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ACADEMIC APPOINTMENTS

Savannah Law School, Savannah, Georgia

Professor of Law, Founding Faculty (August 2012-present). Contracts I & II; Chair, Retention, Promotion & Tenure Committee.

West Virginia University College of Law, Morgantown, West Virginia

Research Leave (August 2011-August 2012); Professor of Law (August 2007-2012); Associate Dean of Faculty Research & Development (May 2008-July 2009); Associate Professor (2002-2007). Contracts, Federal Courts, Remedies, Judicial Power & Restraint Seminar, Pretrial Litigation, and Postmodern Jurisprudence.

Florida State University College of Law, Tallahassee, Florida

Visiting Professor (February 2012). Judicial Power & Restraint Seminar.

The Catholic University of America, Columbus School of Law, Washington, D.C.

Visiting Professor (August 2009-May 2011). Contracts, Jurisprudence, Remedies, and Judicial Power & Restraint Seminar.

Washington & Lee University School of Law, Lexington, Virginia

Visiting Professor (Fall 2007). Contracts, incorporating Legal Reasoning & Writing.

University of North Carolina School of Law, Chapel Hill, North Carolina

Visiting Associate Professor (Summer 2007). Remedies.

Brazilian Law, Business & Politics Program, Gertúlio Vargas Foundation, Rio de Janeiro, Brazil, & University of Vila Velha, Vitória, Brazil (WVU College of Law)

Professor of Law (Summer 2006). Lectures: Comparative Role of Judges and Jurisprudence, Jurisdiction Stripping and Judicial Independence, and Fear of Legal Colonialism.

LEGAL PRACTICE EXPERIENCE

Skadden, Arps, Slate, Meagher & Flom LLP, Washington, D.C., 1999-2002

Associate, Litigation & Government Enforcement Group. Primarily conducted internal investigations involving the FBI, DOJ, and SEC, and represented clients in complex civil litigation.

JUDICIAL CLERKSHIPS

Honorable Ronald Lee Gilman, Circuit Judge, United States Court of Appeals for the Sixth Circuit, 1998-1999

Honorable Julia Smith Gibbons, then-Chief Judge, United States District Court for the Western District of Tennessee, 1997-1998

EDUCATION

Washington & Lee University School of Law, Lexington, Virginia
Juris Doctor, *magna cum laude*, 1997

Honors: Order of the Coif; *Washington & Lee Law Review*, Lead Articles Editor; Hornbook Award for Highest Scholastic Average in First Year Class; Merit Scholarship; Award for Highest Grade in: Contracts, Advanced Contracts, Property, Remedies; Negotiation Competition, Regional Champion.

Rhodes College, Memphis, Tennessee
Bachelor of Arts, *cum laude*, 1994
Political Science Major/International Studies Minor

Honors & Activities: Phi Beta Kappa; Omicron Delta Kappa; 1991 & 1994 National Mock Trial Champion; Justice Abe Fortas Award for Excellence in Legal Studies; Public Defender Capital Defense Intern; Honor Council and Student Government; Volunteer Reader for WYPL Radio Station.

American University, Washington, D.C.
Washington Semester Program, 1993

Justice & Public Law Semester: Studied criminal and constitutional law; interned with People for the American Way.

Oxford University, St. John's College, Oxford, England
British Studies Program, Summer 1991

Study of Renaissance Art History and Literature.

PUBLICATIONS

BOOKS

FEDERAL COURTS: CONTEXT, CASES, AND PROBLEMS (with Michael P. Allen and Michael Finch) (Aspen Publishers, Inc. 2009) (with accompanying TEACHER'S MANUAL).

REMEDIES: CASES AND MATERIALS (with Doug Rendleman) (West Group, 8th ed. 2010) (with accompanying TEACHER'S MANUAL).

LAW OF REMEDIES: DAMAGES – EQUITY – RESTITUTION, *Hornbook Series* (with Dan B. Dobbs) (West 3d ed. forthcoming).

LAW REVIEW ARTICLES

Teaching Remedies from Theory to Practice, 57 SAINT LOUIS U. L.J. ____ (forthcoming 2012).

Discretion and Deference in Senate Consideration of Judicial Nominations, 51 U. LOUISVILLE L. REV. ____ (forthcoming 2012).

The Restitution Revival and the Ghosts of Equity, 68 WASH. & LEE L. REV. 1027 (2011).

The Case for Restitution and Unjust Enrichment Remedies in Patent Law, 14 LEWIS & CLARK L. REV. 653 (2010), judged one of the year's best law review articles related to intellectual property and selected for inclusion in the INTELLECTUAL PROPERTY LAW REVIEW (West 2011).

Rights, Remedies, & Habeas Corpus – The Uighurs, Legally Free but Actually Imprisoned, 24 GEORGETOWN IMM. L.J. 1 (2009), reprinted in RECOGNITION AND ENFORCEMENT OF JUDGMENTS: COMPARATIVE AND INTERNATIONAL PERSPECTIVES 466-531 (U. AIX-MARSEILLE PRESS 2010).

Asymmetric World Jurisprudence, 32 SEATTLE L. REV. 569 (2009).

Restitutionary Disgorgement as a Moral Compass of Breach of Contract, 77 U. CINN. L. REV. 991 (2009).

A Commonwealth of Perspective on Restitutionary Disgorgement for Breach of Contract, 65 WASH. & LEE L. REV. 945 (2008).

Restitutionary Disgorgement for Opportunistic Breach of Contract and Mitigation of Damages, 42 LOY. L.A. L. REV. 131 (2008).

"A Desert Grows Between Us" – The Sovereignty Paradox at the Intersection of Tribal and Federal Courts, 65 WASH. & LEE L. REV. 347 (2008).

In Search of Judicial Activism: Dangers in Quantifying the Qualitative, 74 TENN. L. REV. 567 (2007).

Ratios, (Ir)rationality & Civil Rights Punitive Awards, 39 AKRON L. REV. 1019 (2006); reprinted in PUNITIVE DAMAGES: NEW DIMENSIONS (M. N. Bhavani ed., Icfai Univ. Press 2008).

Jurisdiction Stripping in Three Acts – A Three String Serenade, 51 VILL. L. REV. 593 (2006).

The Fox Guarding the Henhouse?: Recusal and the Procedural Void in the Court of Last Resort, 57 RUTGERS L. REV. 107 (2004).

Standing Committee on Discipline v. Yagman: Missing the Point of Ethical Restrictions on Attorney Criticism of the Judiciary, 54 WASH. & LEE L. REV. 817 (1997).

SCHOLARSHIP, TEACHING & SERVICE AWARDS

Year's Best Intellectual Property Law Review Articles, West Publishing (2011)

Significant Scholarship Award, West Virginia University College of Law (2009)

Significant Scholarship Award, West Virginia University College of Law (2007)

Significant Scholarship Award, West Virginia University College of Law (2006)

Outstanding Faculty Contribution, Vol. 108, West Virginia Law Review (2006)

Outstanding Faculty Contribution, Vol. 107, West Virginia Law Review (2005)

Professor of the Year, West Virginia University College of Law (2003-2004)

POLITICAL, COMMUNITY & ACADEMIC SERVICE

American Law Institute, Elected Member (2008-present)

United States Court of Appeals for the Fourth Circuit, Rules Advisory Committee Member (2007-2012)

American Association of Law Schools, Remedies Section, Executive Committee Chair (2009-2010); Chair Elect (2008-2009), Executive Committee Member (2007-2012); Mentor Coordinator (2012-present)

Southeastern Association of Law Schools, Scholarly Research Committee (2012-present), Mentor Committee Member (2007-present), Program Committee Member (2007-present), New Scholars Committee Member (2006-2007)

LLM Bar Course Lecturer, Remedies, Conflicts of Law, Constitutional Law, Federal Jurisdiction, and Personal Property, Fordham University School of Law (2010-present)

White House Fellows Regional Finalist (2010)

Independent Commission on Judicial Reform, Chaired by Justice O'Connor, Appointed by West Virginia Governor Joe Manchin (June 2009-November 2009)

Democratic National Convention, Elected Obama Delegate, 1st Congressional District of West Virginia (2008)

West Virginia State Democratic Convention, Elected Delegate (2008)

Obama Legal Team for West Virginia Presidential Primary Election (2008)

Volunteer Lawyer for Obama-Biden Voter Protection (2008)

GOTV Precinct Captain for Precinct 4 in Morgantown, West Virginia (2008)

West Virginia University, Democratic Law Caucus, Faculty Advisor (2002-2009)

West Virginia University, Member of multiple University and College of Law governance committees such as Academic Planning, Appointments, Dean Search, Marketing, Strategic Planning (2002-2009) and Co-Chair of Appointments Committee (2008-2009)

Mountain State Bar Association (West Virginia's minority bar association), CLE Committee Member (2005-2006)

Computer-Assisted Legal Instruction (“CALI”), Editorial Board Member, focus Contracts and Remedies (2004-2006)

ACADEMIC LECTURES & PRESENTATIONS

“Federal Courts and Passive-Aggressive Virtues,” Invited Panelist, Southeastern Association of Law Schools Annual Meeting, Amelia Island, Florida (July 31, 2012)

“Illusive Remedies Shaping Constitutional Rights,” Paper Presenter and Discussion Group Participant, “Impact of Remedies on Constitutional Law,” Southeastern Association of Law Schools Annual Meeting (July 31, 2012)

“The Restitution Revival, the Ghosts of Equity, and the Normative Case for the Disgorgement Interest in Contract Law,” Invited Faculty Colloquium Speaker, Florida State University College of Law, Tallahassee, Florida (February 23, 2012)

“Discretion and Deference in Senate Consideration of Judicial Nominations,” Invited Faculty Colloquium Speaker, The University of South Carolina School of Law, Columbia, South Carolina (January 27, 2012)

“The Restitution Revival and the Ghosts of Equity,” Invited Faculty Colloquium Speaker & Remedies Class Lecture, The University of Mississippi School of Law, Oxford, Mississippi (November 7, 2011)

“The Restitution Revival, the Ghosts of Equity, and the Jury Trial Right,” Invited Faculty Colloquium Speaker, American University Washington College of Law, Washington, D.C. (October 17, 2011)

“Restitution and Unjust Enrichment,” Invited Commentator, Boston University School of Law, Boston, Massachusetts (September 16, 2011)

“The National Security Constitution and the Federal Courts Canon: Three Years into the Obama Administration,” Invited Panelist, Southeastern Association of Law Schools Annual Meeting, Hilton Head, South Carolina (July 25, 2011)

“Discretion and Deference in Senate Consideration of Judicial Nominations,” Selected Call for Papers, “The Supreme Court Nomination Process – Is There a Litmus Test for Supreme Court Nominees?,” Southeastern Association of Law Schools Annual Meeting, Hilton Head, South Carolina (July 24, 2011)

“The Restitution Revival and the Ghosts of Equity,” Invited Discussant and Paper Presenter, Seventh Remedies Discussion Forum, University of Aix-Marseille, Aix-en-Provence, France (June 8-9, 2011)

“Opportunistic Breach-Disgorgement: Exorcizing the Ghosts of Equity,” Invited Panelist, “Restitution Rollout Symposium: The Restatement (Third) of Restitution and Unjust Enrichment,” Washington & Lee University School of Law, Lexington, Virginia (February 25, 2011)

“The Restitution Revival and Echoes of Equity’s Grave,” Selected Panelist from Remedies Section Call for Papers on The Rebirth of the Irreparable Injury Rule, American Association of Law Schools, San Francisco, California (January 8, 2011)

“Restitution Revival – The Restatement (Third) of Restitution and Unjust Enrichment,” Invited Panelist, Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (August 3, 2010)

“Opportunistic Breach of Contract, Restitutionary Disgorgement, Efficient Breach, & Promise Keeping,” Presenter, Contracts Conference, University of Nevada, Las Vegas School of Law (February 27, 2010)

“Remedies in Times of Economic Crisis and Financial Scandal,” Moderator, American Association of Law Schools Conference, Remedies Section Panel, New Orleans, Louisiana (January 8, 2010)

“Unjust Enrichment Remedies in Patent Law,” Invited Panelist, Intellectual Property Remedies Forum, Lewis & Clark Law School, Portland, Oregon (October 2, 2009)

“Rights, Remedies, & Habeas Corpus – Legally Free but Actually Imprisoned,” Invited Discussant and Paper Presenter, Sixth Remedies Discussion Forum, University of Aix-Marseille, Aix-en-Provence, France (June 5-6, 2009)

“Asymmetric World Jurisprudence,” Invited Panelist, *Seattle Law Review* Symposium, “Alternative Judicial Visions, Seattle, Washington (April 16, 2009)

“Restitutionary Disgorgement as a Moral Compass of Breach of Contract,” Faculty Colloquium, Seattle University School of Law, Seattle, Washington (April 16, 2009)

“The Faces of Digital Entrepreneurship,” Panel Moderator, *West Virginia Law Review* Symposium, “Digital Entrepreneurship: Incentives and Legal Risks,” West Virginia University College of Law (March 27, 2009)

“Alternative Judicial Visions – Asymmetric World Jurisprudence,” Faculty Colloquium, St. Mary’s University School of Law, San Antonio, Texas (March 16, 2009)

“Restitutionary Disgorgement as a Moral Compass of Breach of Contract,” Faculty Colloquium, Capital University Law School, Columbus, Ohio (March 5, 2009)

“Stepping to the Mic: Hip Hop’s Expanding Voice in Social and Political Discourse,” Panel Moderator, Symposium, “The Evolution of Street Knowledge: Hip Hop’s Influence on Law and Culture,” West Virginia University College of Law (February 13, 2009)

“Comparative Perspectives – Pakistani Lawyers’ Movement Defending the Rule of Law and Justice,” Presenter, Constitution Day Celebration, West Virginia University College of Law (September 17, 2009)

“Roundtable: Alternative Visions of the Judicial Role,” Invited Paper Presenter, Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (July 29, 2008)

“Restitutionary Disgorgement for Opportunistic Breach of Contract,” Presenter, Jackson Kelly PLLC, Charleston, West Virginia (June 17, 2008)

“Federalism and Same-Sex Marriage,” Invited Commentator, A Queer Definition of Equality: Exploring Major Issues in Sexual Orientation & the Law, Washington & Lee University School of Law, Lexington, Virginia (February 29, 2008)

“A Commonwealth of Perspective on Restitutionary Disgorgement for Breach of Contract,” Invited Speaker, Roundtable on Restitution and Unjust Enrichment in North America, Washington & Lee University School of Law, Lexington, Virginia (December 14, 2007)

“When Compensation Is Just Not Enough,” Panel Moderator, Second International Symposium on the Law of Remedies, Auckland, New Zealand (November 16, 2007)

“Looking Back and Moving Forward – A Recap of the Supreme Court’s 2006-2007 Term and a Preview of the 2007-2008 Term,” Invited Speaker on Detainee Jurisprudence, Hosted by American Constitution Society, Washington & Lee University School of Law, Lexington, Virginia (October 18, 2007)

“‘A Desert Grows Between Us’ – The Sovereignty Paradox at the Intersection of Tribal and Federal Courts,” Invited Commenter on Stephen McNeill’s Note (“In a Class by Themselves: A Proposal to Incorporate Tribal Courts into the Federal Court System without Compromising Their Unique Status as ‘Domestic Dependent Nations’”), *Washington & Lee Law Review* Notes Presentation Program, Lexington, Virginia (October 4, 2007)

“The Pending Restatement of Restitution,” Invited Paper Presenter, Southeastern Association of Law Schools Annual Meeting, Amelia Island, Florida (July 30, 2007)

“Restitutionary Disgorgement as the Moral Compass of Contract Breach,” Invited Discussant and Paper Presenter, Fifth Remedies Discussion Forum, Emory School of Law, Atlanta, Georgia (May 29-30, 2007)

“The Court, the Constitution, and the History of Ideas,” Commenter on Scott Gerber’s Article, Ohio Legal Scholarship Workshop, Columbus, Ohio (January 27, 2007)

“Attacks on Our Courts: Justice O’Connor’s Warning,” Invited Panelist, Hosted by The Center for American Progress, The American Constitution Society for Law and Policy, and the Human Rights Campaign Foundation, Washington, D.C. (November 15, 2006)

“A Dialogue: Threats to Judicial Independence,” Presenter, Constitution Day Celebration, West Virginia University College of Law (September 18, 2006)

“The Many Faces of Judicial Activism,” Paper Presenter (“In Search of Judicial Activism”), Southeastern Association of Law Schools Annual Meeting, Palm Beach, Florida (July 17, 2006)

“Roadmap for Continued Collaboration in the Brave New World,” Panel Moderator and Organizer, *West Virginia Law Review* Symposium, “Brave New World - Developing the Legal Frontier in Light of Forensic and Biometric Advances,” West Virginia University College of Law (March 27-28, 2006)

“Judicial Confirmation Wars and the Future of the Supreme Court,” Panelist, 19th Institute on the Profession of Law, Rhodes College, Memphis, Tennessee (February 23-24, 2006)

“Ratios, (Ir)rationality & Civil Rights Punitive Awards,” Invited Discussant and Paper Presenter, ,” Fourth Remedies Discussion Forum, Louis D. Brandeis School of Law, Louisville, Kentucky (November 18-19, 2005)

“Emerging Trends in Tort Reform,” Lecturer, West Virginia Defense Trial Counsel Retreat, Shepherdstown, West Virginia (September 23, 2005)

“Supreme Court Judicial Nominations Process,” Lecturer and Panelist, “The Supreme Court: What’s at Stake” Public Discussion, Monongalia County Courthouse, Morgantown, West Virginia (September 14, 2005)

“Jurisdiction Stripping in Three Acts – A Three String Serenade,” Paper Presenter, Young Scholars’ Panel, Southeastern Association of Law Schools Annual Meeting, Hilton Head, South Carolina (July 19, 2005)

“Legal Scholarship & Gender Implications,” Lecturer, Women’s Studies Graduate Group, West Virginia University (March 8, 2005)

“The Fox Guarding the Henhouse?: Recusal and the Procedural Void in the Court of Last Resort,” Paper Presenter, Faculty Scholarship Presentation, West Virginia University College of Law (February 16, 2005)

“Choosing Our Judges: Present & Future,” Moderator and Presenter, Judicial Selection Panel, West Virginia University College of Law (January 19, 2005)

“Ramifications of the Patriot Act,” Discussion Moderator, West Virginia University College of Law (November 13, 2003)

BAR & COURT ADMISSIONS

United States Court of Appeals for the Fourth Circuit (2006) / D.C. (2000) / Tennessee (1998) / Georgia (1998) / United States Court of Appeals for the Sixth Circuit (1998)

PROFESSIONAL ORGANIZATIONS

American Bar Association / American Constitution Society / Phi Alpha Delta / Savannah Bar Association