

Lauren K. Valastro, J.D. (she/her)

SELECTED PROFESSIONAL AND ACADEMIC EXPERIENCE

University of Colorado Law School, Boulder, CO

Visiting Clinical Associate Professor

Entrepreneurial Law Clinic Director: 2024 - present

University of Denver Sturm College of Law, Denver, CO

Visiting Assistant Professor of the Practice of Law: 2023 - 2024

Louisiana State University - Shreveport, Shreveport, LA

Assistant Professor of Business Law: 2022 - 2023

Legalist, Inc., San Francisco, CA

Investment Counsel: 2022 - present

Diamond McCarthy, LLP, Houston, TX

Partner: 2020 - 2022

Senior Associate: 2018 - 2019

Kelley, Drye & Warren, LLP, Houston, TX

Associate: 2014 - 2018

Greer, Herz & Adams, LLP, Galveston, TX

Associate: 2012 - 2014

72nd Judicial District, Lubbock, TX

Judicial Clerk for the Honorable Ruben G. Reyes: 2010

SELECTED LEGAL EXPERIENCE

- Served as outside general counsel to several businesses, ranging from start-ups to a Fortune 500 company. Responsible for assisting with corporate formalities, vendor agreements, employment disputes, insurance renewals, reserve setting, contract management processes and systems overhauls, and implementation of corporate asset recovery programs.
- As in-house counsel, evaluated and advised on risk of potential transactions, drafted contracts, liaised with internal and external clients and potential clients, negotiated deal terms, and played pivotal role in trebling investment deployment. Advised CEO and CFO on major transactional matters.
- As in-house counsel, led development of new, high-value investment arrangement with top U.S. firm.

- First-chair trial counsel in fiduciary malfeasance and fraud claim. Obtained a total victory and award of all attorneys' fees in Texas state court, which was upheld on appeal.
- Second-chair representation of foreign airline against international competitor in a cross-border breach of contract and business tort case tried to a jury in New York state court. The case settled prior to verdict.
- Second-chair environmental jury trial (cleanup indemnity) to favorable verdict in Delaware Complex Business Court and created case law in successfully defending case on appeal.
- Represented litigation trustee of energy company asserting fiduciary breaches. Resulted in a multi-million-dollar AAA arbitral award for my client.
- Represented corporate client in obtaining complete defense verdict in one of Washington state's largest environmental contribution suits ever, overcoming multiple summary judgment motions.
- Represented mid-stream client before regulators and addressed novel issues involving tribal sovereignty in several of the largest Superfund Sites in the United States.
- Appellate experience includes presenting oral argument in the U.S. Second Circuit Court of Appeals and representing clients in the U.S. Fifth Circuit Court of Appeals, various Texas appeals circuits, and the Delaware Supreme Court.
- Created a high school exposure program in which students were able to complete a curriculum to gain exposure to underwriting concepts in private equity.
- Developed a externship position in which a law student could experience real-world legal challenges in private equity.
- As a partner at a boutique firm, handled internal HR and staffing issues, external vendor contracts, financing, and all attendant complexities in running a small business.

EDUCATION

Texas Tech University School of Law, Lubbock, TX

- J.D., *Magna Cum Laude*, May 2012
- Comment Editor, *Texas Tech Law Review*, Vol. 44; Member, Vol. 43
- Class Rank: Top 15% (3.4 GPA)

Texas Tech University, Lubbock, TX

- B.A, Spanish & Political Science, *Summa Cum Laude*, with Honors, December 2008
- College Class Rank: 1st (4.0 GPA)
- TTU Centro Seville, Spain: January-December 2007

HONORS AND AWARDS

Professional

- LSUS Professor of the Year: 2023
 - *This campus-wide award based on student submissions is the highest level of recognition achievable for teaching excellence and contribution to the university.*
- Super Lawyers Rising Stars for 2023: Business Litigation
- Super Lawyers Rising Stars for 2022: Business Litigation
- Kelley Drye & Warren LLP's Leadership Council on Legal Diversity Pathfinder: 2018
- Nominated for Texas Tech University Distinguished Alumni Award: 2014

Academic

- CALI Award (for highest law school grade) in:
 - Legal Practice I
 - Advanced Immigration
 - European Union Law
 - Constitutional Law Seminar
 - Advanced ADR Clinic
- AmJur Award (for second highest grade) in: Taxation of International Transactions
- Recipient of Chancellor's Merit Scholarship for full law school tuition: 2009-2012
- Highest Ranking Graduate Award for graduating first in college class: 2008
- Recipient of Presidential Merit Scholarship: 2005-2008
- Recipient of various departmental, Honors College, and study abroad merit scholarships

PUBLICATIONS

- L. Valastro, *Vindicating Retirees*, forthcoming in 41 GEORG. ST. UNIV. L. REV. (2024).
- L. Valastro, *Externships for Equity: Legal Education's Most Promising Tool for Improving Marginalized Students' Hiring Outcomes*, forthcoming in 13 TOURO UNIV. J. RACE, GENDER, & ETHNICITY (2024).
- L. Valastro, *Did the Superbowl Ad Curse Heighten Defined Contribution Plan Fiduciary Duties?: Deciphering the Legal and Ethical Landscape of Cryptocurrency Options in 401(k)s*, 57 UNIV. MICH. J. L. REFORM 109 (2023).
- L. Valastro, *Training Wheels Needed: Balancing the Parental Presumption, the Best Interest Standard, and the Need to Protect Children*, 44 TEX. TECH. L. REV. 503 (2011).
- L. Valastro, B. Jackson, & D. Young, *The Standard of Review for Natural Resource Damages (CERCLA) Settlements with Government Agencies Update*, L. SEMINARS INT'L (2016).
- L. Valastro, B. Jackson, & I. Gottlieb, *The Standard of Review for Natural Resource Damages (CERCLA) Settlements with Government Agencies*, L. SEMINARS INT'L (2014).

- L. Valastro, *Trying to Tip the Scale*, THE LIGHTNING, TEX. TECH UNIV. HONORS COL. PRESS (2014).

REFEREED PROCEEDING/SYMPOSIA

L. Valastro, *The Pleading Paradox*, selected for participation in the ERISA at 50: Employee Benefits at Crossroads Conference, sponsored by the Catholic University of America Columbus School of Law, the Ross School of Business at the University of Michigan, and Boston College Law School, September 12-13, 2024.

L. Valastro, *Vindicating Retirees*, selected via double-blind peer review for participation in the Ninth Annual Civil Procedure Workshop sponsored by UC Law SF, its Center for Litigation and Courts, and the American Association for Justice's Robert L. Habush Endowment, May 31-June 1, 2024.

L. Valastro, *Should Claims Asserting Fiduciary Breaches be Arbitrable?*, selected for participation in the 13th Annual Employee Benefits & Social Insurance Conference, Texas A&M School of Law, April 5-6, 2024.

L. Valastro, *Externships and Equity: Legal Education's Most Promising Tool For Improving Marginalized Students' Hiring Outcomes*, Proceedings of the Touro University Journal of Race, Gender, and Ethnicity's The Promise of Educational Equity Symposium, March 21, 2024.

L. Valastro, *Deciphering the Legal and Ethical Landscape of Cryptocurrency Investment in Employer-Sponsored Pension Plans*. Proceedings of the *Business Ethics and the Future of Work Symposium* sponsored by the American Business Law Journal, the Center for Ethics, Diversity, and Workplace Culture at Temple University, and the Center for Legal Studies and Business Ethics at Oklahoma State University, February 23-24, 2023.

INVITED PRESENTATIONS/LECTURES

- "Entity Formation in a Nutshell," (guest speaker for CU Start Up Summer Program, 2024).
- "120 Years of Colorado Clinics," (guest speaker at Colorado Lawyers Committee Board Meeting, 2024).
- "Negotiating Business Resolutions to Environmental Disputes," (guest lecturer to University of Denver Sturm College of Law Environmental Law Clinic, 2024).
- "How I Write: A Panel Discussion," AALS Externship Scholarship Committee Presentation (panelist, 2024).
- "How Regulation of Digital Asset Investments in Employer-Sponsored Pension Plans Could Disproportionately Affect Members of Underserved Communities," Southern Academy of Legal Studies in Business Conference (presenter, 2023).

- “Ethical Issues in Sustainable Design: Understanding and Preventing Greenwashing” (lecturer at HalfMoon Education Seminars, 2022, 2021, 2020).
- “Energy & the Environment: An Insight into the Synergy of Oil, Gas, & Environmental Compliance” (panelist at South Texas School of Law Environmental Law Society, 2020).
- “Visible Invisibility” Panel (panelist at South Texas School of Law Women’s Law Group event, 2020).
- “Hispanic Law Students Association Presents Litigation Panel” (panelist at South Texas School of Law Hispanic Law Students Association event, 2020).
- “Energy Law: Nuts and Bolts – Environmental Issues” (guest lecturer at Texas Tech University School of Law, 2018).
- “Case Law Update” (presenter at Houston Environmental Law Section, 2017).
- “Surviving a Deposition for Business Professionals” (presenter at Texas Association of Environmental Professionals, 2015).
- “Preemption Issues in an Evolving Energy Market,” Conference of Western Attorneys General Energy Exports Summit (co-author, 2015).

RESEARCH INTERESTS

- The contours of fiduciary duties applicable to self-directed brokerage windows in ERISA-governed retirement plans after recent Department of Labor guidance upending years of settled practices.
- Analyzing pleading failures in claims seeking to compel mandatory arbitration of employer-sponsored pension plan benefit disputes.
- The intersectionality of fiduciary duties to plan participants and the tensions inherent in serving a diverse constituency with varied backgrounds, needs, and retirement objectives.
- The equity and effects of regulation of developing technologies on members of underserved communities.

COURSES TAUGHT / PROGRAM DEVELOPED

Entrepreneurial Law Clinic: Through the Clinic, student attorneys provide legal services to clients in connection with their start-up businesses. Typical tasks include: advising clients regarding choice of entity; forming corporations and limited liability companies; drafting shareholder agreements and operating agreements; drafting employment agreements, consulting agreements and intellectual property agreements; counseling clients regarding trademark and other intellectual property strategies and prosecuting patents. Students also engage in a roundtable discussion where they present and analyze issues related to their client matters. Student attorneys also participate in a seminar focused on issues that transactional attorneys frequently address in working with entrepreneurs and emerging companies. Finally, in addition to client work, each student team completes a project that focuses on the local entrepreneurial community. (Fall 2024 – in person)

Corporate Practice Seminar: This professional doctoral level course examines legal practice in an in-house environment, including how to navigate the matrix of internal client structures, develop productive relationships with non-lawyer business counterparts, and solve problems to advance the company's strategic objectives. It also surveys a variety of concepts such as contract drafting pitfalls, risk management, understanding corporate operational units, managing outside counsel, and in-house affirmative recovery programs. This course coincides with the instructor's monitoring of student legal and law-related work experiences in which the placement is outside of the law school. (Spring 2024 – in person)

Corporate Externship Program (CEP): This professional doctoral level program provides students a unique opportunity to extern in-house at a company or in a law firm's transactional department exclusively serving corporate clients. This program includes the instructor's monitoring of student legal and law-related work experiences in which the placement is outside of the law school. Students may also participate in an accompanying seminar focused on the role of in-house and external counsel serving company clients. (Spring 2024 – in person)

Introduction to the American Legal System: This course for international LLM and master of law (MLS) students who have not previously had exposure to either the U.S. legal system or other common law systems. It focuses on the American legal system, including the three branches of government, federalism, the hierarchy of courts, and the anatomy of a lawsuit. Students draft legal documents, such as memoranda or briefs, and in doing so, learn about legal research, analysis, writing, and Bluebooking. Students also deliver oral arguments. (Spring 2024 – in person)

Defining Delta: Professionalism in Practice: This professional doctoral level course encourages the law student to examine and develop their professional identity as per the requirements of ABA Standard 303. This course coincides with the instructor's monitoring of student legal and law-related work experiences in which the placement is outside of the law school. Through externships, students obtain real-world working experience while establishing intentional learning goals and reflecting actively on what they learn throughout their experience. (Fall 2023 – in person)

Repeat Extern Field Work Course: This professional doctoral level course encourages the law student to more deeply examine and to continue to develop their professional identity as per the requirements of ABA Standard 303. This course coincides with the instructor's monitoring of student legal and law-related work experiences in which the placement is outside of the law school. (Fall 2023, Spring 2024 – in person)

Labor and Employment Law: This graduate level course examines the developing body of modern employment law. Topics include the at-will doctrine; ERISA; COBRA; OSHA; worker's compensation; sexual harassment; employer-sponsored benefits; employment discrimination laws; and other protective legislation such as FMLA and FLSA. (Fall 2022, Spring 2023 - online)

Legal Environment of Business I: This undergraduate level course surveys the structure and function of American legal institutions and their relationship to businesses. This course includes business formation; business conduct; how a business relates to, and resolves disputes with, its employees, its stakeholders, the public, the environment, the government, and other businesses; and how a business winds up. (Fall 2022, Spring 2023 - in-person and online)

SELECTED UNIVERSITY SERVICE AND INVOLVEMENT

University

- Invited to give LSUS Freshman Convocation Ceremony speech: 2023
- LSUS Academic Awards Convocation platform party member and name reader: 2023
- Advisory Board Member to LSUS Diversity, Inclusion, and Community Engagement Office: 2022

College

- Member of DU Rocky Mountain Collective on Race, Place, and Law: 2023 - 2024
- LSUS College of Business Ambassador for the JA 8th Grade Challenge: 2023
- LSUS College of Business Diversity & Inclusion Working Group member: 2022 - 2023
- LSUS Master of Public Health Administration Faculty Search Committee member: 2023
- Business Law Assurance of Learning Committee: 2022 - present
- Research Assistant in 2010 – 2011 for John Watts, *Tyranny by Proxy: State Action and the Private Use of Deadly Force*, 89 NOTRE DAME L. REV. 1237 (2014).

Department

- Revamped and reinitiated Sturm College of Law’s Corporate Externship Program (that had been discontinued): 2023 - 2024
- Department of Accounting and Business Law Faculty Search Committee member: 2023
- Department of Accounting & Business Law Assessment Standards subcommittee member: 2022 - present
- Organized “Q&A with CPA and CFE Kathy McNamara and Melissa Parks” departmental event: 2022

ACADEMIC ADVISING AND MENTORING

- Supervisor to student clinic manager: 2024 - present
- Supervisor to L.L.M. candidate research assistant: 2024
- Supervisor to three J.D. candidate research assistants: 2023 - 2024
- Academic advisor to ten undergraduate students: 2023
- Academic advisor to seven undergraduate students: 2022
- Leadership Council on Legal Diversity Pathfinder Facilitator: 2020 - present

- Leadership Council on Legal Diversity 1L mentor: 2019 - present
- Houston Bar Association D&I Mentorship Program mentor: 2017 - 2022
- Texas Tech School of Law Bar Prep Mentor: 2015

SELECTED *PRO BONO* WORK AND COMMUNITY INVOLVEMENT

- Leadership Council on Legal Diversity 1L Scholars Orientation Leader: 2023
- Academy of Legal Studies in Business, member: 2022 - 2023
- Boulder County Wildfire Partners, member: 2022 - present
- Alliance Française – Denver, member: 2020 - present
- Houston Hispanic Bar Association, member: 2018 - 2022
- Leadership Council on Legal Diversity Peer Advocacy Group: 2020 - 2022
- Houston Association of Women Attorneys, member: 2016 - 2022
- *Pro bono* HVLA Indigent Legal Clinic: 2018 - 2020
- *Pro bono* representation of high-profile asylum case: 2018 - 2019
- Houston Bar Association Diversity & Inclusion Committee member: 2018 - 2020
- Alliance Française – Houston, member: 2017 - 2019
- Texas Tech Honors College Advisory Council member: 2013 - 2018
- Texas Tech Honors College alumni representative at Red Raider Roadshows: 2013 - 2018
- Texas Tech Alumni Association, Houston Chapter, board of director: 2014 - 2017
- Texas Tech Alumni Association, Gulf Coast Chapter, president: 2012 - 2016
- Texas Association of Environmental Professionals: 2014 - 2016
- *Pro bono* Veterans Legal Assistance Clinic: 2014

SELECTED ACADEMIC PARTICIPATION

- CLEA Clinician Crew, participant: 2023 - 2024
- Clinical Legal Education Association, member: 2023 - present
- AALS Externship Faculty Partnering Program, partner: 2023
- Interrogating the Hidden Curriculum: Implications for Formation of Professional Identity, symposium attendee: 2023
- Rocky Mountain Academy of Legal Studies in Business Conference, attendee: 2022

AMICUS BRIEF

- Utah v. Su, No. No. 23-11097 (5th Cir. 2024) (co-signer to Amicus Curiae Brief of ERISA Law Professors and Harvard Law School’s Emmett Environmental Law & Policy Clinic in Support of Appellees).

SELECTED ADMISSIONS AND CERTIFICATION

- Admissions:
 - Supreme Court of Texas
 - Second Circuit Court of Appeals of the United States
 - Eastern District of Texas; Western District of Texas; Northern District of Texas; Southern District of Texas; Southern District of Texas, Bankruptcy; Western District of Missouri, Bankruptcy; District of Oregon; Western District of Washington
 - Various state and federal *pro hac* admissions
 - Eligible for reciprocity in Colorado
- Certification: Credentialed Mediator

LANGUAGES

- Fluent Spanish (CEFR C1/fully proficient)
- Proficient French (B2/advanced)
- Advanced Portuguese (B1/intermediate)