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EDUCATION

COLUMBIA UNIVERSITY SCHOOL OF LAW, J.D., 1999
Honors: Harlan Fiske Stone Scholar
Activities: Member, *Columbia Human Rights Law Review*

YALE UNIVERSITY, B.A., 1996, Double-Major in Classical Civilizations and Economics
Activities: Yale Fencing Team (sabre and epee)

ACADEMIC APPOINTMENTS

ELISABETH HAUB SCHOOL OF LAW, PACE UNIVERSITY, White Plains, NY
Professor of Law, 2025 to present

UNIVERSITY OF MISSOURI SCHOOL OF LAW, Columbia, MO
Senior Fellow, Center for the Study of Dispute Resolution, 2019 to present

LOYOLA UNIVERSITY COLLEGE OF LAW, New Orleans, LA
Judge John D. Wessel Distinguished Professor of Social Justice, 2015 to 2025
Associate Professor of Law, 2009 to 2015 (tenure granted 2013)
Awards: Student Bar Association Award for Best Canvas Course Page (Spring 2024), University Senate Award for Excellence in Research (January 2018)

WESTERN NEW ENGLAND UNIVERSITY SCHOOL OF LAW, Springfield, MA
Visiting Professor of Law, Fall 2021 (online civil procedure course)

TULANE UNIVERSITY LAW SCHOOL, New Orleans, LA
Visiting Professor of Law, Fall 2016

CALIFORNIA WESTERN SCHOOL OF LAW, San Diego, CA
Associate Professor of Law, 2007 to 2009
Assistant Professor of Law, 2005 to 2007
Visiting Fellow, 2003 to 2005

TEACHING INTERESTS

Alternative Dispute Resolution, Antitrust Law, Arbitration Law and Practice, Civil Procedure, Contracts, Professional Responsibility, Torts

PRIOR LEGAL EXPERIENCE

JORDEN BURT LLP, Miami, FL (now Carlton Fields, LLP)

Litigation Associate, 2001 to 2003

Experience in complex commercial litigation, including:

- Successfully represented clients in the financial services industry in both state and federal class action litigation;
- Drafted briefs, motions, and pleadings for every stage of litigation; and
- Litigated several issues regarding the Federal Arbitration Act

AXINN, VELTROP & HARKRIDER, LLP, New York, NY

Associate, 1999 to 2001, Summer 1998

Experience in antitrust counseling and complex commercial litigation, including:

- Represented corporate clients in both federal and state government antitrust investigations regarding mergers, price-fixing, monopolization, and other anticompetitive acts;
- Counseled corporate clients regarding antitrust implications of their pricing and distribution policies;
- Assisted corporate clients in the airline, pharmaceutical, music, telecommunications, publishing, professional sports, and manufacturing industries by assessing potential antitrust claims;
- Drafted briefs, motions, and pleadings for commercial litigation;
- Analyzed potential divestitures for clients contemplating mergers; and
- Prepared Hart-Scott-Rodino filings for mergers

COLUMBIA LAW SCHOOL FAIR HOUSING CLINIC, New York, NY

Research Assistant, Summer 1997

- Researched various issues regarding fair housing statutes and other anti-discrimination laws for Professors Mary Zulack and Conrad Johnson;
- Updated and maintained electronic materials for use in clinical program to teach law students about civil rights litigation; and
- Helped prepare successful fair housing lawsuit

PUBLICATIONS AND WORKING PAPERS

BOOKS

AN ANNOTATED LEGISLATIVE HISTORY OF THE FEDERAL ARBITRATION ACT, Carolina Academic Press (2021)

OUTSOURCING JUSTICE: THE RISE OF MODERN ARBITRATION LAWS IN AMERICA, Carolina Academic Press (2013)

- Reviewed by Professor Benjamin Davis, ABA Dispute Resolution Magazine (Fall 2013)
- Reviewed by Professor Hiro Aragaki, Indisputably ADR Professor Blog (June 2013), <http://www.indisputably.org/?p=4808>
- Reviewed by Mateus Aimoré Carreteiro, 43 REVISTA BRASILEIRA DE ARBITRAGEM 224 (2014)

BOOK CHAPTERS

Global Arbitration Centers: Common Features and Common Challenges, ARBITRATION IN CHINA: BUILDING GLOBAL INFLUENCE IN DISPUTE RESOLUTION, Richard A. Bales & Dany Xie, eds., Cambridge University Press (forthcoming 2026)

The Real Southland Decision: Drahozal's Trailblazing Article, DISCUSSIONS IN DISPUTE RESOLUTION (VOLUME II): THE COMING OF AGE (2000-2009), Hinshaw, Schneider, and Cole, eds., Oxford Univ. Press (2025)

The Birth of an Arbitration Nation, THE FEDERAL ARBITRATION ACT: SUCCESSES, FAILURES, AND A ROADMAP FOR REFORM, Richard A. Bales & Jill I. Gross, eds., Cambridge Univ. Press (Fall 2024)

The Rise of Arbitration, STAR WARS AND CONFLICT RESOLUTION, Noam Ebner & Jennifer Reynolds, eds., DRI Press (Fall 2022)

The Federal Arbitration Act in Its Infancy, DISCUSSIONS IN DISPUTE RESOLUTION: THE FORMATIVE ARTICLES, Hinshaw, Schneider, and Cole, eds., Oxford Univ. Press (May 2021)

- The International Institute for Conflict Prevention & Resolution honored this book with the 2021 Outstanding Book Award in the field of dispute resolution

ARTICLES

A Centennial Birthday Wish: Remembering and Reigniting the Original Purpose of the Federal Arbitration Act, __ HARV. NEGOT. L. REV. __ (forthcoming 2025)

Fine-Tuning the Federal Arbitration Act for Workplace Disputes, __ OHIO ST. J. ON DISP. RESOL. __ (forthcoming 2025) (invited symposium contribution)

A Uniform, National Body of Law to Govern the Enforcement of Arbitration Agreements, 14 AM. U. BUS. L. REV. 557 (2025)

Stranger Disputes: When Artificial Intelligence Turns Arbitration Upside Down, 25 PEPP. DISP. RESOL. L. J. 133 (2025)

Trouble, Trouble, Trouble: Ticketmaster, Taylor Swift, and Arbitration, 27 VAND. J. ENT. & TECH. L. 301 (2025) (invited symposium contribution)

The Future of Arbitration in the United States: Textualism, a Tectonic Shift, and a Reshaping of the Civil Justice System, 25 CARDOZO J. CONFLICT RESOL. 13 (2024)

#MeToo's Landmark, Yet Flawed, Impact on Dispute Resolution: The Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021, 18 NW. J. L. & SOC. POL'Y 1 (2023)

Fixing a Power Struggle in America's Civil Justice System, 27 HARV. NEGOT. L. REV. 209 (2022)

Boba Fett, Bounty Hunters, and the Supreme Court's Viking River Decision: A New Hope, 80 WASH. & LEE L. REV. ONLINE 97 (2022)

The Supreme Court's Lamps Plus Arbitration Decision: A Fading Light for Class Actions, 25 HARV. NEGOT. L. REV. 1 (2019)

The Supreme Court's Arbitration Docket from the October 2018 Term, AM. CONST. SOC'Y SUP. CT. REV. (October 2019) (invited contribution)

The Supreme Court's Landmark Decision in New Prime Inc. v. Oliveira: A Panoptical View of America's Civil Justice System and Arbitration, 68 EMORY L.J. ONLINE 1059 (2019)

The Failure of Legal Ethics to Address the Abuses of Forced Arbitration, 24 HARV. NEGOT. L. REV. 127 (2019)

Empirical Report on Consumer Arbitration Agreements Among America's Top Companies, 52 U.C. DAVIS L. REV. ONLINE 233 (2019)

A New Legal Framework for Employee and Consumer Arbitration, 19 CARDOZO J. CONFLICT RESOL. 653 (2018)

Reconciling Fault Lines in Arbitration and Redefining Arbitration Through the Broader Lens of Procedure, 18 NEV. L. J. 511 (2018) (invited symposium contribution)

The Consent Amendment: Restoring Consent and Respect for Human Dignity in America's Civil Justice System, 23 VA. J. SOC. POL'Y & L. 196 (2017)

DIRECTV, Inc. v. Imburgia: How The Supreme Court Used A Jedi Mind Trick To Turn Arbitration Law Upside Down, 32 OHIO ST. J. ON DISP. RESOL. 1 (2017)

The Federal Arbitration Act Through The Lens of History, 2016 J. DISP. RESOL. 115 (invited symposium contribution)

A Constitutional Right to Discovery? Defining Due Process Norms Through the Procedural Laboratory of Arbitration, 15 PEPP. DISP. RESOL. L. J. 337 (2015)

More Than Class Action Killers: The Impact of Concepcion and American Express on Individual Arbitration Proceedings, 35 BERKELEY J. EMP. & LAB. L. 31 (2014) (invited symposium contribution)

Correcting a Flaw in the Arbitration Fairness Act, 2013 J. DISP. RESOL. 271

An Obituary for the Federal Arbitration Act: An Older Cousin to Modern Civil Procedure, 2010 J. DISP. RESOL. 391

Modern Arbitration Values and the First World War, 49 AM. J. LEGAL HIST. 355 (2009) (peer reviewed)

Aggregate Dispute Resolution: Class and Labor Arbitration, 13 HARV. NEGOT. L. REV. 399 (2008)

The Federal Arbitration Act and the Jurisdiction of the Federal Courts, 12 HARV. NEGOT. L. REV. 319 (2007)

The New ADR: Aggregate Dispute Resolution and Green Tree Financial Corp. v. Bazzle, 41 CAL. W. L. REV. 1 (2004)

OTHER WRITING

Author, www.arbitrationusa.com (blog regarding arbitration law developments; formerly www.outsourcingjustice.com) (2013 – present)

Analyzing the Text: Insights from the Supreme Court's 2023-2024 Arbitration Rulings, 42 ALT. HIGH COST OF LITIG. 123 (Sept. 2024)

Amici Curiae Brief, Flores v. NFL, 23-1185-CV (2d Cir. July 2024) (criticizing the appointment of the NFL commissioner to serve as the arbitrator in civil rights employment disputes) (author)

Amici Curiae Brief, Flores v. NFL, 22-CV-00871 (S.D.N.Y. March 2023) (criticizing the appointment of the NFL commissioner to serve as the arbitrator in civil rights employment disputes) (author)

The Supreme Court's 2021–2022 Arbitration Cases: A More Textualist Approach, 40 ALT. HIGH COST OF LITIG. 121 (2022)

Amicus Curiae Brief, Viking River Cruises, Inc v. Moriana, No. 20-1573 (U.S. Supreme Court, March 2022) (exploring constitutional concerns with Federal Arbitration Act preemption of California's Private Attorneys General Act) (author)

Amici Curiae Brief, Southwest Airlines Co. v. Saxon, No. 21-309 (U.S. Supreme Court, March 2022) (analyzing the history of the transportation workers exemption in the Federal Arbitration Act) (co-signer)

Opinion, *Will Arbitration Block a Reckoning of the NFL's Record on Racial Injustice*, Chicago Tribune (Feb. 8, 2022)

Amicus Curiae Brief, 350 WSJ, LLC v. Winchester Plaza on the Row, LLC, No. H049212 (Cal. Ct. App. Dec. 2021) (exploring the right to counsel in arbitration) (author)

Amicus Curiae Brief, Badgerow v. Walters, No. 20-1143 (U.S. Supreme Court, Sept. 2021) (analyzing the jurisdiction of federal courts to confirm or vacate arbitral awards pursuant to the Federal Arbitration Act) (author)

Amici Curiae Brief, Airbnb, Inc. v. Doe, No. SC20-1167 (Fla. July 2021) (analyzing the allocation of decision-making authority between courts and arbitrators under the Federal Arbitration Act) (author)

Amicus Curiae Letter, Aronow v. Superior Court, No. A162662 (Cal. Ct. App. June 2021) (analyzing the enforceability of an arbitration clause in an attorney-client agreement) (author)

Written testimony submitted to the Virginia House of Delegates regarding federal preemption of a proposed state law concerning arbitration agreements (March 2021)

Amicus Curiae Brief, Trout v. Organizacion Mundial de Boxeo, Inc., No. 17-1953 (D.P.R. Dec. 2020) (analyzing the enforceability of an arbitration clause adopted by a sports league) (author)

Amici Curiae Brief, Henry Schein, Inc. v. Archer & White Sales, Inc., No. 19-963 (U.S. Supreme Court, Oct. 2020) (analyzing delegation of arbitrability matters) (author)

Arbitration Law (providing summary of arbitration law and its impact on access to justice, as well as potential questions about arbitration law for nominee), submitted on behalf of the American Constitution Society for Law & Policy to members of the Senate Judiciary Committee in preparation for the confirmation hearings of Supreme Court nominee Amy Coney Barrett (October 2020)

Opinion, *Corporations, Congress Must Examine Arbitration and Racism*, Bloomberg Law (July 14, 2020)

New Prime and Old Faults, invited piece for an online mini-symposium hosted by the University of Missouri School of Law (January 2019), law.missouri.edu/arbitrationinfo/2019/01/17/mini-symposium-new-prime-new-directions/

Arbitration Law (providing summary of arbitration law and its impact on access to justice, as well as potential questions about arbitration law for nominee), submitted on behalf of the American Constitution Society for Law & Policy to members of the Senate Judiciary Committee in preparation for the confirmation hearings of Supreme Court nominee Brett Kavanaugh (July 2018)

Amici Curiae Brief, *New Prime, Inc. v. Oliveira*, No. 17-340 (U.S. Supreme Court, July 2018) (analyzing the history of the transportation workers exemption in the Federal Arbitration Act) (co-signer)

Amicus Curiae Brief, *Lambert v. Tesla, Inc.*, No. 17-cv-05369 (N.D. Cal. Nov. 2017) (analyzing the history and development of American arbitration law in connection with the Civil Rights Act of 1866) (author)

Empirical Report on the Widespread Use of Workplace Arbitration Among America's Top 100 Companies, published through the Employee Rights Advocacy Institute for Law & Policy (Sept. 2017) (this study has been cited in stories by Time, Money, LA Times, Law360, and the ABA's Dispute Resolution Magazine)

Amici Curiae Brief, *Youssofi v. Credit One Financial Corp.*, No. 17-55275 (9th Cir. July 2017) (analyzing the intersection of the Federal Arbitration Act and the First Amendment) (co-signer)

Arbitration's Impact on the Civil Justice System (providing summary of arbitration law and its impact on the enforcement of consumer and employee rights, as well as suggested questions for confirmation hearings), submitted on behalf of the National Employment Lawyers Association to members of the Senate Judiciary Committee in preparation for the confirmation hearings of Supreme Court nominee Neil M. Gorsuch (March 2017)

Arbitration Law and Class Actions (providing summary of arbitration law's impact on class actions as well as an analysis of arbitration issues the Supreme Court is likely to face in the future), submitted on behalf of the American Constitution Society for Law & Policy to members of the Senate Judiciary Committee in preparation for the confirmation hearings of Supreme Court nominee Neil M. Gorsuch (March 2017)

Amicus Curiae Brief, *Kindred Nursing Centers Limited Partnership v. Clark*, No. 16-32 (U.S. Supreme Court, Jan. 2017) (analyzing the enforceability of an arbitration clause in a nursing home contract) (counsel of record and author)

Amici Curiae Brief, Meyer v. Uber Technologies, No. 16-02752 (2d Cir. Dec. 2016) (analyzing the enforceability of an online arbitration clause) (co-signer)

Amici Curiae Brief, Breazeale v. Victim Services, Inc., No. 3:14-cv-05266-VC (N.D. Cal., Apr. 2016) (analyzing the enforceability of an arbitration clause used in connection with a diversion program in the criminal justice system) (co-signer)

Amicus Curiae Brief, Parallel Networks, LLC v. Jenner & Block LLP, No. 16-0080 (Texas Supreme Court, Mar. 2016) (analyzing a public policy defense as a basis for vacating an arbitrator's award) (counsel of record and author)

Opinion, *American Hustle: The Con(stitutionality) of Forced Arbitration*, The Hill (Nov. 5, 2015)

Amici Curiae Brief of Law Professors, DIRECTV, Inc. v. Imburgia, No. 14-462 (U.S. Supreme Court, July 2015) (analyzing the role of state arbitration law in connection with the Federal Arbitration Act) (counsel of record and author) (quoted by Justice Ginsburg in dissenting opinion)

Outsourcing Justice, Voir Dire magazine article published by the American Board of Trial Advocates (Spring 2014)

Written testimony submitted to the United States Senate Committee on the Judiciary for the hearing entitled "The Federal Arbitration Act and Access to Justice: Will Recent Supreme Court Decisions Undermine the Rights of Consumers, Workers, and Small Businesses?" (December 2013)

Amici Curiae Brief of Law Professors, Bakoss v. Certain Underwriters at Lloyds of London, No. 12-1429 (U.S. Supreme Court, July 2013) (analyzing the Federal Arbitration Act's definition of arbitration) (co-signer)

Why is Arbitration Legally Binding?, online article published by George Mason University's History News Network (July 2013)

Prosecutorial Immunity: Deconstructing Connick v. Thompson, 13 LOY. J. PUB. INT. L. 1 (2012) (introduction for symposium volume)

Amicus Curiae Brief, Corvel v. Southwest Louisiana Hospital Association, No. 05-1330 (W.D. La., November 2010) (analyzing class action arbitration and the legislative history of the Federal Arbitration Act) (author)

Amici Curiae Brief of Law Professors, Vaden v. Discover Bank, No. 07-773 (U.S. Supreme Court, August 2008) (analyzing the enactment and history of the Federal Arbitration Act and similar state arbitration statutes) (counsel of record and author)

Amicus Curiae Brief, Community State Bank v. Strong, No. 06-11582 (U.S. Court of Appeals for the Eleventh Circuit, rehearing en banc, November 2007) (analyzing the

legislative history of the Federal Arbitration Act) (counsel of record and author)

Letting Arbitrators Decide On Class Arbitration May Be Unwarranted, Los Angeles Daily Journal, Apr. 18, 2006, at p.8

Co-author, *Class Actions: Developments in Life Insurance and Annuity Litigation*, SH028 ALI-ABA 315 (2002)

SELECTED PRESENTATIONS AND CONFERENCES

Amending the Federal Arbitration Act (June 2025), panelist, summit to celebrate the centennial anniversary of the Federal Arbitration Act, hosted by the College of Commercial Arbitrators and the Center on International Commercial Arbitration at American University's Washington College of Law

The Future of Employment Arbitration (February 2025), panelist, symposium on the centennial anniversary of the Federal Arbitration Act, hosted by The Ohio State University Moritz College of Law, *The Ohio State Journal on Dispute Resolution*

Arbitration in the Live-Event Ticketing Industry (February 2024), panelist, symposium on Developments in Music Law, hosted by Vanderbilt Law School, *Vanderbilt Journal of Entertainment and Technology Law*

Latest Developments in Arbitration Law (March 2023), panelist, International Institute for Conflict Prevention & Resolution (CPR) Annual Meeting

Hot Off the Presses! Arbitration Experts Discuss the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act (April 2022), panelist, ABA Section of Dispute Resolution, Annual Spring Conference

Outsourcing Justice: Arbitration in the US (April 2022), presentation sponsored by the Dallas-Ft. Worth chapter of the American Constitution Society and SMU Dedman School of Law

Introducción al Arbitraje (May 2021), online lecture in Spanish about international commercial arbitration to graduate students at Universidad Minuto De Dios, Bogota, Colombia

Delegation Clauses in Arbitration Agreements (May 2021), invited by Colin Rule and Prof. Amy Schmitz to give online presentation to arbitrators through arbitrate.com

The Arbitration Conversation (February 2021), interviewed by Prof. Amy Schmitz

The Supreme Court's D.R. Horton Cases (September 2017), Supreme Court preview sponsored by the American Constitution Society student chapter at Loyola University

New Orleans College of Law

Recent Developments in Arbitration Law (September 2017), ABA Section of Dispute Resolution, with Professors Ronald Aronovsky, Jill Gross, and Nancy Welsh

Seminal Works in Arbitration (August 2017), SEALS annual conference, with Professor Carli Conklin

ADR in America (June 2017), presentation to foreign attorneys attending Tulane Law School's International Legal Drafting Institute

The Evolution of Arbitration Law in America (March 2017), CLE presentation, Houston Bar Association

Is Arbitration Fair? (January 2017), ABA Section of Dispute Resolution, with Professors Sarah Cole and Stephen Ware

American Arbitration Law (January 2017), presentation at Loyola University to visiting students from Moscow State University

The Supreme Court Has Spoken: DIRECTV, Inc. v. Imburgia (January 2016), webinar sponsored by the ABA Section of Dispute Resolution, with Professors Jean Sternlight and Stephen Ware

The Federal Arbitration Act Through The Lens of History (November 2015), panelist, symposium on Arbitration Procedure, Practice, and Policy in Historical Perspective, hosted by University of Missouri School of Law, Center for the Study of Dispute Resolution

Lost in the Fine Print and the Supreme Court's Erroneous Interpretations of the Federal Arbitration Act (March 2015), speaker at event hosted by Loyola's Public Interest Law Group, New Orleans, LA

The Role of the American Arbitration Association in the Development of Modern Arbitration Law (Winter 2014), webinar for the American Arbitration Association

Historical Perspectives on Arbitration and Arbitration Law (April 2014), panelist, ABA Section of Dispute Resolution, Annual Spring Conference, Miami, FL

More Than Class Action Killers: The Impact of Concepcion and American Express on Individual Arbitration Proceedings (February 2014), panelist, symposium on Forced Arbitration in the Workplace, hosted by UC Berkeley School of Law and The Employee Rights Advocacy Institute for Law & Policy

Litigation Approaches to Prison Reform (February 2014), moderator, symposium on prison reform, Loyola University New Orleans College of Law

Prosecutorial Immunity: Deconstructing Connick v. Thompson (November 2011), symposium organizer and moderator, Loyola University New Orleans College of Law

Metadata and Legal Ethics (September 2008), CLE presentation, California Western School of Law, San Diego, CA

Of Blogs and Dogs: Advertising, Solicitation, and Confidentiality in the Cyberage (October 2006), CLE presentation, with Professor Ruben Garcia, San Diego County Law Library

The Federal Arbitration Act and the Jurisdiction of the Federal Courts (March 2006), Western Law Professors of Color Conference, San Diego, CA

SELECTED MEDIA APPEARANCES

Second Circuit's NFL Arbitration Ruling Extends to the Boardroom, Bloomberg Law, August 8, 2025, <https://news.bloomberglaw.com/litigation/second-circuits-nfl-arbitration-ruling-extends-to-the-boardroom>

It Should Not Be This Easy to Sign Away Your Right to a Trial, New York Times, Oct. 28, 2024, www.nytimes.com/2024/10/28/opinion/forced-arbitration-uber-disney.html

Disney's Bid to Arbitrate Husband's Wrongful Death Suit Has a Chance, Reuters, August 16, 2024, <https://www.reuters.com/legal/litigation/column-disneys-bid-arbitrate-husbands-wrongful-death-suit-has-chance-2024-08-16/>

Professors Attack Goodell's Authority As Troubling Workplace Precedent, Forbes, July 24, 2024, <https://www.forbes.com/sites/chrisdeubert/2024/07/24/professors-attack-goodells-authority-as-troubling-workplace-precedent/>

Law Profs Throw Flag On NFL's 'Unconscionable' Arbitration, Law360, July 19, 2024, <https://www.law360.com/employment-authority/articles/1860318/law-profs-throw-flag-on-nfl-s-unconscionable-arbitration>

Amazon Flex Drivers Case Tied Up as Courts Shape Arbitration Law, Bloomberg Law, June 26, 2024, <https://news.bloomberglaw.com/daily-labor-report/amazon-flex-drivers-case-tied-up-as-courts-shape-arbitration-law>

Textualism Still Dominates Justices' Arbitration Decisions, Law360, June 13, 2024, <https://www.law360.com/articles/1847833/textualism-still-dominates-justices-arbitration-decisions>

In Sign of Arbitration Shift, Corporate Defendants Go 0-3 This Supreme Court Term, National Law Journal, May 31, 2024,

<https://www.law.com/nationallawjournal/2024/05/31/in-sign-of-arbitration-shift-corporate-defendants-go-0-3-this-supreme-court-term/>

Beefed Up Bill Takes Aim at Consumer Arbitration Practices, Law.com, April 23, 2024, <https://www.law.com/therecorder/2024/04/23/beefed-up-bill-takes-aim-at-consumer-arbitration-practices/>

Award Vacatur Standards Still Murky After High Court Denial, Law360, April 17, 2024, <https://www.law360.com/articles/1826687/award-vacatur-standards-still-murky-after-high-court-denial>

Bakery Drivers Head to High Court Searching for Arbitration Exit, Bloomberg Law, Feb. 19, 2024, <https://news.bloomberglaw.com/daily-labor-report/bakery-drivers-head-to-high-court-searching-for-arbitration-exit>

An Arbitration Scholar On Why We Are At A Turning Point, Law360, Jan. 19, 2024, <https://www.law360.com/employment-authority/articles/1787774/an-arbitration-scholar-on-why-we-are-at-a-turning-point>

Judge's Rare Arbitration Plea Gets Attention, but No Big Changes, Bloomberg Law, Dec. 20, 2023, <https://news.bloomberglaw.com/litigation/judges-rare-arbitration-plea-gets-attention-but-no-big-changes>

Thrivent Pressuring SEC to Rewrite Finra Arbitration Rules, Financial Advisor, Sept. 21, 2023, <https://www.financialadvisor.com/c/4248724/545893>

Forced Arbitration Bill In Congress Shines Harsh Light On NFL, Law360, May 22, 2023, <https://www.law360.com/articles/1679403/forced-arbitration-bill-in-congress-shines-harsh-light-on-nfl>

Another Appeals Court Finds Arbitration Act Applies to Uber Drivers, Law.com, April 26, 2023, <https://www.law.com/nationallawjournal/2023/04/26/another-appeals-court-finds-arbitration-act-applies-to-uber-drivers/?slreturn=20230804203524>

Ticketmaster's 'Kafkaesque' Arbitration Process is Rigged, Lawyers Say, NBCNews.com, April 5, 2023, <https://www.nbcnews.com/news/us-news/ticketmaster-live-nation-arbitration-process-rigged-lawyers-say-rcna78172>

Supreme Court Hears Arguments in Coinbase Arbitration Case, Axios, March 21, 2023, <https://www.axios.com/2023/03/21/coinbase-arbitration-agreements-supreme-court>

Arbitration of California Labor Law Claims Still Varies, for Now, Bloomberg Law, Dec. 23, 2022, <https://news.bloomberglaw.com/daily-labor-report/arbitration-of-california-labor-law-claims-still-varies-for-now>

Congress Passes Bill to Ban NDAs in Cases of Workplace Sexual Harassment, The 19th, Nov. 16, 2022, <https://19thnews.org/2022/11/congress-ndas-me-too-workplace-harassment>

“They Want You To Feel Alone”: *New Bill Aims to Ban NDAs for Victims of Workplace Harassment*, Fortune, June 29, 2022, <https://fortune.com/2022/06/29/bill-ndas-sexual-harassment-abuse-workplace-companies>

Justices to Mull Clash Between Arbitration, Calif. Labor Law, Law360, March 29, 2022, <https://www.law360.com/pulse/articles/1478131/justices-to-mull-clash-between-arbitration-calif-labor-law>

Scope of Workplace Arbitration Carveouts Facing High Court Test, Bloomberg Law, March 25, 2022, <https://news.bloomberglaw.com/daily-labor-report/scope-of-workplace-arbitration-carveouts-facing-high-court-test>

Court Battles Loom Over #MeToo Arbitration Bill’s Unclear Scope, Bloomberg Law, Feb. 16, 2022, <https://news.bloomberglaw.com/daily-labor-report/court-battles-loom-over-metoo-arbitration-bills-unclear-scope>

Como Outros Países Lidam Com Conflitos de Consumo, JOTA (Brazilian news website covering the Brazilian government and legislation; discussion of the US experience with consumer arbitration because Brazil is considering new legislation), July 22, 2021, <https://www.jota.info/coberturas-especiais/relacoes-de-consumo/como-outros-paises-lidam-com-conflitos-de-consumo-22072021>

Court Fights Surge Over Arbitration Carveout for Workers, Bloomberg Law, Apr. 15, 2021, <https://news.bloomberglaw.com/daily-labor-report/court-fights-surge-over-arbitration-carveout-for-workers>

AT&T’s New Arbitration Clause Isn’t Doing You Any Favors, L.A. TIMES, Mar. 19, 2021, <https://www.latimes.com/business/story/2021-03-19/column-arbitration-clauses>

Tesla Called Her a Criminal, Her Fight Could Be A Milestone for Employees’ Rights, L.A. TIMES, Dec. 8, 2020, <https://www.latimes.com/business/story/2020-12-08/tesla-called-her-a-criminal-now-shes-representing-herself-at-the-ninth-circuit-court-of-appeals>

Use Amazon, Uber or Walmart.com? You’ve Probably Signed Away Your Right to Sue Them, CNN, Feb. 13, 2020, <https://www.cnn.com/2020/02/13/business/binding-arbitration-consumers/index.html>

Facebook to Argue for Narrowing Notice to Workers in OT Case, Bloomberg Law, Sept. 27, 2019

Congress Can Rewrite the Rules on Forced Arbitration, MarketWatch, Sept. 24, 2019

Consumers Can't Sue Some of the Biggest Companies in the US, CNBC, July 12, 2019, <https://www.cnbc.com/2019/07/12/why-you-cant-sue-fortune-100-companies.html>

81 of the Largest U.S. Companies Won't Let You Take Them to Court, Time, Feb. 27, 2019, <https://time.com/5538028/consumer-arbitration-agreements/>

Arbitration Ruling Sends Trucking Companies to State Law Jumble, Bloomberg Law, Jan. 31, 2019

Uber Pushed Arbitration Too Far, Bloomberg BNA, June 28, 2018

How The Supreme Court Arbitration Ruling Could Impact Civil Rights Cases, Workers And Employers, New Orleans City Business, June 1, 2018

How The Supreme Court Is Invoking A 1925 Law To Restrict Workers' Rights Today, L.A. Times, Baltimore Sun, San Diego Union-Tribune, and several other news outlets, May 23, 2018

NJ Arbitration Measure On "Collision Course" With Fed. Law, Law360, Mar. 21, 2018

Trump Faces Trouble If He Tries to Silence Stormy Daniels, Experts Say, USA Today and more than two hundred other news outlets, Mar. 8, 2018

Wells Fargo Urges Reversal of "Too Late" Ruling on Arbitration, Bloomberg BNA, Mar. 5, 2018

How the Supreme Court Could Reshape Employment Law, The Atlantic, Feb. 25, 2018, <https://www.theatlantic.com/politics/archive/2018/02/how-the-supreme-court-could-reshape-employment-law/554009/>

When You Cannot Sue Your Employer, The Economist, Jan. 25, 2018, <https://www.economist.com/news/business/21735601-over-half-non-unionised-employees-are-now-covered-mandatory-arbitration-when-you-cannot>

The Supreme Court's D.R. Horton Arbitration Cases, Marketplace Morning Report radio broadcast, Oct. 2, 2017, <https://www.marketplace.org/shows/marketplace-morning-report/10022017-markets-edition> (my interview appears on the four-minute mark in the episode titled "The Future of Gun Sales")

What Everyone Needs to Know About the Heated Battle to Take Away Your Right to Sue Big Companies, Money, Oct. 2, 2017

Getting Screwed at Work? The Sneaky Way You May Have Given Up Your Right to Sue, Money, Sept. 27, 2017

Equifax Credit Monitoring May Put Your Right To Sue at Risk, Money, Sept. 8, 2017

What Trump's Supreme Court Pick Could Mean for Your Consumer Rights, Money, Mar. 20, 2017

Neil Gorsuch "Piercingly Textual" and Often Pro-Defense on Class Actions and Arbitration, National Law Journal, Feb. 28, 2017

U.S. Supreme Court Questions Validity of Arbitration Agreements for Nursing Homes, Modern Healthcare, Feb. 23, 2017

Uber Dispute, Tarnished By Surveillance Claims, Tests Power Of 'Clickwrap' Contracts, Forbes, Dec. 23, 2016

If Hillary Wins, Here's How A Liberal Supreme Court May Rule, Forbes, July 18, 2016

Supreme Court's DIRECTV Ruling Faces Criticism For Creep Into State Court Proceedings, Communications Daily, Dec. 15, 2015

Arbitration vs. Litigation: It's Not An Either-Or Proposition, Forbes, Nov. 8, 2015

DIRECTV Supreme Court Case Highlights Arbitration Concerns, Communications Daily, Oct. 5, 2015

Highmark Health Joins Push to Take Employee Disputes to Arbitration, Pittsburgh Post-Gazette, Sept. 20, 2015

General Mills Says, You Can Like Us and Sue Us, Marketplace radio broadcast, April 21, 2014 (story about General Mills' retraction of its arbitration policy)

"Consent is a Fiction" in Consumer Contracts, Marketplace radio broadcast, April 17, 2014 (story about General Mills' implementation of an arbitration policy)

UNIVERSITY AND LAW SCHOOL SERVICE

Faculty Appointments Committee, Pace (2025 to present)

Faculty Advisor, Loyola Journal of Public Interest Law (2011-2025)

Faculty Advisor, Loyola Sports and Entertainment Law Society (2015-2022)

Faculty Appointments Committee, Loyola (2021–2025; Chair, 2022-2025)

Law School Admissions Committee, Loyola (2021-2022, Chair; 2015-2017; 2009-2013)

University Standing Committee on Online Teaching, Loyola (2017)

University Conflicts of Interest Committee, Loyola (2020-2025)

Law School Online Teaching Committee, Loyola (2020)

Law School Library & Technology Committee, Loyola (2017-2021)

University Rank and Tenure Committee, Loyola (2018-2019)

Law School Special Admissions and Academic Support Committee, Loyola (2017-2019)

Law School Budget and Finance Committee, Loyola (2015-2017)

Law School Academic Petitions Committee, Loyola (2014-2015)

Ad Hoc University Committee Regarding Student Evaluations, Loyola (2014-2015)

University Faculty Senate, Loyola (2010-2012)

Law School Faculty Development Committee, Loyola (2011-2015)

Law School Diversity Committee, Loyola (2010-2011)

COMMUNITY SERVICE

Member, Board of Directors, The Employee Rights Advocacy Institute for Law & Policy (2015-2019)

Member, Board of Directors, New Orleans Church of Christ (2012-2019)

Member, Ad Hoc Committee appointed by the United States District Court for the Eastern District of Louisiana to review allegations of attorney misconduct in connection with the BP Oil Spill Litigation (Spring – Summer 2014)

BAR ADMISSIONS

State of New York (New York License Number 3994654)

State of Florida (Florida License Number 538477)

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals for the Seventh Circuit

United States Supreme Court

NEUTRAL PANEL AFFILIATIONS

Financial Industry Regulatory Authority (FINRA) Arbitration Panel