

# NORA FREEMAN ENGSTROM

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## LEGAL EXPERIENCE

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### STANFORD LAW SCHOOL

*Ernest W. McFarland Professor of Law*, 2021–present

*Co-Director*, Deborah L. Rhode Center on the Legal Profession, 2021–present

*R. Ammi Cutter Reporter's Chair*, American Law Institute, 2022–present

*Professor of Law (with Tenure) and Deane F. Johnson Faculty Scholar*, 2014–2021

*Associate Dean for Curriculum*, 2016–2018

*Associate Professor*, 2012–2014

*Assistant Professor*, 2009–2012

- *Classes Taught*: Tort Law; Legal Ethics: The Plaintiffs' Lawyer; Beyond the Common Law: Tort Reform and Tort Alternatives; Responsibility for Risk: Perspectives on Liability Insurance; Discussions in Ethical and Professional Values
- Reporter, American Law Institute, Third Restatement of Torts: Miscellaneous Provisions
- Reporter, American Law Institute, Third Restatement of Torts: Medical Malpractice

### GEORGETOWN UNIVERSITY LAW CENTER

*Research Dean's Scholar*, 2007–2009

### WILMER CUTLER PICKERING HALE & DORR, LLP

*Litigation Associate*, 2005–2007

*Summer Associate*, 2001 & 2002

- Represented clients before various appellate and trial courts.

### HON. MERRICK B. GARLAND, U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT

*Law Clerk*, 2003–2004

### HON. HENRY H. KENNEDY, JR., U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

*Law Clerk*, 2002–2003

### U.S. DEPARTMENT OF JUSTICE, TERRORISM AND VIOLENT CRIME SECTION

*Outstanding Scholar*, 1997–1999

- Worked on domestic terrorism and national security issues.

## EDUCATION

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### STANFORD LAW SCHOOL

J.D. with distinction, 2002

- Order of the Coif
- *Stanford Law Review*, 2000–2002; Articles Editor, 2001–2002
- Co-President, Stanford Law School Student Body, 2000–2001

### DARTMOUTH COLLEGE

A.B. in Anthropology, *summa cum laude*, 1997

- Phi Beta Kappa
- Rufus Choate Scholar
- National Merit Scholar

## SELECT HONORS AND AWARDS

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PROSSER AWARD (2025): Highest award bestowed by the AALS Section on Torts and Compensation Systems to recognize one's lifetime contributions to the study and teaching of tort law.

LIFETIME ACHIEVEMENT AWARD FOR CONTRIBUTIONS TO ETHICS AND COMPLEX LITIGATION (2024): Presented by the Center for Litigation and Courts at U.C. College of the Law, San Francisco (formerly Hastings).

FRED C. ZACHARIAS MEMORIAL PRIZE FOR SCHOLARSHIP IN PROFESSIONAL RESPONSIBILITY (2025): Presented by the AALS Professional Responsibility Section for *Auto Clubs and the Lost Origins of the Access- to-Justice Crisis* (Honorable Mention).

R. AMMI CUTTER REPORTER'S CHAIR (2022): Presented by the American Law Institute for "proven effectiveness" as a Restatement Reporter.

BEST ARTICLE PRIZE (2019): Presented by the Berkeley Law Civil Justice Research Initiative for *The Lessons of Lone Pine*.

DEPARTMENT OF JUSTICE, ATTORNEY GENERAL'S AWARD (1998): Presented by the U.S. Attorney General for outstanding contributions to the Terrorism and Violent Crime Section.

## CASEBOOKS & RESTATEMENT VOLUMES

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LEGAL ETHICS: THE PLAINTIFFS' LAWYER (Foundation Press, forthcoming 2025)

LEGAL ETHICS (Foundation Press, 9th ed. 2024), *with* David Luban, Scott L. Cummings & Benjamin Barton

TORT LAW AND ALTERNATIVES: CASES AND MATERIALS (Foundation Press, 11th ed. 2021), *with* Marc A. Franklin, Robert L. Rabin, Michael D. Green, & Mark A. Geistfeld

LEGAL ETHICS (Foundation Press, 8th ed. 2020), *with* Deborah L. Rhode, David Luban, & Scott L. Cummings

LEGAL ETHICS (Foundation Press, 7th ed. 2016), *with* Deborah L. Rhode, David Luban, & Scott L. Cummings

RESTATEMENT (THIRD) OF TORTS: MISCELLANEOUS PROVISIONS (Tentative Draft No. 3, 2024), *with* Michael D. Green

RESTATEMENT (THIRD) OF TORTS: MEDICAL MALPRACTICE (Tentative Draft No. 2, 2024), *with* Mark Hall & Michael D. Green

RESTATEMENT (THIRD) OF TORTS: MISCELLANEOUS PROVISIONS (Tentative Draft No. 2, 2023), *with* Michael D. Green

RESTATEMENT (THIRD) OF TORTS: MEDICAL MALPRACTICE (Tentative Draft No. 1, 2023), *with* Mark Hall & Michael D. Green

RESTATEMENT (THIRD) OF TORTS: CONCLUDING PROVISIONS (Tentative Draft No. 1, 2022), *with* Michael D. Green

## SCHOLARLY PUBLICATIONS

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RETHINKING THE LAWYERS' MONOPOLY: ACCESS TO JUSTICE AND THE FUTURE OF LEGAL SERVICES (with David Freeman Engstrom) (edited volume, forthcoming 2025, Cambridge University Press)

*Envisioning the Future of Legal Services, in* RETHINKING THE LAWYERS MONOPOLY *supra* (with David Freeman Engstrom)

*Legal Insurance and Its Limits*, 122 MICH. L. REV. (forthcoming 2025)

*Auto Clubs and the Lost Origins of the Access-to-Justice Crisis*, 134 YALE L.J. 123 (2024) (with James Stone) ‡

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‡ Peer reviewed at Jotwell.com as among “the best new scholarship relevant to the law.”

*Secrecy by Stipulation*, 74 DUKE L.J. 99 (2024) (with David Freeman Engstrom, Jonah B. Gelbach, Austin Peters, and Aaron M. Schaffer-Neitz) ‡

*Shedding Light on Secret Settlements: An Empirical Study of California's STAND Act*, 91 CHI. L. REV. (forthcoming 2025) (with David Freeman Engstrom, Jonah B. Gelbach, Austin Peters, and Garrett Wen)

MENTAL HEALTH SCREENING IN LAWYER LICENSING, Report of the Deborah L. Rhode Center on the Legal Profession (2024) (with Graham Ambrose & Brianne Holland-Stergar)

*The Making of the A2J Crisis*, 75 STAN. L. REV. ONLINE 146 (2024) (with David Freeman Engstrom) (Symposium Introduction)

*Felons, Outlaws, and Tort's Troubling Treatment of the "Wrongdoer" Plaintiff*, 16 J. TORT L. 1 (2023) (with Robert L. Rabin)

PLAINTIFFS AND ATTORNEYS IN MULTIDISTRICT LITIGATION: STRENGTHS, DEFICITS, AND PATHS FORWARD, Report of the Deborah L. Rhode Center on the Legal Profession (May 2023) (with David Freeman Engstrom, Todd Venook, and Silvie Saltzman)

*Harnessing Common Benefit Fees to Promote MDL Integrity*, 101 TEX. L. REV. 1622 (2023) (with Todd Venook)

*Legal Tech and the Litigation Playing Field*, in LEGAL TECH AND THE FUTURE OF CIVIL JUSTICE (Cambridge University Press, 2023) (with David Freeman Engstrom)

*The Participatory MDL: Toward Low-Tech Solutions to Improve Access and Promote Litigant Autonomy*, in LEGAL TECH AND THE FUTURE OF CIVIL JUSTICE (Cambridge University Press, 2023) (with Todd Venook)

*Tort Theory and Restatements: Of Immanence and Lizard Lips*, 14 J. TORT L. 333 (2022) (with Michael D. Green)

*The Road Not Taken: Perspectives on No-Fault Compensation for Tobacco and Opioid Victims*, 70 DEPAUL L. REV. 395 (2021) (with Robert L. Rabin)

*She Stood Up: The Life and Legacy of Deborah L. Rhode*, 74 STAN. L. REV. ONLINE 1 (2021)

*Pursuing Public Health Through Litigation: Lessons from Tobacco and Opioids*, 73 STAN. L. REV. 285 (2021) (with Robert L. Rabin) ‡

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‡ Peer reviewed at Jotwell.com as among "the best new scholarship relevant to the law."

*Lone Pine Orders: A Critical Examination and Empirical Analysis*, 167 U. PA. L. REV. ONLINE 91 (2020) (with Amos Espeland)

*The Lessons of Lone Pine*, 129 YALE L.J. 2 (2019) (Winner, Best Article Prize, Berkeley Law Civil Justice Research Initiative)‡

*The Trouble with Trial Time Limits*, 160 GEO. L.J. 933 (2018) (Recognized for High Distinction by the Pound Civil Justice Institute)

*When Cars Crash: The Automobile's Tort Law Legacy*, 53 WAKE FOREST L. REV. 293 (2018)‡

*The Diminished Trial*, 87 FORDHAM L. REV. 2131 (2018)

*Retaliatory RICO and the Puzzle of Fraudulent Claiming*, 115 MICH. L. REV. 639 (2017)

*Exit, Adversarialism, and the Stubborn Persistence of Tort Law*, 6 J. TORT L. 75 (2015)

*A Dose of Reality for Specialized Courts: Lessons from the VICP*, 163 U. PA. L. REV. 1631 (2015)‡

*Lawyer Lending: Costs and Consequences*, 63 DEPAUL L. REV. 377 (2014)

*3-D Printing and Product Liability: Identifying the Obstacles*, 162 U. PA. L. REV. ONLINE 35 (2013)

*Re-Re-Financing Civil Litigation: How Lawyer Lending Might Remake the American Litigation Landscape, Again*, 60 UCLA L. REV. DISC. 110 (2013)

*Attorney Advertising and the Contingency Fee Cost Paradox*, 65 STAN. L. REV. 633 (2013)

*An Alternative Explanation for No-Fault's "Demise,"* 61 DEPAUL L. REV. 303 (2012)

*Sunlight and Settlement Mills*, 86 N.Y.U. L. REV. 805 (2011) ‡

*Legal Access and Attorney Advertising*, 19 J. GENDER, SOC. POL'Y & L. 1083 (2011)

*Run-of-the-Mill Justice*, 22 GEO. J. LEGAL ETHICS 1485 (2009)

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‡ Peer reviewed at Jotwell.com as among "the best new scholarship relevant to the law."

## WORKING PAPERS

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*Secrecy Roulette* (with David Freeman Engstrom, Jonah Gelbach & Austin Peters)

*Insurance Exceptionalism* (with James Stone)

*Auto Club Tort Law Lessons* (with James Stone)

WHY NO FAULT FAILS

*Competition and Contingency Fees* (with Brianne Holland-Stergar)

*Tort Law's Injunctive Effect*

*Courthouse UPL* (with David Freeman Engstrom & Rose Goldberg)

## OTHER WRITINGS

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*We Should Focus On – and Invest In – AI that Serves People Without Lawyers*, ABA J., Nov. 21, 2024 (with David Freeman Engstrom)

*When Worlds Collide: Mapping the Collision Between Lawyer Regulatory Regimes*, JOTWELL REV., June 28, 2024

*New Data on an Old Problem: Protective Orders and Court Secrecy*, LEGAL AGGREGATE, June 24, 2024

*Justice for All? Why We Have an Access-to-Justice Gap in America – and What Can We Do About It*, LEGAL AGGREGATE, June 13, 2024

*Shining a Light on “Opaque Capital,”* JOTWELL REV., May 15, 2024

*Innocence, Integrity, and Rule Reform*, JOTWELL REV., Aug. 10, 2023

*Tort Trials and Tribulations*, JOTWELL REV., June 21, 2023

*Don't Scapegoat Robots to Protect the Lawyer Monopoly on Legal Services*, BLOOMBERG L. NEWS, May 18, 2023 (with David Freeman Engstrom)

*Effective Deregulation: A Look Under the Hood of State Civil Courts*, JOTWELL REV., Oct. 31, 2022

*Why Do Blue States Keep Prioritizing Lawyers Over Low-Income Americans?*, SLATE, Oct. 18, 2022 (with David Freeman Engstrom)

*California Should Not Bar Access to Justice*, BLOOMBERG L. NEWS, Aug. 4, 2022 (with Scott Cummings)

*The Supreme Court's Medicaid Decision and What it Means for the Future of Personal Injury Litigation*, LEGAL AGGREGATE, June 10, 2022 (with Graham Ambrose)

*Facilitating the Information-Forcing Function of Tort Law*, JOTWELL REV., Mar. 22, 2022

*UPL, Upsolve, and the Community Provision of Legal Advice*, LEGAL AGGREGATE, Jan. 27, 2022

*TAR Wars: E-Discovery and the Future of Legal Tech*, 96 TEXAS ADVOCATE 19 (2021) (with David Freeman Engstrom)

*Coronavirus Vaccines and the Law*, LEGAL AGGREGATE, Dec. 22, 2020 (with Peter H. Meyers)

*It's Time to Consider Sanctions for Trump's Legal Team*, SLATE, Nov. 23, 2020 (with Scott Cummings, David Luban, and Deborah L. Rhode)

*Supplying a Key Piece of the Tort-Divide Puzzle*, JOTWELL REV., Mar. 30, 2020

Comments in POUND CIVIL JUSTICE INSTITUTE, AGGREGATE LITIGATION IN STATE COURTS: PRESERVING VITAL MECHANISMS, at pages 79-82

*California Bars the Calculation of Tort Damages Based on Race, Gender and Ethnicity*, LAW.COM, Nov. 12, 2019 (with Robert L. Rabin)

*Johnson & Johnson's Product Liability Exposure*, LEGAL AGGREGATE, Oct. 14, 2019 (with Diana Garnet Li)

*Project Spotlight: Restatement of the Law Third, Torts, Concluding Provisions*, 41 ALI REPORTER 4, 8 (2019) (with Michael D. Green)

*The Oklahoma Opioids Verdict and Ongoing Litigation*, LEGAL AGGREGATE, Aug. 28, 2019 (with Michelle M. Mello)

*The Lawsuit Against Gun Manufacturers in the Wake of the Sandy Hook Massacre*, LEGAL AGGREGATE, Mar. 14, 2019 (with David M. Studdert)

*Litigation is Critical to Opioid Crisis Response*, DAILY J., Mar. 13, 2019, at 1 (with Michelle M. Mello)

*The Downsizing of the American Civil Trial*, DAILY J., Sept. 17, 2018, at 6

*Suing the Opioid Companies*, LEGAL AGGREGATE, Aug. 20, 2018 (with Michelle M. Mello)

*Proceed with Caution: The Dangers of Trial Time Limits*, JURY MATTERS, May 2018, at 4 (with Nathan Werksman).

*Minding the Gap: Access to Justice Over the Years*, JOTWELL REV., May 2, 2018

*Measuring Common Claims About Class Actions*, JOTWELL REV., Mar. 16, 2018

*Reforming the Civil Justice System? First, Do No Harm*, STANFORD LAWYER MAGAZINE, Spring 2017, at 38

*Questions and Answers on Soto v. Bushmaster Firearms Int'l LLC*, LEGAL AGGREGATE, Apr. 20, 2017

*ISO the Missing Plaintiff*, JOTWELL REV., Apr. 12, 2017

*Congressional Tinkering with the Civil Justice System is Misguided and Dangerous*, LEGAL AGGREGATE, Mar. 14, 2017

*Trump Travel Ban Shines Light on Litigation Funding*, DAILY J., Feb. 14, 2017 (with Nathan Werksman)

*Unresolved Issues in Uber Settlement*, STANFORD REPORT, Apr. 25, 2016

*Boilerplate and the Boundary Between Contract and Tort*, JOTWELL REV., Apr. 22, 2016

*Why Flint May Not Find Justice*, L.A. TIMES, Mar. 10, 2016

*The Flint Water Crisis*, STANFORD REPORT, Feb. 16, 2016

*Should Med-Mal Cases Be Removed from Court System?*, CONN. L. TRIB., Nov. 16, 2015

*Heeding the Vaccine Court's Failures: Shortcomings of the Compensation Program do not Bode Well for Other Alternative Tribunals*, NAT'L L.J., June 29, 2015

*Big Data and Deterrence*, JOTWELL REV., Mar. 4, 2015

*What Prop. 46 Would Fix*, L.A. TIMES, Oct. 28, 2014 (with Michelle M. Mello & Robert L. Rabin)

*"The Only Thing We Have to Fear is Fear Itself": How Physicians' Exaggerated Conception of Medical Malpractice Liability Has Become the Real Problem*, JOTWELL REV., Apr. 9, 2014

*Raise the Cap on Malpractice Awards*, L.A. TIMES, Aug. 13, 2013 (with Robert L. Rabin)



*Bridging the Gap in the Justice Gap Literature*, JOTWELL REV., May 6, 2013

*Shining a Light on Shady Personal Injury Claims*, 2 J. INS. FRAUD AM. 13 (2011)

## SELECT APPELLATE BRIEFS

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Brief of *Amici Curiae* Law Professors Nora Freeman Engstrom & David Freeman Engstrom Supporting En Banc Reconsideration, Texas Court of Appeals, *Team Indus. Servs. v. Most*, Case No. 01-22-00313 (Aug. 2024)

Brief of Nora Freeman Engstrom et al., as *Amici Curiae* Supporting the Appellant and Reversal, Federal Circuit, *Entropic Communications, LLC v. Charter Communications, Inc.*, Case No. 24-1896 (Aug. 2024)

Brief of Legal Ethics Law Professors as *Amici Curiae* in Support of Petitioner, *Glossip v. State of Oklahoma*, U.S. Supreme Court, Case 22-7466 (June 2023)

Brief of Law Professors as *Amici Curiae* in Support of Respondents, Supreme Court of Texas, *Gregory v. Chohan*, Case No. 21-0017 (Nov. 2022)

Brief of Legal Ethicists as *Amici Curiae* in Support of Respondents, U.S. Supreme Court, *Nat'l Inst. of Family & Life Advocates v. Bacerra*, Case No. 16-1140 (Feb. 2018)

Brief of Professors of Law as *Amici Curiae* in Support of Petitioners, Supreme Court of Connecticut, *Soto v. Bushmaster Firearms Int'l, LLC*, Case No. 19832 (Apr. 2017)

Brief for Human Rights Campaign et al., as *Amici Curiae* in Support of Appellants, Supreme Court of Connecticut, *Kerrigan v. Comm'r of Public Health*, Case No. 17716 (Jan. 2007)<sup>¥</sup>

Brief for Equality Maryland, Inc. et al., as *Amici Curiae* in Support of Appellees, Maryland Court of Appeals, *Conaway v. Polyak*, Case No. 24-C-04-005390 (Oct. 2006) (Counsel of Record)<sup>¥</sup>

Brief for the ACLU et al., as *Amici Curiae* in Support of Petitioners, U.S. Supreme Court, *Lopez v. Gonzales*, Case Nos. 05-547, 05-7664 (June 2006)<sup>¥</sup>

Brief for Professors of Law as *Amici Curiae* in Support of Respondents, U.S. Supreme Court, *Gonzales v. Oregon*, Case No. 04-623 (July 2005)<sup>¥1</sup>

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<sup>¥</sup> These four briefs were written while I was an Associate at Wilmer Hale.

## SELECT PRESENTATIONS

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“Auto Clubs and the Lost Origins of the Access-to-Justice Crisis,” Harvard Law School Faculty Workshop (Dec. 2024)

“Litigation Transparency,” Stanford Law School Faculty Workshop (Nov. 2024)

“Auto Clubs and the Lost Origins of the Access-to-Justice Crisis,” NYU Law School Faculty Workshop (Oct. 2024)

“Promoting Women by Promoting Access to Law,” TEDx Talk, TEDx Sand Hill Road, <https://www.youtube.com/watch?v=ZP64ZhULyBI> (Oct. 2024)

“Lawyers’ Role in the Making and Undoing of the A2J Crisis,” Talk Justice, LSC Podcast, <https://legaltalknetwork.com/podcasts/talk-justice/2024/09/lawyers-role-in-the-making-and-undoing-of-the-a2j-crisis/> (Sept. 2024)

“Opioid Litigation, the Purdue Bankruptcy, and What Happens Now?” Stanford Law School Faculty Workshop (Sept. 2024)

“Secrecy by Stipulation,” Berkeley Law School Civil Procedure Workshop (Aug. 2024)

“Secrecy by Stipulation,” Ninth Annual Civil Procedure Workshop, University of California Law, San Francisco, California (June 2024)

Commentator, “Access to Justice in California: Challenges and Policy Innovations,” RAND & Rhode Center Conference at RAND, Santa Monica, California (Jan. 2024)

“Auto Clubs and the Lost Origins of the Access-to-Justice Crisis,” Stanford Law School Faculty Workshop (Jan. 2024)

“New Paths in Gun Litigation,” AALS Annual Meeting, Torts and Compensation Section, Washington, DC (Jan. 2024)

“Auto Clubs and the Lost Origins of the Access-to-Justice Crisis,” Yale Law School Faculty Workshop (Sept. 2023)

Commentator, “New Voices in Access to Justice,” Rhode Center Conference at Stanford Law School (May 2023)

Presenter, “Felons, Outlaws, and Tort’s Troubling Treatment of the ‘Wrongdoer’ Plaintiff,” Tort Law Symposium on the Great Tort Cases of the 21st Century, Tucson, Arizona (Apr. 2023)

Presenter, "Harnessing Common Benefit Fees to Promote MDL Integrity," Stanford Law School Faculty Workshop (Mar. 2023)

Speaker and Panelist, Conference on Concluding the Restatement (Third) of Torts, Southwestern Law Review, Los Angeles (Mar. 2023)

Opening Keynote, "Introduction to Access to Justice," Stanford Law Review Symposium, Stanford (Feb. 2023)

"Harnessing Common Benefit Fees to Promote MDL Integrity," University of Texas Law Review Symposium, Austin (Jan. 2023)

"Opioid Litigation," AALS Annual Meeting, Torts and Compensation Section, San Diego (Jan. 2023)

Commentator, "Litigating the Public Good: Punishing Serious Corporate Misconduct," 28th Annual Clifford Symposium, DePaul Law School (June 2022)

Presenter and Commentator, Plaintiffs and Attorneys in Multidistrict Litigation: Strengths, Deficits, and Paths Forward, Convening sponsored by the Deborah L. Rhode Center on the Legal Profession at Stanford Law School (May 2022)

Presenter, "Access to Legal Services," Georgetown Journal of Legal Ethics Symposium (Mar. 2022, via Zoom)

Presenter, "Upsolve v. New York: Do Unauthorized Practice of Law Restrictions Violate the First Amendment?" Webinar sponsored by Northwestern Law School, Law and Technology Initiative (Feb. 2022, via Zoom)

Presenter, "Attacks on the Courts," Webinar sponsored by the Berkeley Law School Civil Justice Research Initiative (Jan. 2022, via Zoom)

Lecture, "Vaccine Mandates and Vaccine Injury," Stanford University course on Covid-19 (Nov. 2021, via Zoom)

Victor Schwartz Lecture in Torts, "The Accidental Origins and Haphazard Construction of Tort," University of Cincinnati College of Law (Oct. 2021, via Zoom)

Presenter, "Selection of Leadership in MDLs," Webinar sponsored by the Berkeley Law School Civil Justice Research Initiative (Sept. 2021, via Zoom)

Commentator, "Civil Litigation in a Post-Covid World," 27th Annual Clifford Symposium at DePaul Law School (June 2021, via Zoom)

Presenter, "Past and Future Influence of Deborah Rhode," Annual Law and Society Conference (May 2021, via Zoom)

Presenter, "Reflections on Deborah L. Rhode: Pioneer and Pathbreaker," Santa Clara Law Review Symposium on Lawyers, Leadership, and Change (Feb. 2021, via Zoom)

"Legal Tech and the Litigation Playing Field," Conference on Legal Tech and the Future of Civil Justice, Stanford Law School (Feb. 2021, via Zoom)

Commentator, Robert A. Clifford Scholar-in-Residence at DePaul University College of Law Inaugural Presentation (Feb. 2021, via Zoom)

"Pursuing Public Health Through Litigation: Lessons from Tobacco and Opioids," Northwestern Law School Faculty Workshop (Jan. 2021, via Zoom)

"Pursuing Public Health Through Litigation: Lessons from Tobacco and Opioids," Harvard Law School Private Law Workshop (Dec. 2020, via Zoom)

"The Lessons of *Lone Pine*," Yale Law Review Workshop (Dec. 2019)

Commentator, Pound Civil Justice Institute Judges' Forum, San Diego (July 2019)

Commentator, 25th Annual Clifford Symposium, DePaul Law School (Apr. 2019)

"Trial Time Limits: Behind the Scenes and Beyond the Statistics," Civil Jury Project Roundtable, NYU School of Law (Apr. 2019)

"The Lessons of *Lone Pine*," University of Virginia Faculty Workshop (Mar. 2019)

"The Lessons of *Lone Pine*," Stanford Law School Faculty Workshop (Mar. 2019)

"The Lessons of *Lone Pine*," Brooklyn Law School Faculty Workshop (Feb. 2019)

"The Lessons of *Lone Pine*," MDL at 50, Center on Civil Justice at NYU School of Law (Oct. 2018)

"When Cars Crash: The Automobile's Tort Law Legacy," Wake Forest Law Review Symposium, Wake Forest Law School (Nov. 2017)

"The Diminished Trial," Fordham Law Review Ethics Colloquium, Fordham Law School (Oct. 2017)

"The Trouble with Trial Time Limits," Third Annual Civil Procedure Workshop, University of Arizona, Rogers College of Law (Oct. 2017)

“The Trouble with Trial Time Limits,” Stanford Law School Faculty Workshop (Aug. 2017)

“The Trouble with Trial Time Limits,” Legal Ethics Schmooze, UCLA School of Law (July 2017)

“Health Courts and the VICP,” ABA Section on Dispute Resolution Spring Conference, San Francisco, California (Apr. 2017)

“Civil Justice Under Siege: Tort Reform in its Fourth Decade, Gaining Momentum While Changing Course,” University of Michigan Law Review Author Workshop (Mar. 2017)

“The First Thing You Do Is Kill All the Lawyers,” The Inner Circle of Advocates, San Francisco (Feb. 2017)

“Retaliatory RICO and the Puzzle of Fraudulent Claiming,” North American Workshop in Private Law Theory IV, Fordham Law School (Nov. 2016)

“Retaliatory RICO and the Puzzle of Fraudulent Claiming,” Loyola L.A. Law School Faculty Workshop (Oct. 2016)

“Veterans’ Courts in Context,” Veterans Treatment Court Conference, Stanford Law School (May 2016)

“Retaliatory RICO and the Puzzle of Fraudulent Claiming,” Workshop on Courts and the Legal Process, Columbia Law School (Mar. 2016)

“Retaliatory RICO and the Puzzle of Fraudulent Claiming,” New York Torts Group, NYU Law School (Mar. 2016)

“Retaliatory RICO and the Puzzle of Fraudulent Claiming,” Stanford Law School Faculty Workshop (Mar. 2016)

7th Annual Stanford International Junior Faculty Forum, Judge and Commentator, Stanford Law School (Oct. 2015)

“Retaliatory RICO and the Puzzle of Fraudulent Claiming,” Legal Ethics Schmooze, Stanford Law School (July 2015)

Participant, Comptroller General Forum on Additive Manufacturing, U.S. Government Accountability Office (GAO), Washington, D.C. (Oct. 2014)

"The Plaintiffs' Bar: Where It's Been, Where It's Going," The Inner Circle of Advocates, Washington, D.C. (Aug. 2014)

"No-Fault's Failure and the Persistent Durability of Tort," AALS Annual Meeting, Insurance Law and Torts Compensation Systems Joint Program, New York, New York (Jan. 2014)

"Medical Malpractice Litigation: How Does It Work? What Do We Know? How Are Radiologists at Risk?," Stanford Medical School (Nov. 2013)

"Lawyer Lending: Costs and Consequences," Works-in-Progress Roundtable for Third-Party Funding Scholars, Washington & Lee Law School (Nov. 2013)

6th Annual Harvard-Stanford International Junior Faculty Forum, Judge and Commentator, Harvard Law School (Oct. 2013)

"Lawyer Lending: Costs and Consequences," Stanford Law School Faculty Workshop (Aug. 2013)

"Lawyer Lending: Costs and Consequences," Legal Ethics Schmooze, Fordham Law School (June 2013)

"Potential Tort Liability for 3-D Printing," Roundtable on 3-D Printing, Stanford Center for Internet and Society (May 2013)

"Lawyer Lending: Costs and Consequences," 19th Annual Clifford Symposium, DePaul Law School (Apr. 2013)

"Attorney Advertising and the Contingency Fee Cost Paradox," Stanford Law Review Author Series (Feb. 2013)

"Re-Re-Financing Civil Litigation: How Lawyer Lending Might Remake the American Litigation Landscape, Again," UCLA Law Review Symposium (Jan. 2013)

"Attorney Advertising and the Contingency Fee Cost Paradox," Stanford Law School Faculty Workshop (Dec. 2012)

5th Annual Harvard-Stanford International Junior Faculty Forum, Judge and Commentator, Stanford Law School (Nov. 2012)

"Attorney Advertising and the Contingency Fee Cost Paradox," International Legal Ethics Conference, Banff, Alberta (July 2012)

“Run-of-the-Mill Justice,” Stanford Center for Ethics in Society, Stanford University (May 2012)

“An Alternative Explanation for No-Fault’s ‘Demise,’” Berkeley Law School Faculty Workshop (Feb. 2012)

“An Alternative Explanation for No-Fault’s ‘Demise,’” Stanford Law School Faculty Workshop (Jan. 2012)

4th Annual Harvard-Stanford International Junior Faculty Forum, Judge and Commentator, Harvard Law School (Nov. 2011)

“An Alternative Explanation for No-Fault’s ‘Demise,’” Faculty Speaker Series, Loyola Chicago Law School (Sept. 2011)

“An Alternative Explanation for No-Fault’s ‘Demise,’” 17th Annual Clifford Symposium, DePaul Law School (Apr. 2011)

“Sunlight and Settlement Mills,” New Voices in Civil Justice Scholarship, Vanderbilt Law School (Apr. 2011)

“Sunlight and Settlement Mills,” Bay Area Civil Procedure Forum, Hastings Law School (Mar. 2011)

“Advertising and Access,” AALS Annual Meeting, Section on Professional Responsibility, San Francisco (Jan. 2011)

“Run-of-the-Mill Justice,” International Legal Ethics Conference (July 2010)

“Run-of-the-Mill Justice,” Legal Studies Workshop, Stanford Law School (Jan. 2010)

“Run-of-the-Mill Justice,” Junior Faculty Speaker Series, Catholic University’s Columbus School of Law (Mar. 2008)

## UNIVERSITY SERVICE

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### LAW SCHOOL COMMITTEES:

Chair, Admissions Committee, 2015–2016, 2019–2020 (member 2013–2016, 2018–2021, 2024–2025)

Chair, Curriculum Committee, 2016–2018 (member 2021–present)

Chair, Clerkship Committee, 2013–2015 (member 2009–2015)

Chair, Ad Hoc Committee, 2020

Member, Public Interest Committee, 2009–2012

Member, Orientation Planning Committee, 2023–present

Associate Dean of Curriculum, 2016–2018

OTHER:

Co-Director, Deborah L. Rhode Center on the Legal Profession, 2021–present

Member, *Stanford Law Review* Faculty Advisory Board, 2023–present

Stanford University, Board of Judicial Affairs, 2020–2021

Stanford University Faculty Fellow, 2011–2013

Stanford University Faculty Affordability Task Force, 2018–2020 (Chair of Subcommittee on Non-Housing Affordability)

Member, Stanford University Committee on Lecturers, 2017–2018

Stanford University, Voice and Influence Program Participant, 2011–2012

Member, Advisory Board, Stanford Public Interest Law Foundation, 2010–2012

Guest Lecturer (Torts), LeadAmerica/Envision, 2013–present

Member, Steering Committee, Stanford Center on the Legal Profession, 2009–2021

Faculty Advisor, William A. Ingram Inn of Court, 2009–2013

Stanford University, Diversifying Academia, Recruiting Excellence (DARE) Faculty Resource Advisor, 2012–2013

Faculty Mentor, Stanford Law Association, 2009–2017

## PROFESSIONAL MEMBERSHIP AND SERVICE

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Reporter, American Law Institute's Third Restatement of Torts: Miscellaneous Provisions (appointed 2019)



Reporter, American Law Institute's Third Restatement of Torts: Medical Malpractice (appointed 2019)

Adviser, American Law Institute's Third Restatement of Torts: Remedies (appointed 2020)

Member, Editorial Board of Foundation Press (2021–present)

Advisory Board, Legal Ethics & Professional Responsibility eJournal (2022–present)

Chair, AALS Torts & Compensation Systems Section (2023–2024) (previously, Vice Chair, Secretary, and Treasurer)

Member, American Law Institute (elected 2016)

Fellow, American Bar Foundation (selected 2016)

Member, American Bar Association (2023–present)

Academic Advisor, NYU Civil Jury Project (selected 2018)

Academic Fellow, National Civil Justice Institute (selected 2017)

Executive Committee Member, William A. Ingram Inn of Court (2012–2013)

Selection Committee, Warren E. Burger Prize of the American Inns of Court (2016–present)

Stanford Law School Reading Group assisting the American Bar Association in its assessment of The Honorable Ketanji Brown Jackson's qualifications to be an Associate Justice of the U.S. Supreme Court (2022)

Co-Editor (Legal Profession), *Jotwell*, 2017–2021

Contributing Editor (Legal Profession), *Jotwell*, 2013–present

Contributing Editor (Torts), *Jotwell*, 2013–present

Referee/Commentator:

- *American Journal of Law and Medicine*
- *American Law and Economics Review*
- *Carnegie Endowment for International Peace*
- *Journal of the American Medical Association*
- *Journal of Consumer Policy*

- *Journal of Empirical Legal Studies*
- *Journal of Law and Economics*
- *Law & Society Review, Law & Social Inquiry*
- *National Academies of Sciences, Engineering, and Medicine*
- *New England Journal of Medicine*
- *Stanford Law Review*
- *Yale Law Journal*

Admitted to the Bars of California, District of Columbia, and Maryland

*Dated: December 2024*