

ANDREW A. SCHWARTZ
University of Colorado Law School
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Boulder, CO 80309
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ACADEMIC
APPOINTMENTS

UNIVERSITY OF COLORADO
Professor of Law, 2017-present
Associate Professor of Law, 2008-17 (tenured in 2014)

UNIVERSITY OF AUCKLAND
Visiting Professor of Law, 2017, 2020-21, 2023

EDUCATION

COLUMBIA UNIVERSITY, J.D., 2001
James Kent Scholar (highest honors) – 1L, 2L, 3L
Columbia Law Review, Senior Editor
Class of 1912 Prize in Contracts
Research Assistant to Professor E. Allan Farnsworth
Parker School of Foreign and Comparative Law Certificate

BROWN UNIVERSITY, Sc.B. in Civil Engineering, 1998
Men's Ultimate (captain, national semifinalist)

JUDICIAL
CLERKSHIPS

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
Judge William A. Fletcher, 2003-04

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK
Judge Naomi Reice Buchwald, 2001-02

LEGAL PRACTICE

WACHTELL, LIPTON, ROSEN & KATZ
Associate, 2002-03, 2005-08
Summer Associate, 2000

HONORS AND
AWARDS

UNIVERSITY OF COLORADO LAW SCHOOL GOLDSTEIN FELLOW, 2019-20

UNITED STATES FULBRIGHT RESEARCH SCHOLAR (NEW ZEALAND), 2017

UNIVERSITY OF SYDNEY PARSONS FELLOW, 2017, 2023

UNIVERSITY OF COLORADO PROVOST'S FACULTY ACHIEVEMENT AWARD,
2015

UNIVERSITY OF COLORADO LAW SCHOOL OUTSTANDING NEW FACULTY
AWARD, 2009

BOOK

INVESTMENT CROWDFUNDING
OXFORD UNIVERSITY PRESS (2023)

Subject of *The Future of Startup Finance: A Symposium on INVESTMENT CROWDFUNDING*, 22 COLORADO TECHNOLOGY LAW JOURNAL __ (forthcoming 2024); *Nice Symposium on INVESTMENT CROWDFUNDING*, Université Côte d'Azur (2024)

JOURNAL
ARTICLES

Frustration, the MAC Clause, and COVID-19
55 U.C. DAVIS LAW REVIEW 1771-1828 (2022)

Winner, University of Colorado Law School Sandgrund Award for Best Consumer Rights Work, 2023

Contracts Capsized by COVID-19: A Legal and Jewish Ethical Analysis
178 JOURNAL OF BUSINESS ETHICS 403-13 (2021) (with Tsurriel Rashi)
(peer reviewed)

Mandatory Disclosure in Primary Markets
2019 UTAH LAW REVIEW 1069-1103

The Gatekeepers of Crowdfunding
75 WASHINGTON AND LEE LAW REVIEW 885-955 (2018)

Reprinted in 61 CORPORATE PRACTICE COMMENTATOR 187 (2019)

Equity Crowdfunding in New Zealand
2018 NEW ZEALAND LAW REVIEW 243-74 (peer reviewed)

Financing Corporate Elections
41 JOURNAL OF CORPORATION LAW 863-925 (2016)

The Digital Shareholder
100 MINNESOTA LAW REVIEW 609-85 (2015)

Winner, Federalist Society Junior Scholars Colloquium, 2015
Reprinted in 58 CORPORATE PRACTICE COMMENTATOR 593 (2017)
Replied to in Seth C. Oranburg, *A Place of Their Own: Crowds in the New Market for Equity Crowdfunding*, 100 MINNESOTA LAW REVIEW HEADNOTES 147 (2016)

Corporate Legacy
5 HARVARD BUSINESS LAW REVIEW 237-80 (2015)

Crowdfunding Securities
88 NOTRE DAME LAW REVIEW 1457-90 (2013)

Reprinted in 69 CONSUMER FINANCE L. QUARTERLY REP. 154 (2016)

The Corporate Preference for Trade Secret
74 OHIO STATE LAW JOURNAL 623-68 (2013)

Reprinted in INTELLECTUAL PROPERTY LAW REVIEW (West 2014)
Cited in *Altavion, Inc. v. Konica Minolta Sys. Lab. Inc.*, 171 Cal.
Rptr. 3d 714 (Ct. App. 2014)

The Perpetual Corporation
80 GEORGE WASHINGTON LAW REVIEW 764-830 (2012)

Winner, Federalist Society Young Legal Scholars Competition, 2012
Cited in *In re Lehman Bros. Sec. & ERISA Litig.*, 131 F. Supp. 3d
241 (S.D.N.Y. 2015); *In re Rural/Metro Corp.*, 88 A.3d 54 and 102
A.3d 205 (Del. Ch. 2014); *In re Orchard Enterprises*, 88 A.3d 1
(Del. Ch. 2014); *In re Trados Inc.*, 73 A.3d 17 (Del. Ch. 2013)

Consumer Contract Exchanges and the Problem of Adhesion
28 YALE JOURNAL ON REGULATION 313-66 (2011)

Winner, Federalist Society Young Legal Scholars Competition, 2011

*A “Standard Clause Analysis” of the Frustration Doctrine and the
Material Adverse Change Clause*
57 UCLA LAW REVIEW 789-839 (2010)

Honorable Mention, Association of American Law Schools
Scholarly Paper Competition, 2010
Cited in *AB Stable VIII LLC v. MAPS Hotel and Resorts One LLC*,
2020 WL 7024929 (Del. Ch. 2020), *aff'd*, 268 A.3d 198 (Del. 2021);
Akorn, Inc. v. Fresenius Kabi AG, 2018 WL 4719347 (Del. Ch.
2018), *aff'd*, 198 A.3d 724 (Del. 2018); *Travelport Ltd. & Ors v.*
WEX Inc. [2020] EWHC [England & Wales High Court] (Comm)
2670

*The Patent Office Meets the Poison Pill:
Why Legal Methods Cannot Be Patented*
20 HARVARD JOURNAL OF LAW AND TECHNOLOGY 333-72 (2007)

Reprinted in INTELLECTUAL PROPERTY LAW REVIEW (West 2008);
90 JOURNAL OF THE PATENT AND TRADEMARK OFFICE SOCIETY 194
(2008)

Cited in *In re Bilski*, 545 F.3d 943 (Fed. Cir. 2008) (en banc)
(Mayer, J., dissenting), *aff'd sub. nom. Bilski v. Kappos*, 561 U.S.
593 (2010); Brief for Director of the United States Patent Office, *In
re Shore*, 669 Fed. Appx. 562 (Fed. Cir. 2016)

BOOK
CHAPTER

Social Enterprise Crowdfunding in New Zealand
THE CAMBRIDGE HANDBOOK OF SOCIAL ENTERPRISE LAW 209-20
(Cambridge University Press, Yockey & Means eds. 2018)

ESSAYS AND
SYMPOSIUM PIECES

*Response to The Future of Startup Finance: A Symposium on
INVESTMENT CROWDFUNDING*
22 COLORADO TECHNOLOGY LAW JOURNAL __-__ (forthcoming 2024)
(invited symposium)

Contracts and COVID-19
73 STANFORD LAW REVIEW ONLINE 48-60 (2020) (essay)

Crowdfunding Issuers in the United States
61 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 155-71
(2020) (invited symposium)

Inclusive Crowdfunding
2016 UTAH LAW REVIEW 661-74 (invited symposium)

The Nonfinancial Returns of Crowdfunding
34 REVIEW OF BANKING & FINANCIAL LAW 565-80 (2015) (invited
symposium)

Quarterback by Committee: A Response in Memory of Dan Markel
6 HARVARD JOURNAL OF SPORTS AND ENTERTAINMENT LAW 159-68
(2015) (invited response)

Arbitration and the Contract Exchange
29 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 299-331 (2014)
(essay)

Teenage Crowdfunding
83 UNIVERSITY OF CINCINNATI LAW REVIEW 515-28 (2014) (invited
symposium)

*Keep it Light, Chairman White:
SEC Rulemaking Under the CROWDFUND Act*
66 VANDERBILT LAW REVIEW EN BANC 43-62 (2013) (invited
roundtable)

Excerpted in THERESE MAYNARD AND DANA M. WARREN,
BUSINESS PLANNING: FINANCING THE START-UP BUSINESS AND
VENTURE CAPITAL (Aspen Publishers, 2d ed. 2014)
Cited in SEC's proposed Regulation Crowdfunding (2013)

Rural Crowdfunding
13 U.C. DAVIS BUSINESS LAW JOURNAL 283-94 (2013) (invited
symposium)

*Old Enough to Fight, Old Enough to Swipe:
A Critique of the Infancy Rule in the Federal Credit CARD Act*
2011 UTAH LAW REVIEW 407-32 (competitively selected symposium)

Discussed in E. ALLAN FARNSWORTH ET AL., CASES AND
MATERIALS ON CONTRACTS (Foundation Press, 9th ed. 2019)

Patents on Legal Methods? No Way!
107 COLUMBIA LAW REVIEW SIDEBAR 1-3 (2007) (invited essay)

Inaugural essay for new online publication

INTERNET
PUBLICATIONS

A Missing Piece in Regulation Crowdfunding
PROFESSORBAINBRIDGE, Aug. 17, 2023

How Brand Ambassadors Illustrate the Power of Private Ordering in Investment Crowdfunding
COLUMBIA LAW SCHOOL BLUE SKY BLOG, July 14, 2023

New Book on Investment Crowdfunding
OXFORD BUSINESS LAW BLOG, July 6, 2023

A COVID-19 Quandary: Does a Force Majeure Clause Displace the Frustration Doctrine?
COLUMBIA LAW SCHOOL BLUE SKY BLOG, Apr. 5, 2021

Reprinted in OXFORD BUSINESS LAW BLOG, Apr. 8, 2021

COVID-19: Impossible Contracts and Force Majeure
COLUMBIA LAW SCHOOL BLUE SKY BLOG, Aug. 11, 2020

Reprinted in OXFORD BUSINESS LAW BLOG, Sept. 15, 2020;
CONTRACTSPROF BLOG, Sept. 8, 2020

Which Companies Crowdfund?
COLUMBIA LAW SCHOOL BLUE SKY BLOG, May 29, 2020

Reprinted in OXFORD BUSINESS LAW BLOG, June 10, 2020

Breaking contracts over coronavirus: Can you argue it's an 'act of God'?
THE CONVERSATION, Mar. 31, 2020

Voluntary Disclosure for Primary Securities Offerings
COLUMBIA LAW SCHOOL BLUE SKY BLOG, Mar. 3, 2020

Reprinted in OXFORD BUSINESS LAW BLOG, Mar. 5, 2020;
SECURITIES REGULATION DAILY, Mar. 19, 2020

Equity Crowdfunding in New Zealand
OXFORD BUSINESS LAW BLOG, Oct. 30, 2018

Resolving the Tension Between Efficiency and Inclusiveness in Crowdfunding
COLUMBIA LAW SCHOOL BLUE SKY BLOG, Sept. 27, 2018

Inclusive Crowdfunding
OXFORD BUSINESS LAW BLOG, Jan. 3, 2017

Financing Corporate Elections
HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE AND
FINANCIAL REGULATION, June 21, 2016

Crowdfunding and the Digital Shareholder
HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE AND
FINANCIAL REGULATION, Feb. 2, 2016

The Iliad and the IPO
HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE AND
FINANCIAL REGULATION, Aug. 12, 2015

Selected by THE BROWSER as one of the 100 best pieces of
writing published online in 2015

Young Hearts Be Free Tonight: The Promise of Teenage Crowdfunding
COLUMBIA LAW SCHOOL BLUE SKY BLOG, June 12, 2015

Crowdfunding Securities: Recommendations for SEC Rulemaking
COLUMBIA LAW SCHOOL BLUE SKY BLOG, July 12, 2013

Crowdfunding Securities: Two Novel Predictions
COLUMBIA LAW SCHOOL BLUE SKY BLOG, June 26, 2013

EVENTS
ORGANIZED

*THE FUTURE OF STARTUP FINANCE: A SYMPOSIUM ON INVESTMENT
CROWDFUNDING*, *Colorado Journal of Technology Law and Silicon
Flatirons*, University of Colorado, 2023

INVESTMENT CROWDFUNDING WORKSHOP, University of Colorado, 2022

EQUITY CROWDFUNDING SYMPOSIUM, University of Auckland, 2017

JUNIOR BUSINESS LAW COLLOQUIUM, University of Colorado, 2011-15

Founder; conference continues to convene annually

PEER REVIEWER
OR REFEREE

Yale Law Journal, University of Chicago Law Review, Sydney Law Review, New Zealand Law Review, New Zealand Universities Law Review, Derecho y Sociedad (Peru), Federal Law Review (Australia), University of Queensland Law Journal, National Science Centre of Poland, and others

PRACTITIONER
PUBLICATIONS

New Book on Investment Crowdfunding
COLORADO BAR ASSOCIATION BUSINESS LAW NEWSLETTER, Aug. 2023

Australian Crowd-Sourced Funding 'Best in Class' Compared to Global Peers
BIRCHAL FUNDED! REPORT, July 2023

Equity Crowdfunding in New Zealand
ROCKY MOUNTAIN SECURITIES CONFERENCE, May 2018

The Nonfinancial Returns of Crowdfunding
COLORADO BAR ASSOCIATION BUSINESS LAW NEWSLETTER, Sept. 2015

Eternal Sunshine of the Corporate Legacy
LOS ANGELES DAILY JOURNAL, Aug. 17, 2015

Crowdfunding Securities Under the CROWDFUND Act
COLORADO BAR ASSOCIATION BUSINESS LAW NEWSLETTER, Oct. 2013

Reprinted in CBA-CLE LEGAL CONNECTION, Nov. 4, 2013

Regulation Goes Medieval
REGULATION, Spring 2012

Contract Drafting and Interpretation
COLORADO BAR ASSOCIATION BUSINESS LAW INSTITUTE (2012)

A Critique of the Infancy Rule in the Federal Credit Card Act of 2009
31 BANKING & FINANCIAL SERVICES POLICY REPORT, No. 5, at 1 (2012)

Mergers and Acquisitions: Material Adverse Change Clauses
COLORADO BAR ASSOCIATION BUSINESS LAW INSTITUTE (2008)

Tax Strategies Are Not Patentable Inventions
ABA INTELLECTUAL PROPERTY NEWSLETTER, Vol. 25, No. 1 (2006)

Wachtell, Lipton, Rosen & Katz client memoranda (2006-07)

PUBLIC COMMENT
LETTERS

Letter to UNITED STATES SECURITIES AND EXCHANGE COMMISSION on Proposed Rule on Facilitating Capital Formation and Expanding Investment Opportunities by Improving Access to Capital in Private Markets (File No. S7-05-20), May 21, 2020

Letter to UNITED STATES SECURITIES AND EXCHANGE COMMISSION on Harmonization of Securities Offering Exemptions (File No. S7-08-19), Sept. 24, 2019

Adopted in part in UNITED STATES SECURITIES AND EXCHANGE COMMISSION Final Rule, Facilitating Capital Formation and Expanding Investment Opportunities by Improving Access to Capital in Private Markets, Nov. 2, 2020

Letter to BRITISH COLUMBIA SECURITIES COMMISSION on the Securities Law Framework for Fintech Regulation (BCN2018/01), Apr. 3, 2018

Letters to UNITED STATES SECURITIES AND EXCHANGE COMMISSION on Disclosure of Third-Party Director Compensation (File No. SR-NASDAQ-2016-13), Apr. 25 and 26, 2016

Letter to INSTITUTIONAL SHAREHOLDER SERVICES on Unilateral Board Actions, Nov. 9, 2015

Letter to UNITED STATES SECURITIES AND EXCHANGE COMMISSION on Proposed Regulation Crowdfunding (File No. S7-09-13), Jan. 27, 2014

Letter to UNITED STATES SECURITIES AND EXCHANGE COMMISSION on Regulatory Initiatives Under the JOBS Act: Title III – Crowdfunding, June 13, 2013

POPULAR PRESS
AND MEDIA

Equity crowdfunding made legal in NZ a decade ago: change needed
NATIONAL BUSINESS REVIEW, July 29, 2023

Quoted in *The Wall Street Journal*, *Los Angeles Times*, *Sydney Morning Herald*, *Las Vegas Sun*, *Denver Post*, *ABA Journal*, *Law360*, *International Business Times*, *National Business Review*, *Denver Business Journal*, *Law Week Colorado*, and others

Appeared on *Bloomberg Radio*, *Bloomberg Law*, *Bite-Sized Business Podcast*, *Business Scholarship Podcast*

SCHOLARLY
PRESENTATIONS

INVESTMENT CROWDFUNDING

NYU SCHOOL OF LAW, CLASSICAL LIBERAL INSTITUTE, ____ 2024
(comments by Ron Miller) (anticipated)

NICE SYMPOSIUM ON *INVESTMENT CROWDFUNDING*, Université
Côte d'Azur, Nice, France, June 2024 (anticipated)

INTERNATIONAL CONFERENCE FOR ALTERNATIVE FINANCE
RESEARCH, IMC KREMS University of Applied Sciences, Austria,
June 2024 (anticipated)

DRESDEN UNIVERSITY OF TECHNOLOGY, May 2024 (antic.)

EUROPEAN SOCIETY FOR BANKING AND FINANCIAL LAW, Milan,
May 2024 (anticipated)

UNIVERSITY OF BRITISH COLUMBIA ALLARD SCHOOL OF LAW,
Centre for Business Law, Vancouver, Feb. 2024 (comments by
Peter-Paul Van Hoeken) (anticipated)

COLUMBIA LAW SCHOOL CHAPTER OF THE FEDERALIST SOCIETY,
Jan. 2024 (anticipated)

RUTGERS LAW SCHOOL, Jan. 2024 (anticipated)

UTRECHT UNIVERSITY, Netherlands, Nov. 2023

DENVER UNIVERSITY STURM COLLEGE OF LAW, Venture Law
Society and Federalist Society, Nov. 2023

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, Nov.
2023

LAW & ENTREPRENEURSHIP ASSOCIATION ANNUAL WORKSHOP,
Vanderbilt Law School, Oct. 2023 (comments by Michael
Guttentag)

THE FUTURE OF STARTUP FINANCE: A SYMPOSIUM ON *INVESTMENT
CROWDFUNDING*, University of Colorado, Sept. 2023

COLORADO LAWYERS CHAPTER OF THE FEDERALIST SOCIETY,
Denver, Aug. 2023

AUSTRALIAN NATIONAL UNIVERSITY COLLEGE OF LAW,
Canberra, June 2023 (comments by Akshaya Kamalnath)

INVESTMENT CROWDFUNDING (cont'd)

MONASH UNIVERSITY CENTRE FOR COMMERCIAL LAW &
REGULATORY STUDIES, Melbourne, May 2023 (comments by
Matt Vitale and Kellie Morton)

UNIVERSITY OF SYDNEY LAW SCHOOL, Ross Parsons Centre of
Commercial, Corporate and Taxation Law, at CORRS CHAMBERS
WESTGARTH, Sydney, May 2023 (comments by Steven Rice)

UNIVERSITY OF AUCKLAND LAW SCHOOL, May 2023 (comments
by Michael Littlewood)

UNIVERSITY OF AUCKLAND BUSINESS SCHOOL, May 2023
(comments by Simeon Burnett)

Manuscript Workshop, UNIVERSITY OF COLORADO LAW SCHOOL,
June 2022 (sponsored by the Institute for Humane Studies)

NATIONAL BUSINESS LAW SCHOLARS CONFERENCE, University of
Oklahoma Law School, June 2022

Equal State Suffrage in the U.S. Senate

UNIVERSITY OF COLORADO LAW SCHOOL, Mar. 2023

Three Fundamental Problems with Stakeholder Governance

CORPORATE LAW TEACHERS ASSOCIATION, Annual Conference,
University of Sydney Law School, Feb. 2021

Frustration, the MAC Clause, and COVID-19

Advanced Corporate and Securities Law Seminar, UNIVERSITY
OF COLORADO LAW SCHOOL, Jan. 2021

The Law of Envy

UNIVERSITY OF AUCKLAND LAW SCHOOL, Sept. 2020

Mandatory Disclosure in Primary Markets

NEW ZEALAND FINANCIAL MARKETS AUTHORITY, Oct. 2020

VICTORIA UNIVERSITY OF WELLINGTON, Oct. 2020

Annual Faculty Conference, FEDERALIST SOCIETY, Jan. 2019

Advanced Topics in Corporate and Securities Law Workshop,
UCLA SCHOOL OF LAW, Mar. 2018

WAKE FOREST UNIVERSITY SCHOOL OF LAW, Feb. 2018

UNIVERSITY OF COLORADO LAW SCHOOL, Nov. 2017

Equity Crowdfunding in New Zealand

Workshop on Comparative Business and Financial Law,
AMERICAN SOCIETY OF COMPARATIVE LAW Younger
Comparativists Committee, Fordham University Law School,
Feb. 2018 (competitively selected on a blind basis)

NEW ZEALAND PARLIAMENT, MINISTER OF COMMERCE AND
CONSUMER AFFAIRS, Wellington, June 2017

NEW ZEALAND FINANCIAL MARKETS AUTHORITY, June 2017

EQUITY CROWDFUNDING SYMPOSIUM, NEW ZEALAND RESEARCH
CENTRE FOR LAW AND BUSINESS, University of Auckland Law
School, June 2017

LEGAL RESEARCH FOUNDATION, Auckland, May 2017

UNIVERSITY OF AUCKLAND LAW SCHOOL, May 2017

Ross Parsons Centre of Commercial, Corporate and Taxation
Law, UNIVERSITY OF SYDNEY LAW SCHOOL, at the AUSTRALIAN
SECURITIES AND INVESTMENTS COMMISSION, Sydney, Mar. 2017
(comments by Phillipa Stone)

The Gatekeepers of Crowdfunding

Future Law Workshop, DUQUESNE UNIVERSITY SCHOOL OF LAW,
Oct. 2016

The Classic Corporation

Faculty Roundtable, CORNELL CLUB, Apr. 2016

Financing Corporate Elections

UNIVERSITY OF COLORADO LAW SCHOOL, Nov. 2015

JUNIOR BUSINESS LAW CONFERENCE, UNIVERSITY OF COLORADO LAW SCHOOL, July 2015 (comments by Kathryn Judge)

Inclusive Crowdfunding

Symposium on Legal Innovation & Modern Entrepreneurship, UTAH LAW REVIEW, Oct. 2015

The Distant Gaze of the Corporate Board

Business Associations Section, ASSOCIATION OF AMERICAN LAW SCHOOLS Annual Meeting, Jan. 2015 (competitively selected on a blind basis) (comments by Christine Hurt and Robert Thompson)

The Digital Shareholder

Junior Scholars Colloquium, FEDERALIST SOCIETY, June 2015 (competitively selected) (comments by Keith Hylton)

Section on Transactional Law and Skills, ASSOCIATION OF AMERICAN LAW SCHOOLS Annual Meeting, Jan. 2015 (competitively selected)

Work-in-Progress Presentation, Annual Faculty Conference, FEDERALIST SOCIETY, Jan. 2015

UNIVERSITY OF COLORADO LAW SCHOOL, Oct. 2014

Staff Meeting, UNITED STATES SECURITIES AND EXCHANGE COMMISSION, Oct. 2014

The Nonfinancial Returns of Crowdfunding

Symposium on Funding Innovation, REVIEW OF BANKING & FINANCIAL LAW, Boston University School of Law, Feb. 2015

Crowdfunding Securities

Office of Dong-Woo Shin, Member, NATIONAL ASSEMBLY OF THE REPUBLIC OF KOREA, June 2014

SEOUL NATIONAL UNIVERSITY SCHOOL OF LAW, June 2014

INTERNATIONAL CONFERENCE ON CURRENT REGULATORY ISSUES ON CROWDFUNDING, KONKUK UNIVERSITY, Seoul, June 2014

KOREAN SECURITIES LAW ASSOCIATION, Seoul, June 2014

KOREA CONSUMER AGENCY, Seoul, June 2014

Teenage Crowdfunding

Annual Corporate Law Symposium, UNIVERSITY OF CINCINNATI LAW REVIEW, Mar. 2014

Corporate Legacy

JUNIOR BUSINESS LAW CONFERENCE, UNIVERSITY OF COLORADO LAW SCHOOL, July 2014 (comments by John Morley)

Work-in-Progress Presentation, Annual Faculty Conference, FEDERALIST SOCIETY, Jan. 2014

UNIVERSITY OF COLORADO LAW SCHOOL, Oct. 2013

Arbitration and the Contract Exchange

FEDERALIST SOCIETY JUNIOR SCHOLARS WORKSHOP, at the UNIVERSITY OF IOWA LAW SCHOOL, Aug. 2013

JUNIOR BUSINESS LAW CONFERENCE, UNIVERSITY OF COLORADO LAW SCHOOL, July 2013 (comments by Anthony Casey)

Law and Economics of Arbitration and Alternative Dispute Resolution Public Policy Workshop, GEORGE MASON UNIVERSITY LAW & ECONOMICS CENTER, Jan. 2013 (competitively selected)

The Corporate Preference for Trade Secret

CONFERENCE ON INNOVATION AND ENTREPRENEURSHIP: USPTO-KAUFFMAN FOUNDATION CONFERENCE ON INTELLECTUAL PROPERTY AND ENTREPRENEURSHIP, Northwestern University School of Law, June 2013 (comments by Jay Kesan) (competitively selected)

UNIVERSITY OF COLORADO LAW SCHOOL, Jan. 2013

Annual Meeting, MIDWEST LAW AND ECONOMICS ASSOCIATION, Washington University School of Law, Oct. 2012

JUNIOR BUSINESS LAW CONFERENCE, UNIVERSITY OF COLORADO LAW SCHOOL, July 2012 (comments by Robert Jackson)

Rural Crowdfunding

Symposium, U.C. DAVIS BUSINESS LAW JOURNAL, Feb. 2013

*Old Enough to Fight, Old Enough to Swipe:
A Critique of the Infancy Rule in the Federal Credit CARD Act*

INTERNATIONAL CONFERENCE ON CONTRACTS, Thomas Jefferson School of Law, Mar. 2012

The Perpetual Corporation

Young Legal Scholars Paper Presentations, Annual Faculty Conference, FEDERALIST SOCIETY, Jan. 2012 (competitively selected) (comments by Todd Henderson)

Law and Business Workshop, VANDERBILT LAW SCHOOL, Oct. 2011

UNIVERSITY OF DENVER STURM COLLEGE OF LAW, Sept. 2011

JUNIOR BUSINESS LAW CONFERENCE, UNIVERSITY OF COLORADO LAW SCHOOL, July 2011 (comments by Richard Squire)

MIDWEST CORPORATE LEGAL SCHOLARS CONFERENCE, Ohio State Moritz College of Law, June 2011

UNIVERSITY OF COLORADO LAW SCHOOL, June 2011

Consumer Contract Exchanges and the Problem of Adhesion

INTERNATIONAL CONFERENCE ON CONTRACTS, Stetson University
College of Law, Feb. 2011

Deals Colloquium, UNIVERSITY OF COLORADO LAW SCHOOL,
Feb. 2011

Young Legal Scholars Paper Presentations, Annual Faculty
Conference, FEDERALIST SOCIETY, Jan. 2011 (competitively
selected) (comments by Richard Epstein)

Annual Meeting, MIDWEST LAW AND ECONOMICS ASSOCIATION,
University of Colorado Law School, Oct. 2010

UNIVERSITY OF COLORADO LAW SCHOOL, July 2010

*A “Standard Clause Analysis” of the Frustration Doctrine and the
Material Adverse Change Clause*

INTERNATIONAL CONFERENCE ON CONTRACTS, UNLV Boyd
School of Law, Feb. 2010

Scholarly Papers Competition Award Ceremony, Annual
Meeting, ASSOCIATION OF AMERICAN LAW SCHOOLS, Jan. 2010
(competitively selected on a blind basis)

UNIVERSITY OF COLORADO LAW SCHOOL, Feb. 2009

BUSINESS LAW INSTITUTE, Colorado Bar Association, Sept. 2008

SPEECHES,
PANELS,
DEBATES, AND
DISCUSSIONS

Forty-Eighth Annual Austin Scott Lecture: *Investment Crowdfunding*
UNIVERSITY OF COLORADO LAW SCHOOL, Nov. 2023

“Investment Crowdfunding,” CASE WESTERN RESERVE UNIVERSITY,
Nov. 2023

“K-COVID2: Predictions about the Recent Past,” Kidwell Contracts
Workshop, TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Apr. 2023

Discussant, “Securities Regulation and 21st-century Free Speech Law”
by Helen Norton, Faculty Workshop, UNIVERSITY OF COLORADO LAW
SCHOOL, Jan. 2023

“Corporations and Business Law,” Mini Law School, UNIVERSITY OF
COLORADO, Jan. 2022 (via Zoom)

“COVID-19 and the Law,” WYOMING STATE BAR ANNUAL MEETING,
Sept. 2021 (via Zoom)

“COVID-19 and Contracts,” Mini Law School, UNIVERSITY OF
COLORADO, Feb. 2021 (via Zoom)

“COVID and the Law: Contract Litigation,” VANDERBILT LAW SCHOOL,
Sept. 2020

“Access to Capital and Talent,” Conference on Entrepreneurship in
Rural America, SILICON FLATIRONS, Oct. 2019

“Equity Crowdfunding,” COLORADO LAW TALKS, Sept. 2019

Reported in Jessica Folker, *Crowdfunding for Companies*, LAW
WEEK COLORADO, Sept. 16, 2019

“Corporate Responsibility: Maximizing Shareholder Benefit v. Social
Justice,” FEDERALIST SOCIETY EXECUTIVE BRANCH REVIEW
CONFERENCE, May 2019

Small Business Roundtable, SEC OFFICE OF THE ADVOCATE FOR SMALL
BUSINESS CAPITAL FORMATION, Denver, May 2019

Senior Mentor, FutureLaw Workshop, DUQUESNE UNIVERSITY SCHOOL
OF LAW, Nov. 2018

“Equity Crowdfunding,” COLORADO LAW TECHNOLOGY JOURNAL, Sept.
2018

“Capital Formation in Small Business,” FIFTIETH ANNUAL ROCKY MOUNTAIN SECURITIES CONFERENCE, May 2018

Colorado Crowdfunding Forum, COLORADO DIVISION OF SECURITIES, UNIVERSITY OF COLORADO DENVER, Oct. 2017

Equity Crowdfunding Symposium, New Zealand Research Centre for Law and Business, UNIVERSITY OF AUCKLAND LAW SCHOOL, June 2017

“Crowdfunding Securities,” BOULDER BAR ASSOCIATION BUSINESS SECTION, Sept. 2014

Junior Faculty Business and Financial Law Workshop, GEORGE WASHINGTON UNIVERSITY LAW SCHOOL CENTER FOR LAW, ECONOMICS & FINANCE, Feb. 2014

Attorneys’ Panel on the JOBS Act, BUTTONWOOD INVESTMENT SERVICES DUE DILIGENCE CONFERENCE, Jan. 2014

“Novel Ways to Raise Capital Under the JOBS Act,” COLORADO BAR ASSOCIATION SECURITIES SUBSECTION, Nov. 2013

“Game Changer: The Impact of the JOBS Act,” VIRGINIA LAW & BUSINESS REVIEW, Apr. 2013

“Business Law and Contracts,” Mini Law School, UNIVERSITY OF COLORADO, Nov. 2012

“Contract Drafting and Interpretation,” COLORADO BAR ASSOCIATION BUSINESS LAW INSTITUTE, Oct. 2012

“Circumventing the Securities Acts,” Annual Symposium, OHIO STATE ENTREPRENEURIAL BUSINESS LAW JOURNAL, Apr. 2012
Discussion of Legislation Addressing Tax Strategy Patents, Task Force on Patenting Tax Strategies, Section of Taxation and Section of Real Property, Trust & Estate Law, Trust & Estate Division Joint Meeting, AMERICAN BAR ASSOCIATION, Oct. 2011

“The Credit Card Accountability Responsibility and Disclosure Act (CARD Act) of 2009,” Section on Commercial and Related Consumer Law, Annual Meeting, ASSOCIATION OF AMERICAN LAW SCHOOLS, Jan. 2011 (competitively selected)

“The Business of Tax Patents: At the Crossroads of Patent, Tax and Business Law,” Open Source Program, Annual Meeting, ASSOCIATION OF AMERICAN LAW SCHOOLS, Jan. 2009

“Can and Should Tax/ERISA Strategies Be Patented,” PRACTICING LAW INSTITUTE, Oct. 2007 (live webcast)

“The Outer Limits of Patentable Subject Matter,” Annual Symposium, HARVARD JOURNAL OF LAW & TECHNOLOGY, Mar. 2007

COURSES AT THE
UNIVERSITY OF
COLORADO

CONTRACTS (LAWS 5121), four credit hours

Fall 2023:	29 students
Fall 2022:	57 students
Fall 2021:	59 students
Fall 2019:	59 students
Fall 2018:	56 students
Fall 2017:	62 students
Fall 2016:	56 students
Fall 2015:	68 students
Fall 2013:	58 students
Fall 2011:	80 students
Fall 2010:	59 students
Fall 2009:	42 students
Fall 2008:	81 students

CORPORATIONS (LAWS 6211), three credit hours

Fall 2023:	81 students
Spring 2023:	86 students
Spring 2022:	66 students
Fall 2019:	87 students
Spring 2019:	73 students
Spring 2018:	85 students
Fall 2016:	96 students
Fall 2015:	78 students
Fall 2013:	68 students
Spring 2013:	73 students
Fall 2011:	85 students
Spring 2010:	73 students
Spring 2009:	60 students

CORPORATE & SECURITIES LAW SEMINAR (LAWS 8251), two credit hours

Spring 2024:	15 students (anticipated)
Spring 2023:	6 students
Spring 2022:	13 students
Spring 2021:	9 students
Spring 2019:	12 students
Spring 2018:	10 students
Spring 2016:	12 students

MERGERS AND ACQUISITIONS (LAWS 7411), two credit hours

Spring 2014:	32 students
Spring 2013:	39 students
Fall 2010:	17 students
Spring 2009:	18 students

WOLF WEEK (PRE-ORIENTATION), one credit hour

Fall 2023: 92 students

Fall 2022: 71 students

INDEPENDENT LEGAL RESEARCH (LAWS 7846), two credit hours

Spring 2016: 1 student

BUSINESS LAW COLLOQUIUM (LAWS 8101), three credit hours

Spring 2012: 20 students

COURSES AT OTHER INSTITUTIONS FINANCIAL MARKETS REGULATION, 2017, 2021, 2023 (at University of Auckland)
CIVIL PROCEDURE, 2004-05 (at U.C. Berkeley and Golden Gate Univ.)
CRIMINAL SENTENCING, 2005 (at U.C. Berkeley)

SELECTED SERVICE Faculty Evaluation Committee, 2021+ (Chair 2021-24)
TO COLORADO Policy, Management, and Budget Committee, 2021+
LAW SCHOOL Faculty Appointments Committee, 2010-11, 2018-19
Clinical Appointments Committee, 2018-19
Peer Evaluation Committee, 2018-20
Faculty Salary Grievance Comm., 2018-19, 2022-23 (Chair, 2022-23)
Academic and Student Affairs Comm., 2011-18 (Chair, 2015-16, 2018)
Faculty Advisor, Federalist Society, 2018-19, 2020-22
Faculty Advisor, JD/MBA Dual Degree Program, 2009-13
Faculty Secretary, 2008-09

SELECTED SERVICE Academic Resource Management Advisory Committee (ARMAC f/k/a
TO THE UNIVERSITY AABAC), 2008-09, 2010, 2011-14, 2017+
OF COLORADO Leeds School of Business External School Personnel Advisory
Committee, 2022-23
Fulbright U.S. Student Program Campus Committee, 2019-20
Global Engagement Advisory Team (GREAT), 2019+
Boulder Faculty Assembly, Budget and Planning Committee, 2009-12

SELECTED SERVICE Colorado Bar Association Business Law Section Executive Council,
TO THE LEGAL 2013-19, 2023+
PROFESSION Rocky Mountain Securities Conference Planning Committee, 2017-19
Colorado Business Corporation Act Revision Committee, 2009-10

SELECTED SERVICE Fulbright National Screening Committee, 2021-24
TO THE PUBLIC Founding Chair, Youth Eligibility Committee, USA Ultimate, 2003+
Ultimate Head Coach, Summit Middle School, 2022+
Director, Congregation Bonai Shalom (Boulder), 2012-14

BAR MEMBERSHIPS New York, admitted in 2002 (active)
United States Patent and Trademark Office, admitted in 2003 (active)

PROFESSIONAL European Corporate Governance Institute
AFFILIATIONS Federalist Society for Law and Public Policy Studies