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Executive Associate Dean, Academic Affairs
Professor of Law
Wake Forest University School of Law

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**ACADEMIC
POSITIONS**

Wake Forest University School of Law, Winston-Salem, NC

Executive Associate Dean, Academic Affairs 2016-present

Professor of Law 2010-present

- Associate Dean, Research and Development 2011-2016
- Courses taught: Torts; Remedies; Race, Social Science and Law; Products Liability; Copyright; Jurisprudence; Defamation & Privacy Torts in the Internet Era; Private Law (for MSL students); Professional Development
- The Joseph Branch Award for Excellence in Law Teaching 2016
- University Committee Service:
 - Board Member, Humanities Institute 2016-present
 - Institutional Research Committee 2016-present
 - Chair, University Research Advisory Council 2012-2016
 - President's Committee on Charlotte 2015-2016
 - Provost's Research Committee 2014-2016
 - Vice Provost's Grant Committee 2014-2016
- Participant in Wake Forest's inaugural year-long Leadership Development Program 2011

University of Kentucky College of Law, Lexington, KY

Professor of Law July, 2002-June, 2010

Wake Forest University School of Law, Winston-Salem, NC

Visiting Professor of Law Fall, 2008

Vanderbilt University Law School, Nashville, TN

Visiting Professor of Law Fall, 2006

EDUCATION

The University of Iowa College of Law, Iowa City, IA

J.D. May, 1998

- Order of the Coif
- The Hancher-Finkbine Medallion - faculty-selected, university-wide award given to the "most outstanding University of Iowa graduate student"
- Senior Articles Editor, The Iowa Law Review

Harvard University, Cambridge, MA

A.B. June 1991

**PROFESSIONAL
EXPERIENCE**

Arnold & Porter, Washington, D.C.

Litigation Associate 1999-2002

United States Court of Appeals for the Sixth Circuit, Columbus, OH

Law Clerk to The Honorable Alan E. Norris 1998-1999

SERVICE IN
PROFESSIONAL
ASSOCIATIONS

American Law Institute (Inducted Spring, 2007)

Associate Reporter, RESTATEMENT (THIRD) OF TORTS: INTENTIONAL TORTS TO PERSONS 2016-present

- Members Consultative Groups: Torts, Restitution, Economic Torts, Liability Insurance, Property, Children & the Law
- Regional Advisory Group for the Southeast Region

Southeastern Association of Law Schools

- President 2009-10
- Board of Trustees 2007-2011, 2012-2015--assisted in managing staff, organizing the annual meeting, deciding insurance and tax matters, making budget decisions, and drafting the organization's mission statement, bylaws and operating policies
- Chair of Program Advisory Committee, Steering Committee, Program Committee

American Association of Law Schools

- Board Member, Remedies Section 2009-2013
- Chair, Remedies Section 2012

SCHOLARSHIP

Books

GILBERT LAW SUMMARIES, TORTS (with Marc Franklin & Mike Green) (25th ed. 2017)

MODERN REMEDIES: CASES, PRACTICAL PROBLEMS AND EXERCISES (with Russell L. Weaver, David E. Partlett & Michael B. Kelly) (3d ed. Thompson-West 2016)

BASIC QUESTIONS OF TORT LAW FROM A COMPARATIVE PERSPECTIVE (Jan Sramek Verlag 2015 with Askeland, Green, Koziol, Ludwichowska-Redo, Menyhárd, Moréteau, Oliphant & Yamamoto)

BLACK LETTER OUTLINES, REMEDIES (2d ed. with Russ Weaver & Michael Kelly 2014)

CASES AND MATERIALS ON THE LAW OF TORTS (5th ed. Thompson-West 2012) (with George Christie & Joe Sanders)

CRITICAL RACE REALISM: INTERSECTIONS OF PSYCHOLOGY, RACE, AND LAW (co-edited with Drs. Gregory Parks & Shayne Jones) (The New Press 2008)

Articles & Book
Chapters

Restating the Intentional Torts to Persons: Embracing/ Grasping/ Seeing the Forest and the Trees, 10 J. TORT L. 1 (with Ken Simons, 2018)

The Liability of Public Authorities in the United States, in *The Liability of Public Authorities in Comparative Perspective* (Ken Oliphant, ed., 2016)

Product Liability in the United States of America, in EUROPEAN PRODUCT LIABILITY: AN ANALYSIS OF THE STATE OF THE ART IN THE ERA OF NEW TECHNOLOGIES (with Mike Green, 2016)

A Unified Right to Jury Trial, Western Australia L.J. (2014)

The Role of Negligence Duty Analysis in Employment Discrimination Cases, 75 OHIO ST. L.J. 1129 (2014)

The Civil Jury: An American Ir-Resolution, in LE DROIT AMÉRICAIN CONTEMPORAIN. REGARDS TRANSATLANTIQUES (Pascal Mbongo & Russell L. Weaver, eds., Presses Universitaires d'Aix-Marseille, 2013)

Net Negligence: A Framework for Understanding Claims for Negligent Infliction of Emotional Distress in the Modern Era, in THE RIGHT TO PRIVACY IN THE LIGHT OF MEDIA CONVERGENCE: PERSPECTIVES FROM THREE CONTINENTS 298-321 (Dieter Dorr & Russell L. Weaver eds.) (DeGruyter 2012).

Does Tort Law Deter Individuals?: A Behavioral Science Study, 9 J. EMP. LEG. STUD. 567 (with Albert Yoon & Randy Penfield, 2012)

The Hidden Legacy of Palsgraf: Modern Duty Law in Microcosm, 91 B.U. L. REV. 1873 (2011)

The Taxpayer's Burden from Product-Related Harm, 21 KAN. J. L. & PUB. POL'Y 121 (with Ruth Ruttenberg and Estye Fenton, 2011)

A Pluralistic Analysis of the Therapist/Physician Duty to Warn Third Parties, 44 WAKE FOREST L. REV. 877 (2009) (part of symposium on the Restatement (Third) of Torts)

Duty Wars, 81 U.S.C. L. REV. 671 (with Mike Green, 2008)

Tort Damages as Reconciliation, 42 LOY. L.A. L. REV. 5 (2008) (part of Emory Remedies Roundtable)

The Search for Racial Justice in Tort Law, in CRITICAL RACE REALISM (The New Press 2008)

Uber-Middleman: Reshaping the Broken Landscape of Music Copyright, 92 Iowa L. Rev. 835-90 (2007)-republished in the ENTERTAINMENT, PUBLISHING AND THE ARTS HANDBOOK (2008) as "one of the best law review articles published within the last year in the fields of entertainment, publishing and the arts"

Reconstructing Foreseeability, 46 B.C. L. REV. 921-88 (2005)

Purging Foreseeability, 58 VAND. L. REV. 739-809 (2005)--cited in Rest. (Third) of Torts and relied upon by several state supreme courts

Note, Apportioning Responsibility to Immune Nonparties: An Argument Based on Comparative Responsibility and the Proposed Restatement (Third) of Torts, 82 IOWA L. REV. 1293-336 (1998)--relied upon by *Estate of Hunter v. General Motors Corp.*, 729 So. 2d 1264 (Miss. 1999)

Current Projects RESTATEMENT (THIRD) OF TORTS: INTENTIONAL TORTS TO PERSONS (with Ken Simons)

Defining the Boundaries Between Tort and Contract, forthcoming in The European Group on Tort Law's PRINCIPLES OF EUROPEAN TORT LAW (with Mike Green, forthcoming, 2018)

Predicting Racial Bias in Tort Jury Decisionmaking (with Valerie Hans & Gregory Parks) (completed draft, to be submitted 2018). This is a survey-based empirical study in which we will correlate IAT results with subjects' responses to race-related tort vignettes.

CASES AND MATERIALS ON THE LAW OF TORTS (6th ed. Thompson-West, to be published 2019) (with Joe Sanders & Mary Davis)

Rape as Negligence (with Martha Chamallas). This project argues that courts ought to resolve consent-oriented rape claims (and perhaps all forms of rape claims) by applying negligence, in addition to intentional tort, doctrine.

Negligent Infliction of Emotional Distress: Order from Chaos. This project seeks to find a coherent pattern in the seemingly random doctrine governing negligent infliction of emotional distress decisions.

PRESENTATIONS At the Borderline of Contract and Tort, Conference of Southeastern Association of Law Schools (July, 2018)

The Role of Party-Race and Implicit Bias in Tort Judgments, Remedies Forum at L'Université d'Aix (June, 2018)

A New Restatement of the Defense of Property, Remedies Forum at L'Université d'Aix (June, 2016), and also at the Conference of Southeastern Association of Law Schools (July, 2016)

Remedies at the Con-Tort Abyss, Conference of Southeastern Association of Law Schools (July, 2015, with Prof. Vince Cardi)

Remedying Racism: Cross-Currents in Europe and the United States, Remedies Forum at the Université Paris Dauphine (June, 2015, with Prof. Lia Epperson)

Law as Violence: An Interdisciplinary Discussion, Wake Forest University (April, 2014)

The Tort of Negligent Infliction of Emotional Distress: Order from Chaos, Symposium on Apportionment and Attribution in Tort Law, University of Sydney, Australia (Dec. 2013)

Employment-at-Will as No-Duty in Title VII Claims, Symposium on Torts and Civil Rights Law: Migration and Conflict, at the Ohio State University, Moritz College of Law (Nov., 2013)

Gender and Racial Bias in Remedies Law, AALS Annual Conference (Jan. 2013)

Judicial Decisionmaking in the Shadow of the Civil Jury, Conference of Southeastern Association of Law Schools (July, 2012)

The Civil Jury: An American Ir/Resolution, International Conference on American Law, University of Poitiers (Paris, June, 2012)

Does Tort Law Deter Individual Conduct?, Georgia State Development Series (March, 2012)

Palsgraf after 80 Years, Wake Forest Development Series (April, 2011) & Conference of Southeastern Association of Law Schools (July, 2009)

A Pluralistic Analysis of the Physician/Therapist Duty to Warn Third Parties, Symposium on the Restatement (Third) of Torts, Wake Forest University (Spring, 2009)

Third Party Duties and the Essential Pluralism of Tort Law, Guest Lecture Series, Wake Forest University (Fall, 2008)

Organized torts workshop and presented talk on Pluralism in Tort Law, Conference of Southeastern Association of Law Schools (July, 2008)

Panel on the Proposed Restatement of Restitution, Conference of Southeastern Association of Law Schools (July, 2007)

Presented The Centralized Music Licensing Act, Modest Proposals Conference, Benjamin N. Cardozo School of Law (Spring, 2007)

Panel at the Remedies Workshop, AALS Annual Meeting (January, 2007)

Panel on Judicial Activism, Conference of Southeastern Association of Law Schools (July, 2006)

Guest Lecture Series, Wake Forest University (Spring, 2006)

Panel on the Supreme Court's State Farm opinion, Conference of Southeastern Association of Law Schools (July, 2005)

Unconscious Racism and the Law, University of Kentucky African-American History Month Series (Spring, 2005)

Panel on the Restatement (Third) of Torts, Conference of Southeastern Association of Law Schools (July, 2004)

Randall-Park Faculty Colloquium, University of Kentucky (March, 2004)
Guest Lecture Series, Southern Illinois University (Fall, 2003)

Young Scholars Panel, Conference of Southeastern Association of Law Schools (July, 2003)

BAR
ADMISSIONS

District of Columbia, West Virginia