

# RONALD J. COLOMBO

*Associate Dean for Distance Education and Professor of Law*

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## ACADEMIC POSITIONS

**Maurice A. Deane School of Law**, Hofstra University, Hempstead, N.Y.

*2006-present*

- Appointments:
  - Professor of Law (2012-present)
  - Associate Dean for Distance Education (2015-present)
  - Associate Dean for Academic Affairs (2013-2015)
    - Oversaw ABA re-accreditation site visit (2015)
    - Helped plan and launch online MA and LLM degree programs in Health Law and Policy (2014-15)
  - Associate Professor of Law (2006-2012)
- Classes taught:
  - Business Organizations
  - Contracts I
  - Contracts II
  - Controversies in Corporate Law
  - Introduction to Administrative Law
  - Introduction to the American Legal System
  - Securities Regulation
- Service Highlights:
  - Chair, Tenure Committee (2017-present)
  - Dean Search Committee (2017)
  - Chair, Bar Passage Committee (2014-2016)
  - Strategic Planning Committee (2012-2016)
  - Self-Study Committee (2013-14)
  - Appointments Committee (2010-11, 2017)
  - Chair, Student Services & Professionalism Committee (Fall 2008)

- Faculty Advisor / University Service:
  - Corporate Compliance Concentration, founder and advisor (2014-present)
  - Business Law Honors Concentration, founder and advisor (2011-present)
  - Business Law Society, faculty advisor (2010-2013)
  - *Journal of International Law and Business*, faculty advisor (2006-2013)
- Awards and Honors
  - Solomon Rosen Award for Teaching and Excellence (2018-19)
  - “Teacher of the Year” (2018-19)
  - *Hofstra Law Review* “Teacher of the Year” (2017-18)
  - Winner of Lawrence A. Stessin Prize for Outstanding Scholarly Publication (2008)

**Rutgers School of Law, Newark, N.J.**

*Fall 2022*

*Lecturer*

- Classes taught:
  - Business Organizations

**St. John’s School of Law, Jamaica, N.Y.**

*2017-2018*

*Visiting Associate Professor of Law*

- Classes taught:
  - Contracts I
  - Contracts II

**Brooklyn Law School, Brooklyn, N.Y.**

*Spring 2009*

*Visiting Associate Professor of Law*

- Classes taught:
  - Securities Regulation
  - Controversies in Corporate Law

## EDUCATION

**New York University School of Law, J.D., *magna cum laude*, May 1998**

- Order of the Coif
- *New York University Law Review* – Note and Development Editor (1997-1998)

**Cornell University, B.S., Policy Analysis, May 1994**

- Dean’s List
- Cornell Tradition Fellow

## CLERKSHIP

**Hon. Jerry E. Smith, U.S. Court of Appeals for the Fifth Circuit, Houston, TX**

*1998-1999*

*Judicial Clerk*

## OTHER LEGAL EXPERIENCE

**Morgan Stanley & Co. Incorporated**, New York, N.Y. 2004-2006

*Vice President & Counsel, Complex Global Litigation*

- Supervised investigations, litigations, and regulatory inquiries affecting Morgan Stanley's investment banking franchise.
- Rendered legal and strategic advice on wide-range of issues implicating securities, corporate, antitrust, contract, property, and bankruptcy law.
- Represented Morgan Stanley in interactions with the staffs / representatives of the Securities and Exchange Commission, Federal Bureau of Investigation, U.S. Department of Justice, N.J. Attorney General's Office, and self-regulatory organizations.

**Sullivan & Cromwell LLP**, New York, N.Y. 1999-2004

*Litigation Associate*

- Advised and represented clients on securities, corporate, contract, general commercial, employment, and antitrust matters.
- Represented corporate and banking clients in civil and criminal investigations conducted by the S.E.C., the U.S. Attorney's Office, and the Federal Reserve Bank.
- Assisted in all post-trial aspects of *United States v. Microsoft*, including appeal to the D.C. Circuit, petition for certiorari, Expediting Act litigation, and remedies hearing on remand.

**Kirkland & Ellis**, Washington, D.C. Summer 1998

*Summer Associate*

**Legal Aid Society**, New York, N.Y. 1997-1998

*Legal Intern, Federal Defender Division, Eastern District of New York*

**American International Group (AIG)**, New York, N.Y. 1996-1997

*Law Clerk*

## BOOKS

*Religious Freedom and the Business Corporation, Rights and Responsibilities of the American Business Corporation*, in FREEDOM OF RELIGION AND RELIGIOUS PLURALISM (Dr Md Jahid Hossain Bhuiyan, ed., BRILL) (forthcoming 2023)

LAW OF CORPORATE OFFICERS AND DIRECTORS (Thomson Reuters 2017) (republished annually)

THE FIRST AMENDMENT AND THE BUSINESS CORPORATION (Oxford University Press 2015)

*Rights and Responsibilities of the American Business Corporation*, in BUSINESS AND HUMAN RIGHTS (Manoj Kumar Sinha, ed., SAGE 2013) (book chapter)

## OTHER PUBLICATIONS

*When Exemptions Discriminate: Unlawfully Narrow Religious Exemptions to Vaccination Mandates by Private Colleges and Universities*, 44 W. NEW ENG. L. REV. 293 (2022)

*A Legal Analysis of Religious Arbitration*, CANOPY FORUM ON THE INTERACTIONS OF LAW & RELIGION (2022)

*Corporate Entanglement with Religion and the Suppression of Expression*, 45 SEATTLE U. L. REV. 187 (2021)

*The Past, Present, And Future of Christian ADR*, 22 CARDOZO J. OF CONFLICT RES. 45 (2020)

*Teaching a Synchronous Online Business Organizations Course to J.D. Students: A Case Study*, 48 HOFSTRA LAW REV 873 (2020)

*Taking Stock of the Benefit Corporation*, 7 TEX. A&M L. REV 73 (2019)

*An Antitrust Approach to Corporate Free Exercise*, 92 ST. JOHN'S L. REV. 29 (2018)

*Religious Liberty and the Business Corporation*, 17 J. INT'L BUS. & L. 25 (2017)

*The Religious Liberty Jurisprudence of Justice Antonin Scalia*, 46 HOFSTRA L. REV. 433 (2017)

*Religious Conceptions of Corporate Purpose*, 74 WASH. & LEE. L. REV. 813 (2017)

*Bitcoin: Hype or Harbinger?* 16 J. INT'L BUS. & L. 1 (2016)

*Tipping the Scales Against Insider Trading: Adopting a Presumption of Personal Benefit to Clarify Dirks*, 45 HOFSTRA L. REV. 117 (2016)

*The Naked Private Square*, 51 HOUS. L. REV. 1 (2013)

*Suitability Rules as Merit Disclosure*, 1 WORLD ECON. REV. 54 (2013); *cross-published in* 12 J. INT'L BUS. & L. 1 (2013)

*The Corporation as a Tocquevillian Association*, 85 TEMP. L. REV. 1 (2012)

*Toward a Nexus of Virtue*, 69 WASH. & LEE L. REV. 3 (2012)

*Trust, Financial Services Regulation, and the Dodd Frank Act*, 30 BANKING & FIN. SERVS. POL'Y REP. 1 (2011)

*Effectuating Disclosure under the Williams Act*, 60 CATH. U. L. REV. 311 (2011)

*Trust and the Reform of Securities Regulation*, 35 DEL. J. CORP. L. 829 (2010)

*The Role of Trust in Financial Regulation*, 55 VILL. L. REV. 577 (2010)

*Cooperation with Securities Fraud*, 61 ALA. L. REV. 61 (2009), *reprinted in* 2011 SEC. L. REV. § 5:2 (Donald C.

Langevoort ed., 2011).

*Exposing the Myth of Homo Economicus*, 32 HARV. J.L. & PUB. POL'Y 737 (2009) (book review of MORAL MARKETS (Paul J. Zak ed., Princeton University Press 2008))

*Ownership, Limited: Reconciling Traditional and Progressive Corporate Law Via An Aristotelian Understanding Of Ownership*, 34 J. CORP. L. 247 (2008)

*Buy, Sell, or Hold? Analyst Fraud from Economic and Natural Law Perspectives*, 73 BROOK. L. REV. 91 (2007) (2008 recipient of the Lawrence A. Stessin Prize for Outstanding Scholarly Publication)

Note, *Forgive Us Our Sins: The Inadequacies of the Clergy-Penitent Privilege*, 73 N.Y.U. L. REV. 225 (1998)

## **EVENTS ORGANIZED & CHAIRED**

Panel Organizer and Participant: *Adventures of Robinhood: The GameStop Escapade* (Maurice A. Deane School of Law, Hofstra University, February 22, 2021) (online)

Payments Processing Roundtable Co-Chair (Maurice A. Deane School of Law, Hofstra University, March 14, 2018)

Conference Co-Chair: "The Developing Legal and Regulatory Challenges of Bitcoin and Other Virtual Currencies" (Maurice A. Deane School of Law, Hofstra University, March 3, 2016)

Conference Co-Chair: "Investment Management Law," Journal of International Business & Law Symposium (Hofstra University School of Law, October 9, 2009)

Symposium Co-Chair: "FOREX Symposium: Regulation in Currency Exchange & Its Impact on International Business" (Journal of International Business and Law, Hofstra University School of Law, Frank G. Zarb School of Business, February 8, 2008)

## **SELECT CONFERENCES & PRESENTATIONS**

Presentation: "A Legal Analysis of Religious Arbitration," (The Promise and Perils of Religious Arbitration: New Research, Emerging Trends, and Practitioners' Perspectives, Center for the Study of Law and Religion, Emory University, March 3, 2022) (webinar)

Presentation: "When Exemptions Discriminate: Unlawfully Narrow Religious Exemptions to Vaccination Mandates by Private Colleges and Universities" (Legal Strategy Forum, The Heritage Foundation, Washington, D.C. Oct. 6, 2021) (online participant).

Presentation: "When Exemptions Discriminate: Unlawfully Narrow Religious Exemptions to Vaccination Mandates by Private Colleges and Universities" (Federalist Society Teleforum, Aug. 17, 2021) (online)

Presentation: “Corporate Entanglement with Religion” (Twelfth Annual Adolf A. Berle Symposium on Corporation, Law and Society, Seattle University School of Law, Seattle University, May 20, 2021) (online)

Guest Lecturer: Hobby Lobby, Conscience Clauses & Religious Liberty in Health Care (Health Care Policy & the Law, Fordham University School of Law, March 30, 2021) (online)

Panelist: Did Reddit Break the Stock Market? Is Someone Going to Jail? Separate Fact from Fiction in the GameStop Controversy (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, February 10, 2021) (online)

Presentation: “Teaching Business Law Online” (ABA Business Law Section Annual Meeting, Business Law Education Committee, September 25, 2020) (online)

Panelist: “Past, Present, and Future of Christian Dispute Resolution” (Christian, Islamic, and Jewish Dispute Resolution, New York County Lawyer’s Association, New York, NY February 4, 2020)

Panel Moderator: “Faith and the Firm” (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, October 24, 2019)

Responder, “Moral Ground of Property Rights & Property Law” (James Wilson Institute, Washington, DC, May 10, 2019)

Presentation “Two Cheers for *Citizens United*” (City University of New York School of Law, Queens, NY, April 1, 2019)

Panelist: “No soul to damn, no body to kick – a discussion of corporate First Amendment rights” (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, November 19, 2018)

Panelist: “Enforcement and Litigation Risks” (The Basics of Enforcement Actions and Civil Litigation Related to Swaps, Futures, and Options, New York City Bar Association, New York, NY April 17, 2018)

Panel Moderator: “Enforcement and Litigation Issues for Money Service Businesses” (Payments Processing Roundtable, Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, March 14, 2018)

Webinar Panelist: “The *Kokesh v. SEC Ruling*: Significant Implications for Financial Regulatory Investigations” (The Knowledge Group, November 13, 2017) (online)

Presentation: “Religious Liberty: First Freedom of Forgotten Freedom?” (Civil Rights Committee, Nassau County Bar Association, Garden City, NY, October 23, 2017)

Presentation: “The Religious Liberty Jurisprudence of Justice Antonin Scalia” (Nassau County Bar Association, Garden City, NY, May 24, 2017)

Presentation: “An Antitrust Approach to Religious Free Exercise,” Faculty Workshop (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, February 27, 2017)

Presentation & Panelist: “Religious Conceptions of Corporate Purpose,” Corporate Law, Governance, and Purpose: A Tribute to the Scholarship of Lyman Johnson and David Millon (Washington & Lee Law School, Lexington, VA, October 22, 2016)

Presentation: “Limited Liability Companies: Recent Developments in the Law” (Nassau County Bar Association, Garden City, NY, June 22, 2016)

Presentation: “Insider Trading” (Nassau County Bar Association, Garden City, NY, June 15, 2016)

Panel Moderator: “Enforcement and Litigation Issues: The Developing Legal and Regulatory Challenges of Bitcoin and Other Virtual Currencies” (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, March 3, 2016)

Moderator: “Understanding Shariah Law: Myths and Misconceptions” (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, February 22, 2016)

Discussant and Moderator: “Launching an Online Degree Program” (Pearson Partner Summit, Amelia Island, FL, February 9, 2016)

Presentation: “Religious Liberty in the United States,” (Sedes Sapientiae School, Chatham Twp., NJ, January 8, 2016)

Panelist: “Antidiscrimination Law and Free Exercise Accommodations for Businesses,” (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, April 1, 2015)

Presentation: “The First Amendment and the Business Corporation,” Faculty Workshop (University of Iowa School of Law, Iowa City, IA, March 26, 2015)

Discussion: “The First Amendment and the Business Corporation,” Business Ethics Book Club (online, March 6, 2015)

Presentation: “The First Amendment and the Business Corporation,” Faculty Workshop (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, February 4, 2015)

Panelist: “*Hobby Lobby*: Do Corporations Have Freedom of Religion?” (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, March 24, 2014)

Presentation: “Crime on the (Wall) Street” (Nassau County Bar Association, Garden City, NY, November 13, 2013)

Presentation: “Religious Liberty and the Business Corporation,” The Henry Kaufman Forum on Religious Traditions and Business Behavior (Robert M. Smith School of Business, U. Maryland, College Park, MD, Oct. 31 – Nov. 1, 2013)

Presentation: “The Naked Private Square,” Annual Law & Religion Roundtable (ALRR) (Stanford Law School, Stanford, CA, June 27 - 28, 2013)

Paper: “Merit Regulation via the Suitability Rules,” World Economics Association (WEA), Conferences, 2012, Rethinking Financial Markets, n. 3: From November 1 to November 30, 2012 (online).

Presentation & Panelist: “Regulation or Deregulation?” Hofstra University Day of Dialogue (Hofstra University, Hempstead, NY, October 10, 2012)

Discussant: “Should Corporations Have Speech Rights?” (Maurice A. Deane School of Law, Hofstra University, Hempstead, NY, October 3, 2012)

Presentation: “Religious Freedom and the Business Corporation,” Kaufman Forum on Religious Traditions and Business Behavior, University of Maryland (Hyattsville, Maryland, September 19, 2012).

Presentation: “The Corporation as a Tocquevillian Association,” Faculty Workshop (Suffolk Law School, Boston, MA, February 23, 2012)

Presentation & Panelist: “*Morrison v. National Australia Bank Ltd.* Limits on Extraterritorial Application of U.S. Federal Securities Laws-Implications & Subsequent Developments” University of Minnesota Corporate Institute & Dorsey & Whitney LLP (New York, NY, Oct. 24, 2011)

Presentation & Panelist: “Why is Wall Street Occupied?” Hofstra University School of Law Teach-In (Hofstra University, Hempstead, NY, October 19, 2011)

Presentation & Panelist: “A Nexus of Virtue,” Corporate Governance and Business Ethics in a Post-Crisis World (Notre Dame Law School, South Bend, Indiana, April 1, 2011)

Presentation & Panelist: “Toward a Nexus of Virtue,” 14th Annual ASLCH Conference (University of Nevada Las Vegas School of Law, Las Vegas, Nevada, March 12, 2011)

Presentation & Panelist: “Current Developments in the Investigation, Prosecution and Defense of Insider Trading Cases” (Federal Bar Council, New York, NY February 10, 2011)

Presentation & Panelist: “Campaign Cash, Corporations and the Constitution,” Hofstra University Day of Dialogue VIII (Hofstra University, October 26, 2010)

Presentation: “Trust and Financial Services Institutions,” Law, Institutions and Human Behavior Conference (Gruter Institute For Law and Behavioral Research, Squaw Valley, California, May 25, 2010)

Panelist: “History and Spread of Institutions,” Law, Institutions and Human Behavior Conference (Gruter Institute For Law and Behavioral Research, Squaw Valley, California, May 24, 2010)

Presentation: “Effectuating Disclosure Under the Williams Act,” Junior Faculty Workshop (Hofstra University School of Law, April 27, 2010)

Presentation & Panelist: “Ethical Considerations Regarding Securities Fraud by Secondary Actors,” Primary Liability for Secondary Actors (Federal Bar Council, New York, NY April 7, 2010)



Presentation & Panelist: “*Citizens United v. FEC*: A Step Forward or Backward for Liberty and Democracy?,” (Hofstra University School of Law, February 22, 2010)

Presentation & Panelist: “Trust and Financial Regulation,” Morgan, Lewis & Bockius Symposium on Securities Regulation - Financial Regulatory Reform: Genesis, Progress, & Impact (Villanova University School of Law, October 10, 2009)

Presentation: “The Role of Trust in Financial Regulation,” Financial Services Symposium (Peter J. Tobin College of Business at St. John’s University, New York, NY September 4, 2009)

Presentation: “Cooperation with Securities Fraud,” Faculty Workshop (Pace Law School, April 20, 2009)

Presentation: “Cooperation with Securities Fraud,” Faculty Workshop (Villanova University School of Law, March 27, 2009)

Presentation: “Cooperation with Securities Fraud,” Faculty Workshop (Notre Dame University School of Law, March 6, 2009)

Presentation & Panelist: “The Madoff Fraud: How Did He Do It And Who Else Is At Fault?” Holtz Rubenstein Reminick LLP “Madoff Matters” Town Hall (Essex House, New York, NY, January 21, 2009)

Presentation & Panelist: “A Cause of Depression: The Candidates’ Views on the Subprime Mortgage Crisis,” Educate 08: Panel on Economic Policy (Hofstra University School of Law, October 15, 2008)

Presentation: “The Auction Rate Securities Fiasco,” The Nassau Academy of Law’s Annual Securities Arbitration Update 2008 (Nassau County Bar Association, September 18, 2008).

Presentation: “Business Ethics as Applied Natural Law,” Murray Hill Institute (New York, NY, May 14, 2008)

Panel Moderator: “Present Federal Law and States’ Initiatives on Human Embryonic Stem Cell Research,” Embryonic Stem Cells, Clones and Genes: Science, Law, Politics and Values (Hofstra University School of Law & Hofstra Cultural Center, March 6, 2008).

Presentation: “Regulation of Virtual FOREX,” FOREX Symposium: Regulation in Currency Exchange & Its Impact on International Business (Journal of International Business and Law, Hofstra University School of Law, Frank G. Zarb School of Business, February 8, 2008)

Presentation: “Ownership, Limited,” Faculty Workshop (St. John’s University School of Law, January 28, 2008)

Presentation: “Natural Law Perspectives on Corporate and Securities Law,” 15th Annual Meeting of SCSS (St. John’s University School of Law, October 26, 2007)

Presentation: “Ownership, Limited,” Faculty Workshop (Hofstra University School of Law, June 26, 2007)

## SELECT MEDIA

Quoted in Al Barbarino, *After EY Cheating Scandal, Will The 'Big Four' Finally Get It?*, LAW360, July 1, 2022

Quoted in Eva Schram, *Schaalgrootte is Facebooks belangrijkste probleem in mededingingszaak*, FINANCIEELE DAGBLAD, March 11, 2021

Quoted in Nariman Gizitdinov and Donal Griffin, *Retail Brokerage Tells IPO-Hungry Clients: Buy Our Stock First*, BLOOMBERG MARKETS, February 25, 2021

Interview, *How Hofstra Law's Experience in Distance Learning Allowed it to Quickly Pivot to Online JD Classes*, Hofstra Law News, April 21, 2020

*Little Sisters of the Poor and Religious Accommodations*, N.Y.L.J. April 14, 2020 (Commentary)

Quoted in Jennifer Williams-Alvarez, *MeToo Conviction Brings 'Psychological' Impact*, AGENDA, March 16, 2020

Quoted in Keith Goldberg, *Exxon Win Casts Doubt on Climate Fraud Suits*, LAW360, Dec. 11, 2019

Quoted in Keith Goldberg, *Landmark Exxon Climate Change Case Heads to Trial*, LAW360, Oct. 21, 2019

Quoted in Alison Noon, *Tweets Unlikely to Spell Musk's Removal as Tesla CEO*, LAW360, Feb. 26, 2019

Quoted in Rachel Graf, *Investors Say 'Us Too' In Wake of Sexual Misconduct Claims*, LAW360, Feb. 1, 2019

Interviewed by Brian Frye, *Ron Colombo on Corporate Free Exercise*, IPSE DIXIT PODCAST, Nov. 27, 2018

Quoted in Rachel Graf, *SEC's Post-Lucia Case Rehearings Largely For Show*, LAW360, Aug. 31, 2018

Quoted in Dunstan Prial, *The Biggest Securities Decisions Of 2018: Midyear Report*, LAW360, July 13, 2018

Quoted in Dunstan Prial, *Clayton Shifts SEC Focus to Retail Investors in First Year*, LAW360, May 7, 2018

*Will 'love win' at the Supreme Court in 2018?*, ACTON INSTITUTE COMMENTARY, May 1, 2018 (Op Ed)

Quoted in Donal Griffin, *An Opaque \$3.5 Billion Business Gives Wall Street a Hangover*, BLOOMBERG MARKETS, March 27, 2018

Quoted in Dunstan Prial, *Attys Divided Over Prospects of Facebook Shareholder Suits*, LAW360, March 27, 2018

Quoted in Stewart Bishop, *Hsbc Exec Conviction A Cautionary Tale To Forex Market*, LAW360, Oct. 24, 2017

Quoted in James Thome, *FINRA diversifies arbitrator pool, with a long road ahead*, FINANCIAL PLANNING, Sept. 21, 2017

Quoted in Carmen Germaine, *Investors Could Find Litigation Success With Equifax Breach*, LAW360, Sept. 12, 2017

Quoted in Carmen Germaine, *2<sup>nd</sup> Cir. Ends Newman Relationship Test, But For How Long?*, LAW360, Aug. 14, 2017

Quoted in Carmen Germaine, *Petrobras Ruling a Mixed Bag for Investors*, LAW360, July 11, 2017

Quoted in Carmen Germaine, *Divergence in Materiality Tests Narrower Than It May Seem*, LAW360, June 27, 2017

Quoted in Carmen Germaine, *Certainty For Defendants Will Burden Institutional Investors*, LAW360, June 27, 2017

Quoted in Carmen Germaine, *SEC Keeps Up Aggressive Wrap Fee Enforcement, For Now*, LAW360, May 10, 2017

Quote in *Obama Administration's Parting Shot at Qualcomm May Miss Its Mark*, PacerMonitor, April 20, 2017 (available at [www.medium.com](http://www.medium.com))

Quoted in Carmen Germaine, *Silence May Not Be Golden For Cos. After High Court Review*, LAW360, March 27, 2017

Quoted in Carmen Germaine, *Gorsuch Could Tip Scales Against SEC's Admin Court*, LAW360, Feb. 2, 2017

Quoted in Carmen Germaine, *Cost-benefit Bill Frees Industry By Tying SEC Down*, LAW360, Jan. 17, 2017

Quoted in Jane Yi Zhang, *UBS cries foul over \$18.5M FINRA arbitration ruling*, OnWallStreet.com, Jan. 9, 2017

*Will 2<sup>nd</sup> Circ. Pare Back Rakoff's Class Definitions?* LAW360, October 24, 2016 (Guest Columnist)

Quoted in Carmen Germaine, *High Court To Clarify Murky Insider Trading Rules*, LAW360, Oct. 3, 2016

Quoted in Evan Weinberger, *Senate Grilling Just The Beginning For Wells Fargo*, LAW360, Sept. 21, 2016

Quoted in Carmen Germaine, *SEC Warns Auditors to Keep Things Strictly Professional*, LAW360, Sept. 19, 2016

Quoted in Carmen Germaine, *Securities Cases To Watch In The 2<sup>nd</sup> Half of 2016*, LAW360, July 12, 2016

Quoted in Carmen Germaine, *The Top Securities Decisions of 2016: Midyear Report*, LAW360, July 8, 2016

Quoted in Dakin Campbell and Donal Griffin, *The Alchemist Who Turned Toxic Assets Into Gold at Citigroup*, BLOOMBERG MARKETS, June 7, 2016

Quoted in Carmen Germaine, *DOL Fiduciary Rule Challengers Leave Nothing To Chance*, LAW360, June 3, 2016

Quoted in Jeff Zalesin, *Faulty Troubleshooting Hurt Citi in CFTC Benchmark Probe*, LAW360, May 25, 2016

Quoted in Carmen Germaine, *Supreme Court Shields Shareholder Access To State Court*, LAW360, May 16, 2016

Quoted in Donal Griffin and Jeffrey Voegeli, *Credit Suisse Confusion on Costly Trades Adds to CEO's Woes*, BLOOMBERGBUSINESS, March 24, 2016

*Liberals welcome this chicken chain: New York City is actually a perfect home for an outspoken corporate citizen like Chick-fil-A*, N.Y. DAILY NEWS, October 2, 2015 (Op Ed)

Quoted in Ed Beeson, *'Flash Boys' Suits Lose Luster After Exchange Case Tossed*, LAW360, August 27, 2015

Quoted in Ed Beeson, *Naked Shorts Suit Gives High Court Chance To Curb States*, LAW360, June 30, 2015

Quoted in Ed Beeson, *DOJ Shows Teeth With \$5.6B Forex Pact, But Not Sharp Ones*, LAW360, May 20, 2015

Quoted in Ken Schachter, *Pall Corp. would pay \$423 breakup fee if Danaher deal falls through*, NEWSDAY, May 15, 2015

Quoted in Andrew Welsch, *Rare Win: How One Advisor Beat Morgan Stanley in Arbitration*, ONWALLSTREET.COM, December 4, 2014

Quoted in Sulemin Din, *Finra Finds Fault With Ameriprise and Advisor for Altered Documents*, ON WALL STREET, October 15, 2014

Quoted in Daniel Fisher, *Is The SEC Punishing Herbalife Trader for Front-Running Bill Ackman?* FORBES, October 1, 2014

Quoted in Ed Beeson, *BofA's SEC Admission Likely to Disappoint Plaintiffs Attys*, LAW360, August 21, 2014

Quoted in Suzanne Kapner, *Outsized American Apparel CEO Charney Boosts Stake to 43%*, WALL STREET JOURNAL, July 1, 2014

Quoted in Liz Hoffman, *In Botox Alliance, Ackman and Valeant Navigated Maze of Rules*, WALL STREET JOURNAL, April 22, 2014

Quoted in Andrew Welsch, *Should Dozens of FINRA Arbitration Cases be Reopened?* ONWALLSTREET.COM, April 1, 2014

Quoted in John Shapiro, *Trump to Schneiderman: Give Up Victims Names*, THE JEWISH VOICE, March 19, 2014

Quoted in Glenn Blain, *Exclusive: Donald Trump demands AG Schneiderman produce names of victims on Trump University fraud case*, N.Y. DAILY NEWS, March 16, 2014

Quoted in Max Stendahl, *Magnetar Case Puts New Spin on SEC Revolving Door*, LAW360, January 8, 2014

Quoted in Brian Racow, *N. Merrick rejects secular holiday song*, MERRICK HERALD LIFE & NEWS, December 19-25, 2013

*The First Amendment, corporations and religious freedom*, CONSTITUTION DAILY, November 27, 2013 (Op Ed)

Quoted in Max Stendahl, *SEC Drops Nice-Guy Routine With \$10M Nasdaq Sanction*, LAW360, May 29, 2013

Quoted in Max Stendahl, *NY Judge May Have Gone Too Far in MBS Settlement Push*, LAW360, March 28, 2013

Quoted in Keith Goldberg, *Red-Faced Regulators Feel The Heat After JP Morgan Report*, LAW360, March 15,

2013

Quoted in Max Stendahl, *Unfazed By Critics, SEC Nominee Doubles Down On Debevoise*, LAW360, March 7, 2013

Quoted in Max Stendahl, *Record \$688M Merck Settlement May Not Be Contagious*, LAW360, February 14, 2013

Quoted in Matthew Schmitz, *The Naked Private Square*, FirstThings.com, Feb. 1, 2013

Quoted in Max Stendahl, *SEC's New Power Couple May Sidestep Major Conflicts*, LAW360, January 28, 2013

Quoted in Max Stendahl, *SEC BATS Error Not Enough To Spark SEC Trading Reform*, LAW360, January 11, 2013

Quoted in Evan Weinberger, *Next SEC Enforcement Chief Likely To Follow Similar Path*, LAW360, December 21, 2012

Quoted in Max Stendahl, *SEC Suit Over Netflix Facebook Post Faces Long Odds In Court*, LAW360, December 7, 2012

Quoted in Matthew Huisman, *Schapiro Is Credited With Reversing Course at a Beleaguered SEC*, NEW YORK LAW JOURNAL, November 29, 2012

Quoted in Max Stendahl, *Flood Of Tips Reveals Little About SEC Whistleblower Program*, LAW360, November 15, 2012

Quoted in Max Stendahl, *Obama Win Means Breathing Room For Harried SEC, CFTC*, LAW360, November 6, 2012

Quoted in Keith Goldberg, *\$1B BofA Mortgage Suit May Usher Broad Crackdown On Banks*, LAW360, October 24, 2012

Quoted in Max Stendahl, *SEC's Pricy Swaps Rule Sets Up Wall Street Showdown*, LAW360, October 17, 2012

Quoted in Max Stendahl, *Dodd-Frank Foes View SEC Strife As Courtroom Ammo*, LAW360, October 11, 2012

Quoted in Max Stendahl, *BofA CFTC Quiets Critics With Record-Breaking Enforcement Year*, LAW360, October 5, 2012

Quoted in Max Stendahl, *BofA Strikes Historic \$2.43B Settlement Over Merrill Buy*, LAW360, September 28, 2012

Quoted in Ian Thoms, *NYSE's \$5M Fine Shows Milliseconds Matter To SEC*, LAW360, September 14, 2012

Quoted in Ian Thoms, *Money Market Reform Fails Despite SEC Head's Best Efforts*, LAW360, August 23, 2012

Quoted in Ian Thoms, *Market Beats SEC To The Punch In Knight Capital Snafu*, LAW360, August 2, 2012

Quoted in Evan Weinberger, *\$5.8B Loss Reignites Doubts About JPMorgan's Management*, LAW360, July 13,

2012

Interview, *The Countrywide Congressional Bribery Scandal*, Associated Press Television, July 5, 2012

Quoted in Evan Weinberger, *Dimon Barclays' Ex-CEO Defends Bank in Libor-Rigging*, LAW360, July 3, 2012

Quoted in Ian Thoms, *SEC Settlements Reflect New Focus On Individuals*, LAW360, June 27, 2012

Quoted in Keith Goldberg, *Downgrades May Stir Up A Hornets' Nest For Banks*, LAW360, June 22, 2012

Quoted in Evan Weinberger, *Dimon Will Face Senate Firing Squad Over Reform Opposition*, LAW360, June 12, 2012

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## AMICUS BRIEFS / COURT SUBMISSIONS

*Apache Stronghold v. United States*, No. 21-15295 (9<sup>th</sup> Cir. 2023) (co-signer to Brief of Amici Curiae Religious Liberty Law Scholars Supporting Plaintiff-Appellant Apache Stronghold on Rehearing *En Banc*)

*Hereditary Chief Wilbur Slockish v. U.S. Dept. of Trans.*, No. 22-321 (U.S.. 2022) (co-signer to Brief of Religious Liberty Law Scholars as amici curiae in support of Petitioners)

*Church of Scientology International Religious Technology Center & Church of Scientology Celebrity Centre International v. Chrissie Carnell Bizler et al.*, No.22-60 (U.S. 2022) (co-author of Brief of Amicus Curiae Professors Michael J. Broyde and Ronald J. Colombo in Support of Petitioner)

*Goldman Sachs Group, Inc., et al v. Arkansas Teacher Retirement Sys., et al. v..*, No. 22-484-cv (2d Cir. 2022) (co-signer to Brief of Amici Curiae Former SEC Officials and Law Professors in Support of Defendants-Appellants)

*Chrissie Carnell Bixler, Cedric Bixler-Zavala, Jane Doe #1 & Jane Doe #2 v. Church of Scientology International, et al.* Second District Court of Appeal No. B310559 Los Angeles County Superior Court Case No. 9STCV29458 (co-author with Michael J. Broyde of Rule 8.500(g) amicus curiae letter dated March 28, 2022)

*Hereditary Chief Wilbur Slockish v. U.S. Fed. Hwy. Admin*, No. 21-35220 (9<sup>th</sup> Cir. 2022) (co-signer to Brief of Amici Curiae Religious Liberty Law Scholars Supporting Plaintiffs-Appellants' Petition for Panel Rehearing and Rehearing *En Banc*)

*Goldman Sachs Group, Inc., et al v. Arkansas Teacher Retirement Sys., et al. v..*, No. 21-3105-cv (2d Cir. 2021) (co-signer to Brief of Amicus Curiae Former SEC Officials and Law Professors)

*Hereditary Chief Wilbur Slockish v. U.S. Fed. Hwy. Admin*, No. 21-35220 (9<sup>th</sup> Cir. 2021) (co-signer to Brief of Amici Curiae Religious Liberty Law Scholars Supporting Plaintiffs-Appellants)

*Apache Stronghold v. United States*, No. 21-15295 (9<sup>th</sup> Cir. 2021) (co-signer to Brief of Amici Curiae Religious Liberty Law Scholars Supporting Plaintiff-Appellant's Emergency Motion for an Injunction Pending Appeal)

*Arkansas Teacher Retirement Sys., et al. v. Goldman Sachs Group, Inc., et al.*, No. 20-222 (U.S. 2020) (co-signer to Brief of Amicus Curiae Former SEC Officials and Law Professors)

*Arkansas Teacher Retirement Sys., et al. v. Goldman Sachs Group, Inc., et al.*, No. 18-3667 (2d Cir. 2020) (co-signer to Brief of Amicus Curiae Former SEC Officials and Law Professors)

*Little Sisters of the Poor v. Pennsylvania, et al.*, Nos. 19-431 and 19-454 (U.S. 2020) (co-signer to Brief of Constitutional Law Scholars as amici curiae in support of Petitioners)

*In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Prods. Liab. Litig.*, No. 20-80026, No. 20-15564 (9<sup>th</sup> Cir. 2020) (co-signer to Brief of Amici Curiae Law Professors and Former SEC Officials)

*Arkansas Teacher Retirement Sys., et al. v. Goldman Sachs Group, Inc., et al.*, No. 18-3667 (2d Cir. 2019) (co-signer to Brief of Amicus Curiae Former SEC Officials and Law Professors)

*In re Goldman Sachs Group, Inc. Sec. Litig.*, No. 18-2557 (2d Cir. 2018) (co-signer to Brief of Amicus Curiae Former SEC Officials and Law Professors)

*California v. Azar*, Nos. 18-15144; 18-15166; 18-15255 (9<sup>th</sup> Cir. 2018) (co-signer to Brief of Constitutional Law Scholars Supporting Defendants-Appellants)

*Leidos, Inc., v. Indiana Public Retirement System, Indiana State Teachers' Retirement Fund, And Indiana Public Employees' Retirement Fund*, No. 16-581 (U.S. 2017) (co-signer to Brief of Professors at Law Schools as Amicus Curiae in Support of Respondents)

*Universities Superannuation Scheme Ltd., et al. v. Petroleo Brasileiro S.A. et al.*, No. 16-1914-CV (2d Cir. 2016) (co-signer to Brief Of Amicus Curiae Law Professors and Former Commissioner of the United States Securities and Exchange Commission in Support of Defendants-Appellants)

*Little Sisters of the Poor v. Burwell*, No. 15-105 (U.S. 2015) (co-signer to Brief of Amici Curiae Constitutional Law Scholars in Support of Petitioners)

*Omnicare Inc., et al. v. Laborers Dist. Council Constr. Indus. Pension Fund, et al.*, No. 13-435 (U.S. 2014) (co-signer to Brief of Professors at Law and Business Schools as Amici Curiae in Support of Respondents)

*Chadbourne & Park LLP v. Samuel Troice*, Nos. 12-79, 12-86 and 12-88 (U.S. 2013) (co-signer to Brief Of Sixteen Law Professors As Amici Curiae In Support Of Respondents)

*Viking Global Equities L.P. v. Porsche*, Nos. 650435/2011 and 650678/2011 (N.Y. Sup. Ct. 2012) (co-signer to Amicus Brief of German and American Securities Law Professors in Support of Defendant Porsche)

*Elliott Assocs. v. Porsche*, No. 10-00532 (2d Cir. 2011) (co-counsel on Amicus Brief of German and American Securities Law Professors in Support of Defendant Porsche)

*Matrixx v. Siracusano*, No. 09-1156 (U.S. 2010) (co-signer to Amicus Brief of Professors At Law And Business Schools As Amicus Curiae In Support Of Respondents James Siracusano *et al.*)

*Morrison v. National Australia Bank Ltd.*, No. 08-1191 (U.S. 2010) (co-signer to Amicus Brief of Law Professors In Support of Respondents National Australia Bank Ltd.)

*Merck & Co., Inc. v. Richard Reynolds*, No. 08-905 (U.S. 2010) (co-signer to Amicus Brief of Brief Of Amici Curiae Faculty at Law And Business Schools in Support of Respondents Richard Reynolds.)

## ADMINISTRATIVE COMMENT

Lyman Johnson, and Stephen M. Bainbridge, Ronald J. Colombo, Brett McDonnell, David Millon, Alan J. Meese, and Nathan B. Oman, *Comments on the HHS' Flawed Post-Hobby Lobby Rules* (October 21, 2014), available at SSRN: <http://ssrn.com/abstract=2513620>.

## BLOGGING

Guest Blogger, “When Exemptions Discriminate “ (FEDSOC BLOG, October 11-15, 2021)

Guest blogger: “*Hobby Lobby II*,” Online Symposium (THE CONGLOMERATE, July 16, 2014 – July 18, 2014)

Guest blogger: “*Sebelius v. Hobby Lobby Stores*,” Online Symposium (THE CONGLOMERATE, March 24, 2014 – March 28, 2014)

Guest blogger, CLR [CENTER FOR LAW & RELIGION] FORUM, June 2012

Guest blogger, THE CONGLOMERATE, Oct. 24, 2011 – Nov. 4, 2011

Guest blogger: “Faith and Corporate Law,” Online Symposium (THE CONGLOMERATE, May 4, 2009 – May 18, 2009)

## PROFESSIONAL / EDUCATIONAL ACTIVITIES

**National Legal Innovation Tournament**, Final Round Judge (Oct. 7, 2022)

**Thomson Reuters Expert Witness Services**, Expert Consultant (2017 – present)

**Sedes Sapientiae School**, Board of Trustees (2015 – 2022)

**CognoLink / Third Bridge**, Expert Consultant (2011 – present)

*Review of Business*, Editorial Review Board (2009 – 2019)

**FINRA Arbitrator**, New York, NY (2009 – present)

*Certified Panel Chairperson* (2011 – present)

**Rio Vista Mahwah Homeowners Association**, Board of Trustees (2012-2017)

**American Bar Association**, Law School Accreditation Site Visit Team Member (Spring 2014)

**Themis Bar Review**, Agency, Partnership, and Corporate Law Instructor (2010-2014)

**Cornell Alumni Admissions Ambassador Network**, Applicant Interviewer (2008-2012)

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

*Academic Careers Program*. Provide mock job talk / mock interview feedback and assistance to aspiring law professors (Fall 2006 – Fall 2011)

*Lawyering Program*. Volunteer instructor to pairs of students in briefing and oral argument exercises. (Spring 2001, Spring 2003, Spring 2004)

**Association of the Bar of the City of New York, Committee on Professional and Judicial Ethics  
(2000-2003)**

**BAR ADMISSIONS**

New York.  
Washington, D.C. (inactive).  
U.S. District Court – Southern District of Texas (inactive)  
U.S. District Court – Southern District of New York (inactive)  
U.S. District Court – Eastern District of New York (inactive)  
U.S. Court of Appeals – Second Circuit  
U.S. Court of Appeals – Third Circuit (inactive)  
U.S. Court of Appeals – Fifth Circuit (inactive)  
U.S. Court of Appeals – D.C. Circuit (inactive)