act's New Pleading Standards, **6 STANFORD JOURNAL OF LAW, BUSINESS & FINANCE 153** (2001).

Safe Harbor for Forward-Looking Statements Under the Private Securities Litigation Reform Act: What's Safe & What's Not? **105 DICKINSON (PENN STATE) LAW REVIEW 1** (2000).

Other Works, Publications, and Abstracts**BOOK CHAPTERS**

North America, in GLOBAL CHALLENGE OF INTERNATIONAL SALES LAW, ed. Larry A. DiMatteo (Cambridge University Press, 2013), with Robert Emerson.

False Forward-Looking Statements and the PSLRA's Safe Harbor (reprint), in SECURITIES LAW REVIEW, ed. Donald C. Langevoort (2012).

EDITORIALLY REVIEWED ARTICLES

Securities Analysts and "Tainted" Research: What Rules and Professional Standards Apply? with T. R. Robinson. **1 Business Law Brief 32** (Spring 2004).

Independence and Public Perception: Why We Need to Care, with E.D. Almer. Vol. 191, No. 4, **Journal of Accountancy**, pp. 69-70 (April 2001). Received "High Praise" from National Board of Editorial Advisors.

"Safe Harbor" under the Private Securities Litigation Reform Act of 1995, with P. Munter and R. Sacasas. Vol. LXX, No. 8, **The CPA Journal**, pp. 66-68 (August 2000).

Pepsi's Harrier Jet Ad was not a Binding Offer to Contract, Vol. 28, No. 2, **J. of the Academy of Marketing Science**, pp. 318-320 (Spring 2000).

Corporate Officer Liability: FTC Expands its Remedial Reach over Deceptive Marketing Practices, Vol. 26, No. 2, **J. of the Academy of Marketing Science**, pp. 163-164 (Spring 1998).

The Modern Consignment Shop: A New "Wrinkle" for the Law?, with R. Sacasas. Vol. 42, No. 3, **Business & Economic Review**, pp. 10-13 (April-June 1996).

TEXTBOOK FEATURES & SUPPLEMENTS

Richard Mann & Barry Roberts, ESSENTIALS OF BUSINESS LAW AND THE LEGAL ENVIRONMENT (10th ed. Thomson/West 2010). Authored *Applying the Law* feature, published in 13 of text's 51 chapters; authored *Business Law in Action* feature, published in 27 of text's 51 chapters. ISBN 0-324-59356-2.

Richard Mann & Barry Roberts, BUSINESS LAW & THE REGULATION OF BUSINESS (9th ed. South-Western 2008). Authored *Business Law in Action* feature, present in 27 of text's 51 chapters. ISBN 0-324-53713-1.

Cengage Learning/Southwestern Publishing. Authored and featured in *Legal Studies Video Library: Ask the Instructor* (2003). Two to five minute video clips, totaling 64 minutes. ISBN 0-324-17696-1.

INVITED SERIES IN CREDIT TODAY

Administrative Priorities in Bankruptcy (September 2014).

Express and Implied Warranties (June 2014).

- and 77 others dating back to September 2006, including: *Wrong Signature, Costly Problem* (August 2008), reprinted in **TFM: The Financial Manager** (Nov/Dec. 2014), and *Automatic Lease Extensions Not So Automatic* (April 2008), reprinted in **Leasing News** (April 2008).

INVITED SERIES IN CREDIT & COLLECTION MANAGER'S LETTER

Buyers of Collateral, Issue 4006, pp. 2, 4 (CCH, Inc., June, 2006).

Late Payments as Breach of an Installment Contract, Issue 4005, pp. 2, 4 (CCH, Inc., May, 2006).

Documentary Letters of Credit, Issue 4004, pp. 2, 4-5 (CCH, Inc., April, 2006).

- and 72 others dating back to March 2001.

INVITED SERIES IN PURCHASING MANAGEMENT BULLETIN

Mitigation of Damages Under the UCC. Issue No. 2762, pp. 4, 10 (Aspen Publishers, June, 2002).

Modification of Written Sales Contracts. Issue No. 2761, pp. 6, 10 (Bureau of Business Practice, May, 2002).

Contract Interpretation: Course of Dealing and Trade Usage. Issue No. 2760, pp. 4, 11 (BBP, April, 2002).

- and a dozen others dating back to April 2001.

PROFESSIONAL**Funding**

Co-PI, Teagle Foundation <i>Liberal Arts in the Professions</i> grant (\$170,000)	2016 - 2018
Provost's Research Award (\$10,500)	2010 - 2011
SBA Summer Research Award for Tenured Faculty (\$9000)	2010
SBA Summer Research Award for Tenured Faculty (\$9000)	2009
SBA Summer Research Award for Tenured Faculty (1/9)	2008
James W. MacLamore Summer Award in Business & Social Sciences (2/9)	2005
James W. MacLamore Summer Award in Business & Social Sciences (2/9)	2004

Editorial Responsibilities & Editorial Boards

Staff Editor, <i>Journal of Legal Studies Education</i>	2011 - present
Advisory Editor-in-Chief, American Business Law Journal	2011 - 2012
Editor-in-Chief, <i>American Business Law Journal</i>	2010 - 2011
Executive Editorial Board, <i>American Business Law Journal</i>	2006 - 2010
Editor: "Marketing & the Law" column, <i>Journal of the Academy of Marketing Science</i>	1999 - 2009
Staff Editor, <i>American Business Law Journal</i>	2004 - 2006
<i>Ad hoc</i> Manuscript Referee, <i>American Business Law Journal</i>	2003 - 2004

Professional and Honorary Organizations

American Bar Association, Business Law Section	1987-95, 2009 - present
University of Miami Graduate School Faculty	2004 - present
Academy of Legal Studies in Business	1997 - present
Faculty Brother, <i>Alpha Kappa Psi</i> Business Fraternity	2001 - present
State Bar of Arizona (inactive beginning in 1996)	1987 - present
Notre Dame Law School Alumni Association	1987 - present

Honors and Awards

Provost's LeadershipU Academy, planning committee and inaugural class	2014 - 2015
Provost's Research Award, <i>fka</i> MacLamore Summer Award, recipient	2010 - 2011
James W. MacLamore Summer Research Award, recipient	summers 2004, 2005
Academy of Legal Studies in Business 2004 Distinguished Junior Faculty Award	2004

Other Professional Activities**Papers Presented**

"Behavioral Motivations and the Difference Between the EU's Right to Withdraw and the U.S. Law Approach," IU Kelley Speaker Series, Bloomington, IN	03/31/17
"The Right of Withdrawal in Consumer Contracts: Comparative Analysis of U.S. and European Law" 2016 Southeastern Academy of Legal Studies in Business, Durham, NC	11/12/16
"Impact of the PSLRA on Pleading Securities Fraud Claims: Recklessness" Fifth Annual Institute for Investor Protection Conference: 20th Anniv. of the PSLRA - Taking Stock, Chicago, IL	10/16/15
"Criminal and Civil Liability for Securities Fraud: the Over- and Under-inclusive Scope of Recklessness." First Annual Conference of the Center for Business Ethics, Regulation, and Crime (CBERC), College Park, MD	09/12/14
"The Miami Model: Unique Pedagogy for the Traditional Business Law Course" 59th Annual Meeting of the Southeast Academy of Legal Studies in Business, Miami Beach FL	11/09/12
"Behavioral Science and Scierter in Class Action Securities Fraud Litigation" Second Annual Institute for Investor Protection Conference on Behavioral Economics Investor Protection, Chicago, IL	10/05/12
"An Essay on the Influence of Business Scholarship on Law" 87th Annual Meeting of the Academy of Legal Studies in Business, Kansas City, MO	08/09/12

PROFESSIONAL (continued)**Other Professional Activities: Papers Presented (cont.)**

“U.S. Sales Law as Global Law: Recent CISG Precedents” IACCM Academic Forum For Innovative Research and Practice, Phoenix, Arizona	10/27/11
“U.S. Sales Law as Global Law: Recent CISG Precedents” 86th Annual Meeting of the Academy of Legal Studies in Business, New Orleans, LA	08/11/11
“Corporate Culture & the Law” 2011 Law & Society Conference, San Francisco, CA	06/04/11
“Marketing of Principal Protected Securities: A No-Win Proposition for Investors.” 54th Annual Southeast Academy of Legal Studies in Business, Miami Beach, FL	11/03/09
“CEO as Celebrity: Disclosure at the Intersection of Privacy and Securities Laws.” 84th Annual Meeting of the Academy of Legal Studies in Business, Denver CO	08/08/09
“Defining Recklessness Under 10b-5.” Thirteenth Annual Huber Hurst Research Seminar, Boston, MA	02/13/09
“Deconstructing 10b-5’s Recklessness Standard.” 83rd Annual Meeting of the Academy of Legal Studies in Business, Long Beach, CA	08/15/08
“License to Lie? A Critical Look at the PSLRA’s Safe Harbor for Forward-Looking Statements.” 82nd Annual Meeting of the Academy of Legal Studies in Business, Indianapolis, IN	08/13/07
“A Decade of Scierter Pleading: The Role of Motive & Opportunity.” 81st Annual Meeting of the Academy of Legal Studies in Business, St. Petersburg, FL	08/10/06
“Loss Causation in 10(b) Cases Post- <i>Dura Pharmaceuticals</i> .” 80th Annual Meeting of the Academy of Legal Studies in Business, San Francisco, CA	08/05/05
“Analyst & Broker-Dealer Liability Under 10(b) for Biased Stock Recommendations.” 79th Annual Meeting of the Academy of Legal Studies in Business, Ottawa, Canada	08/19/04
“Overliquidation <i>per se</i> : Identifying the Operative Rules.” 49th Annual Meeting of the Southeastern Academy of Legal Studies in Business; Orlando, FL	10/10/03
“Consumer Bankruptcy Reform and 11 U.S.C. § 707(b): A Case-Based Analysis.” 48th Annual Meeting of the Southeastern Academy of Legal Studies in Business, Charleston, SC	10/26/02
“Redefining Realtor Roles: A New Regulatory Paradigm.” 77th Annual Meeting of the Academy of Legal Studies in Business; Las Vegas, NV	07/30/02
“Real Estate Agent as ‘Superbroker.’” 47th Annual Meeting of the Southeastern Academy of Legal Studies in Business; Atlanta, GA	10/19/01

Invited Discussant

<i>Efficient Piracy</i> , Gregory Day, Oklahoma State University	08/09/16
<i>Race & Gender Discrimination</i> , Leora Eisenstadt, Temple University	08/03/14
<i>The Continuum of Financial Regulation</i> , Elizabeth Brown, Georgia State	10/18/13
<i>The NOL Poison Pill & Corporate Self-Determination</i> , Karie Davis-Nozemack, Ga. Tech	08/08/12
<i>A Paradigm of Global Financial Regulation</i> , David Zaring, Wharton School	08/11/11
<i>Moral Responsibility and Corporate Crime</i> , Amy Sepinwall, Wharton School	08/10/10

Conference Panel Member

“Meet the Editors: How to Publish in the <i>ABLJ</i> ” 86th Annual Meeting of the Academy of Legal Studies in Business, New Orleans, LA	08/11/11
“Publishing and Co-Authoring Articles in Marketing Journals.” 77th Annual Meeting of the Academy of Legal Studies in Business; Las Vegas, NV	07/30/02

TEACHING**Teaching Awards**

University-wide Teaching Excellence Award

2003

Teaching Specializations (courses taught)

BSL 212 Introduction to Business Law (UG)
 BSL 301 Commercial Paper and Creditors' Rights (UG)
 BSL 305 Legal and Social Implications of Business Regulation (UG)
 BSL 333 Legal Aspects of Real Estate Transactions (UG)
 BSL 412 International Business Law (UG)
 BSL 575 Advanced Business Law (UG)
 BSL 612 Legal Implications of International Business Transactions (rMBA & EMBA)
 BSL 616 Business Organizations and Securities Regulation (rMBA)
 BSL 692 Legal Implications of International Business Transactions (rMBA & WP)
 BSL 695 Legal and Ethical Implications in Executive Decision Making (EMBA)
 BSL 696 Legal and Ethical Implications of Business Decision Making (rMBA)
 BUS 602 Critical Thinking and Effective Writing (rMBA)

Teaching Specializations (new courses developed)

BUS 255 Business, Law & Society: Inquiry + Discourse (Honors freshman seminar)
 BUS 602 Critical Thinking and Effective Writing (with D. Donelson) (rMBA)
 BUS 603 Critical Thinking and Effective Speaking (with D. Donelson) (rMBA)
 BSL 690 Legal/Ethical Implications of Business Decision Making (with A. Cava) (rMBA, WP)
 BSL 691 The Public Corporation: Legal Perspectives (rMBA)

Thesis and Dissertation Advising

Senior Thesis committee member:

Spencer Duke, BBA, *summa cum laude*, 2004, Legal Studies & Finance

Senior Thesis supervisor:

Andrew J. Foti, BBA, *summa cum laude*, 2002, Legal Studies & Finance**Undergraduate Honors Summer Interns**Brandon Eckford, *CISG Precedents in U.S. Courts 2004-2011*

Summer 2011

Katherine Schueller, *Suits Preempted by the Airline Deregulation Act of 1978*

Summer 2010

SERVICE**University Committees and Administrative Responsibilities**

SACS Quality Enhancement Plan 2018-2028, executive planning board 2017 – present
 University Academic Personnel Board 2017 – present
 University-wide Leadership Team for implementation of EAB Guide and
 EAB Campus technology platforms 2016 – present
 Provost's Decennial Steering Committee (SACS) 2016 – present
 Undergraduate Academic Deans' Collaborative 2015 – present
 University *ad hoc* Internship Task Force 2015 – present
 Search Committee, Vice President for Enrollment Management 2014
 University Curriculum Committee 2010 – 2016
 UM Ethics Advisory Board 2006 – present
 University Research Council 2006 – 2009
 Faculty Senate Committee on Professional Conduct 2009 – 2012
 Faculty Senate Student Affairs Committee (Chairperson, 2004-06) 2003 – 2007
 Faculty Senate *ad hoc* Committee to Revise Campus Demonstration Policy 2005
 Graduate School Council, Grievance Committee member and SBA rep (alternate) 2008 – 2010

SERVICE (continued)**School Committees and Administrative Responsibilities**

School of Business Administration, Academic Integrity Task Force	2015 – 2016
School of Business Administration, Grade Band Task Force	2015 - 2016
School of Business Administration, Accreditation Executive Committee	2014 - present
School of Business Administration, Undergraduate Business Education Committee	2014 - present
School of Business Administration, Undergraduate Program Review Chair	2012 – 2014
School of Business Administration, AACSB Reaccreditation Task Force	2009 – 2013
School of Business Administration, MBA Curriculum Task Force	2007 – 2008
School Council representative, School of Business Administration	2006 – 2011
Business Law Department Curriculum Committee	2010 – present
Business Law Department Core Course Coordinator, BSL 212	1999 – 2006

Service to Professional Associations

Academy of Legal Studies in Business	
President, Southeast Region	2005
President Elect and Conference Chair, Southeast Region	2004
Vice President, Southeast Region	2003
Secretary/Treasurer, Southeast Region	2002
State Bar of Arizona	
Arizona State Bar Civil Practice and Procedure Committee	1994–1995
Arizona Supreme Court Committee on Examinations	1993–1995

OTHER SERVICE**Promotion & Tenure Reviews**

External Reviewer, Julie Magid, Indiana University, Indianapolis (full)	2016
External Reviewer, Anjanette Raymond, Indiana University Bloomington (tenure)	2016
External Reviewer, Joel Rubin, Indiana University, Bloomington (tenure/clinical)	2015
External Reviewer, Stephanie Greene, Boston College (full)	2014
External Reviewer, Joshua Perry, Indiana University Bloomington (tenure)	2014
External Reviewer, Gideon Mark, University of Maryland (tenure)	2013
External Reviewer, Gloria Lidell, Mississippi State University (tenure)	2012
External Reviewer, Nancy King, Oregon State University (full)	2012
External Reviewer, Timothy A. Lemper, Indiana University (full, clinical)	2012
Co-author Reviewer, Linda Christiansen, Indiana University Southeast (full)	2011
External Reviewer, Konrad S. Lee, Utah State University (tenure)	2008
External Reviewer, Megan Mowrey, Clemson University (tenure)	2007

Community Speaking Engagements

<i>Panelist/Judge:</i> Law Without Walls 2011 “Con-posium”	04/09/11
<i>Panelist:</i> “SOX: Some Compliance Statistics” at UM Law School Federalist Society panel on <i>The Impact of Sarbanes Oxley Five Years On</i>	02/26/08
<i>Speaker:</i> “Ethics in Engineering: Critical Thinking and Ethical Decision Making” UM College of Engineering, senior class Ethics module	10/06/06
<i>Speaker:</i> “Trends in Realtor Regulation: Disclosure as Salve for Pro-Business Laws?” Mortgage Bankers’ Association of Greater Miami, Miami, FL	04/20/04
<i>Speaker:</i> “Ethics: Understanding Your Personal Moral Compass.” UM Institute for Retired Professionals Distinguished Faculty Luncheon Lecture Series	04/03/02
<i>Speaker:</i> Multi-Disciplinary Practice. UM School of Law, Corporate Law Society	02/17/00
<i>Panelist:</i> Business Law & Ethics Workshop. UM School of Law, Center for Ethics & Public Service	02/16/00

OTHER SERVICE (cont'd)**External Media Mentions**

“Should CEOs’ Personal Lives be Revealed?” COMPLIANCE WEEK	06/00/13
“Voices” [Interview] by Kevin Dugan, BLOOMBERG	09/00/12
“The Posh Bailout,” by C.J. Hughes, OCEAN DRIVE	05/06 2012
“Court Weighs Whether a Corporation can Commit Securities Fraud,” by Cristin Schmitz, INSIDE COUNSEL	04/00/08
“Accounting programs Change with the newest rules,” by Jim Freer, SOUTH FLORIDA BUSINESS JOURNAL	12/13/04
“A Bit of JFK Jr. Lore,” by David Altaner, FT. LAUDERDALE SUN SENTINEL at p. 27A	09/02/00

Honors & Awards

May A. Brunson Award (outstanding contribution to status of women at UM)	2017
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Select Community and Philanthropic Activities

Judge, Third Annual Business Plan Competition, Gulliver Prep	2017
Coral Gables Toros, Boys 2002 Green Team, Treasurer	2016 – 2017
Notre Dame Law Alumni Association, Order of St. Thomas More	2015 – present
Alexander Montessori Parents’ Association, Red Door Room Mother	2010 – 2011
United Way of South Florida, Children’s Impact Council	2003 – 2007
National MS Society, Coral Gables Charity Walk Executive Committee	2002 – 2004
Miami-Dade County Election Poll Worker	2002 – 2003
Grant Review Committee, United Way of South Florida	2000 – 2001
UM School of Business Habitat for Humanity project in Little Haiti	1999