

# MIRIAM A. CHERRY

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## ACADEMIC EXPERIENCE

- 2022-present Professor of Law, St. John's University  
Faculty Director, Center for Labor & Employment Law
- 2010 - 2022 Professor of Law, Saint Louis University  
Associate Dean for Research and Engagement (2019-2022)  
-Workshops, CLEs, Grants  
Co-Director, William C. Wefel Center for Employment Law (2016-2022)  
-Program rated "A" by Pre-Law Magazine  
-Faculty Co-Editor of the *ABA Labor & Employment Law Journal*
- Spring 2018 Visiting Researcher, United Nations-International Labour Office  
Geneva, Switzerland
- 2006 - 2010 Associate Professor (with tenure 2008), Pacific-McGeorge School of Law  
John G. Sprankling Faculty Scholarship Award (2010)
- 2003 - 2006 Associate Professor, Cumberland Law School-Samford University  
Assistant Professor (2003-2005)
- Visiting: University of Georgia Law School; University of Missouri, Columbia  
(Mizzou); Denver University, Sturm College of Law
- Courses Taught: Employment Law, Contracts, Business Associations  
Securities Regulation, Seminar on the Future of Work

## EDUCATION

- J.D. HARVARD LAW SCHOOL** 1999  
*cum laude*, *Harvard Journal of Law & Gender*, Chair of Article Selection  
RA to Professors Martha Minow, Charles Nesson, & Jonathan Zittrain  
Legal Services Center, Battered Women's Advocacy Project
- B.A. DARTMOUTH COLLEGE** 1996  
Phi Beta Kappa, *summa cum laude*, High Honors in History  
Edwin Jones Award for best American history thesis

## BOOKS

- DIGILANTES: ROUGH JUSTICE IN CYBERSPACE (in progress; Cambridge University Press).
- WORK IN THE DIGITAL AGE: LABOR, TECHNOLOGY AND REGULATION (Aspen / Wolters Kluwer, 2021).

CONTRACTS IN THE REAL WORLD: CASES, NOTES, PROBLEMS, AND MATERIALS (with Lawrence Cunningham) (West Academic 2018); Second Edition, 2021 (single authored).

INVISIBLE LABOR HIDDEN WORK IN THE CONTEMPORARY WORLD (with Marion G. Crain & Winifred R. Poster) (University of California Press 2016).

GLOBAL ISSUES IN EMPLOYMENT LAW (THOMSON WEST 2008) (with Samuel Estreicher).

### **LAW REVIEW ARTICLES**

*Ready Employee One: Virtual Reality and the Remote Workplace* (with Olivia Dinwiddie) (forthcoming).

*Employment Status for “Essential Workers”: The Case for Gig Worker Parity*, 55 LOYOLA L.A. L. REV. \_\_ (forthcoming 2022).

*Crowdwork, Conflicts of Law, and Global Supply Chains*, 94 TULANE L. REV. 183 (2020).

*Job Automation in the 1960s: A Discourse Ahead of its Time (and for our Time)*, 41 COMP. LAB. L. & POL’Y J. 197 (2019).

*Age Discrimination in the On-Demand Economy*, 40 BERKELEY J. LAB. & EMP. L. 29 (2019).

*The Sharing Economy and the Edges of Contract Law: A Comparison of United States and United Kingdom Approaches*, 85 GEO. WASH. L. REV. 1846 (2018).

*The Law and Policy of Big Data and People Analytics*, 88 COLO. L. REV. 961 (2017) (with Matthew Bodie, Marcia McCormick & Jintong Tang).

*Dependent Contractors in the Gig Economy: A Comparative Approach*, 66 AMER. UNIV. L. REV. 635 (2017) (with Antonio Aloisi).

*Beyond Misclassification: The Digital Transformation of Work*, 37 COMP. LAB. L. & POL’Y J. 577 (2016).

*The Law and Economics of Corporate Social Responsibility and Greenwashing*, 14 U.C. DAVIS L. & BUS. J. 281 (2014).

*Cyber Commodification*, 72 MD. L. REV. 381 (2013).

*A Taxonomy of Virtual Work*, 45 GA. L. REV. 951 (2011).

*Beyond Profit: Rethinking Corporate Social Responsibility after the BP Disaster*, 85 TULANE L. REV. 983 (2011) (with Judd Sneirson).

*Clawbacks: Prospective Contract Measures*, 94 MINN. L. REV. 368 (2009) (with Jarrod Wong); *Reply: Clawback to the Future*, HEADNOTES (online companion).

*Working for (Virtually) Minimum Wage*, 60 ALA. L. REV. 1077 (2009).

*Prediction Markets and the First Amendment*, 2008 U. ILL. L. REV. 833 (with Robert Rogers).

*Tiresias and the Justices: Using Information Markets to Predict Supreme Court Decisions*, 100 NORTHWESTERN U. L. REV. 1141 (2006) (with Robert Rogers).

*Decentering the Corporation: Using the Limited Liability Company to Organize Low Wage Immigrant Workers*, 39 U.C. DAVIS L. REV. 787 (2006) (reprinted in 27 IMMIGRATION & NATIONALITY L. REV. 125 (2006)).

*Markets for Markets: Origins and Subjects of Information Markets*, 58 RUTGERS L. REV. 339 (2006) (with Robert Rogers).

*A Tyrannosaurus-Rex Aptly Named "Sue": Using a Disputed Dinosaur to Teach Contract Defenses*, 82 N. D. L. REV. 295 (2005).

*Whistling in the Dark? Corporate Fraud, Whistleblowers, and the Implications of the Sarbanes-Oxley Act for Employment Law*, 79 WASHINGTON L. REV. 1029 (2004).

### **SHORTER SYMPOSIA, ESSAYS, BOOK CHAPTERS, BOOK REVIEWS**

*Algorithmic Management*, in PRIVATE LAW AND THE GIG ECONOMY (Mark Giancaspro, Dilan Thampapillai, & Geraint Howells eds., Cambridge University Press) (forthcoming 2022).

*Dispatch – United States: "Proposition 22: A Vote on Gig Worker Status in California,"* \_\_ COMP. LAB. L. & POL'Y J. \_\_ (forthcoming 2021).

*Proposition 22: Un vote sur le statut des travailleurs des plateformes en Californie (Proposition 22: A vote on the Status of Platform Workers in California)*, Droits d'ici, Droits d'ailleurs, #272, REVUE DE DROIT DU TRAVAIL, Avril 2021 ("Rights from Here, Rights Elsewhere", #272, Revue de Droit du Travail, April 2021).

*Gig Workers as Essential Workers: How to Correct the Gig Economy Beyond the COVID-19 Pandemic*, 35 A.B.A. J. LAB. & EMP. L. 11, 16 (2020) (with Ana Santos Rutschman).

The Editors' Page, 34 ABA J. LAB. & EMP. L. (2020) (with Matthew Bodie & Marcia McCormick).

The Editors' Page, 35 A.B.A. J. LAB. & EMP. L. v, vii (2020) (with Matthew Bodie & Marcia McCormick).

, 플랫폼 노동자에 대한 법적 보호: 미국 캘리포니아주 AB 5법 [Legal Protection for Platform Workers: AB 5 Act], 18 KOR. LAB. INST. INT'L LAB. BRIEF 31 (May 2020).

Back to the Future: A Continuity of Dialogue on Work and Technology at the International Labor Organization, 1 INT. LAB. REV. 1, 23 (2020) (translated into French and Spanish as Retour vers le futur: le fil rouge du débat sur le travail et la technologie au sein de l'OIT, 159 INT'L LAB. REV. 1, 27 (2020) and Regreso al futuro. Continuidad del dialogo sobre el trabajo y la tecnologia en la OIT, 159 INT'L LAB. REV. 1, 25 (2020)).

Toward International Regulation of Platform Work?, *REVISTA DE ECONOMÍA LABORAL* (Journal of the Spanish Association of Labor Economists) (2020) (with Janine Berg & Uma Rani, United Nations – International Labor Office) (2020).

*Creating New Categories of Workers: Dependent Contractors and Independent Workers, (Solution Chapter)* in *REVIVING AMERICAN LABOR: LABOR LAW FOR A TWENTY-FIRST CENTURY ECONOMY* (Eds. Charlotte Garden & Richard A. Bales) (Cambridge University Press) (book chapter) (2019).

*A Third Employment Category for On-Demand Work?*, *Cambridge Handbook on the Sharing Economy* (book chapter) (Eds. Nestor Davidson, Michele Finck, John Infranca) (Cambridge University Press) (with Antonio Aloisi) (2019).

*Corporate Social Responsibility in the On-Demand Economy*, 63 *ST. LOUIS L. J.* 1 (2018) (invited symposium contribution) (lead article).

*Overview of Franchise Businesses and Labor Practices in the United States*, Korea Labor Institute (2018) (short article translated into Korean).

*The Cautionary Tale of the Italian Intermediate Worker Category: A Response to Professors Del Conte and Gramano*, 39 *COMP. LAB. L. & POL'Y J.* 639 (2018).

*Are Uber and Transportation Network Companies the Future of Transportation (Law) and Employment (Law)?*, 4 *TEXAS A&M L. REV.* 174 (2017) (invited symposium contribution, Changing Landscape of Transportation Law: Technology, Data, and the Law).

*Invisible Labor and People Analytics*, 59 *ST. LOUIS UNIV. L. J.* 1 (2017) (invited symposium contribution).

*Platforms Built to Share*, in *OURS TO HACK AND TO OWN: THE RISE OF PLATFORM COOPERATIVISM, A NEW VISION FOR THE FUTURE OF WORK AND A FAIRER INTERNET* (EDS. TREBOR SCHOLZ & NATHAN SCHNEIDER) (book chapter) (2016).

*Corporate Social Responsibility and Crowdwork*, *RESEARCH HANDBOOK ON DIGITAL TRANSFORMATIONS* (2016) (book chapter) (Eds. F. Xavier Olleros & Majlinda Zhegu) (with Winifred R. Poster).

*The Law and Economics of Catalyzing Fans*, 6 *HARV. J. SPORTS & ENT. L.* 209 (2015) (symposium commentary).

“A Minimum Wage for Crowdwork?” in *CROWDWORK - BACK TO THE FUTURE? PERSPECTIVES ON DIGITAL LABOR, CROWDWORK – ZURUCK IN DIE ZUKUNFT? PERSPEKTIVEN DIGITALER ARBEIT* (2014) (chapter translated into German for book publication).

*Learning Contracts through Current Events*, 35 *HAW. L. REV.* 129 (2013) (review essay of Lawrence Cunningham’s treatise, *CONTRACTS IN THE REAL WORLD: STORIES OF POPULAR CONTRACTS AND WHY THEY MATTER*).

*Teaching Employment Discrimination, Virtually*, 58 ST. LOUIS UNIV. L. J. 83 (2013) (invited symposium contribution).

*Virtual Whistleblowing*, 54 SOUTH TEXAS L. REV. 9 (2013) (invited symposium contribution).

*The Gamification of Work*, 40 HOFSTRA L. REV. 841 (2012) (solicited essay for “Ideas” section).

*Chevron, Greenwashing, and Corporate Social Responsibility*, 2 WASH. & LEE J. ENERGY, CLIMATE CHANGE, & ENVIRONMENT 133 (2012) (with Judd Sneirson) (invited symposium contribution).

*Of Morals and Markets*, 52 ARIZ. L. REV. 73 (2010) (solicited commentary on prediction markets).

*Essay, The Global Dimensions of Virtual Work*, 54 ST. LOUIS UNIV. L. J. 471 (2010) (invited symposium contribution to *Competition in the Global Workplace, The Role of Law in Economic Markets*).

Review of Jeffrey Brandon Morris’s *Establishing Justice in Middle America: A History of the United States Court of Appeals for the Eighth Circuit*, 27 LAW & HISTORY REV. 220 (2009).

*Working (with) Workers: Implementing Theory*, 41 SUFFOLK L. REV. 731 (2008) (contribution to AALS annual meeting panel, selected through blind peer review) (essay).

*Exploring (Social) Class in the Classroom: The Case of Lucy, Lady Duff Gordon*, 28 PACE L. REV. 235 (2008) (invited symposium contribution for contracts conference) (essay).

*No Longer Just Company Men: The Flexible Workforce and Employment Discrimination* (Book Review of Katherine V.W. Stone’s *From Widgets to Digits*), 27 BERKELEY J. LAB. & EMP. L. 209 (2006).

*How to Succeed in Business Without Really Trying (Cases): Gender Stereotypes and Sexual Harassment Since the Passage of Title VII*, 22 HOFSTRA LABOR & EMPLOYMENT L. J. 533 (2005) (invited symposium contribution).

### **SHORT FICTION, HUMOR, STUDENT AND MISCELLANEOUS WORK**

*The Future Encyclopedia of Luddism* in ECONOMIC SCIENCE FICTIONS (WILL DAVIES, ED. 2018) (short fiction story) (reprinted by MIT PRESS BLOG, 2021).

*A Eulogy for the EULA*, 52 DUQUESNE L. REV. 335 (2014) (short story; invited symposium contribution to *Drafting Our Future: Contract Law in 2025*).

*The Infinite Citation*, 2 J.L.: PERIODICAL LABORATORY ON LEG. SCHOLARSHIP 493 (2012) (humorous commentary on Orin Kerr, *A Theory of Law*, 16 GREEN BAG 2d 111 (2012)) (with Anders Walker).

*The Law Review Games*, PENN. ST. L. REV. PENN STATIM 1 (2012).

*A Satire of Law Firm Employment Practices* (Book Review of Jeremy Blachman's *Anonymous Lawyer*), 20 GEORGETOWN J. LEGAL ETHICS 1137 (2007).

*Images of Women Workers in Film*, 10 EMPLOYEE RIGHTS & EMPLOYMENT POLICY J. 295 (2006) (published remarks, AALS annual meeting panel).

*The Five Stages of Law Review Submission* (with Brannon P. Denning) (unpublished satire, available on SSRN, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=796264](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=796264)).

*Exercising the Right to Public Accommodations: The Debate Over Single-Sex Health Clubs*, 52 MAINE L. REV. 97 (2000).

*Case Comment, A Negotiation Approach to Mandatory Arbitration Contracts*, 4 HARVARD NEGOTIATION L. REV. 269 (1999).

*Note, Not-So-Arbitrary Arbitration*, 21 HARVARD WOMEN'S L. J. 267 (1998).

### **GRANT AWARDS AND EXTERNAL FUNDING**

United Nations – International Labor Office, Consultant on the Status of Workers in the Gig Economy, \$25,000 (2021).

SLU University Research Grant on *The Digilantes*, \$33,000 (2020)..

AARP Grant – Older Workers in the Digital Economy, \$10,000 (2017).

SLU Presidential Research Grant, \$50,000 (2015).

SLU Sustainability Grant - Corporate Social Responsibility, \$12,000 (Fall 2012).

Collaboration Agreement with Trier University, Germany on Gig Economy Research.

### **JUDICIAL CLERKSHIPS AND PRACTICE EXPERIENCE**

#### **JUDICIAL CLERK, U.S. COURT OF APPEALS FOR THE EIGHTH CIRCUIT CHAMBERS OF JUDGE GERALD HEANEY**

2000-2001 Term

Wrote internal legal memoranda and assisted with legal opinions, including: Deerbrook Pavillion v. Shalala, 235 F.3d 1100 (8<sup>th</sup> Cir. 2000) (sale of nursing home did not relieve obligation to pay fines under complex regulatory scheme); Singleton v. Norris, 267 F.3d 859 (8<sup>th</sup> Cir. 2001) (refusing to administer antipsychotic drugs to make defendant sane for purposes of execution).

#### **LAW CLERK, SUPREME JUDICIAL COURT OF MASSACHUSETTS, JUSTICE RODERICK L. IRELAND**

1999-2000 Term

Researched various issues of law and assisted with legal opinions including: Harhen v. Brown, 431 Mass. 838 (2000) (business judgment rule); Commonwealth v. Mavredakis, 430 Mass. 848 (2000) (constitutional law, rights under state versus U.S. Constitution); Rotkiewicz v. Sadowsky, 431 Mass. 748 (2000) (defamation law).

## **BERMAN DEVALERIO PEASE TABACCO BURT & PUCILLO**

Boston, MA 2002 – 2003  
Briefed Symbol Technologies case, which led to corporate restructuring and resulted in \$139 million settlement. Briefed accountant's liability issues in WorldCom litigation. Researched and wrote legal briefs in several other accounting fraud cases, including Reliant Energy. Investigated potential violations of various securities laws.

**FOLEY HOAG LLP**, Boston, MA Summer 1998, 2001 - 2002  
Assisted corporate clients with mergers and acquisitions, venture capital financings and private debt financings. Advised corporate clients with general business matters including formation, capitalization, contract review, contract drafting and compliance with securities laws. Provided non-profit organizations with legal advice on corporate matters.

## **SELECTED / NOTABLE MEDIA INTERVIEWS AND QUOTATIONS**

Rosemary Feitelberg & Sindhu Sundar, *What has COVID-19 Really Been Like for the Retail Store Employee?*, WOMEN'S WEAR DAILY, March 17, 2021.

Cecilia D'Anastasio, *Is it Game Streaming's Turn for a Labor Revolution?*, WIRED, July 8, 2020.

Brian Melley & Chris Rugaber, *California Ruling A "Seismic Shift" for Gig Economy Workers*, U.S. NEWS & WORLD REPORT, May 1, 2018.

Steve Greenhouse, *The Watchamacallit Economy*, N.Y. TIMES, Dec. 16, 2016.

Katy Steinmetz, *See How Big the Gig Economy Really Is*, TIME MAGAZINE, Jan. 6, 2016.

Gillian B. White, *With the Sharing Economy, No One's an Employee*, THE ATLANTIC, June 8, 2015.

Moshe Z. Marvit, *How Crowdworkers Became Ghosts in the Digital Machine*, THE NATION, Feb. 5, 2014.

Claire Gordon, *New Type of Whistleblower: Young, Internet Savvy, and Headed for Jail*, AOL NEWS, June 13, 2013.

Randall Stross, *When the Assembly Line Moves Online*, N.Y. TIMES, Oct. 30, 2010.

## **SELECTED PRESENTATIONS**

Teaching to Engage Students, Program for New Law Professors, West Academic Publishing, June 23, 2022, <https://www.youtube.com/watch?v=o2PeF5vBJrQ>

Moderator, *Diversity, Inclusion, and Equity in the Contracts and Commercial Law Courses*, Contracts Section, American Association of Law Schools, January 8, 2022.

Moderator, *Worker Voice in the Global Corporation*, Economic Globalization and Governance, Section, American Association of Law Schools, January 9, 2022.

Moderator, Current Events in Contracts Scholarship, Contracts Section, American Association of Law Schools, January 8, 2022.

*Knowledge Sharing on Digital Labour Platform Case Law*, International Labor Office, Training Centre, Turin, Italy, December 15, 2021.

*Employment Status for Essential Workers*, Southeastern Association of Law Schools, July 31, 2021.

*Non-Disclosure Agreements in Employment Law and in Contracts Class*, Southeastern Association of Law Schools, July 30, 2021.

*Work in the Digital Age*, Southeastern Association of Law Schools, July 28, 2021. (organized panel).

*Racial Justice in the Law School Curriculum, Contracts*, Southeastern Association of Law Schools, July 26, 2021.

Comments on Professor Brian Bix's Article, "COVID Concerns: Some Realism about Equitable Relief, Contract in Crisis," JOURNAL OF LAW AND CONTEMPORARY PROBLEMS, July 20, 2021.

Moderator, *Bye Bye Bias: Eliminating Bias in the Legal Profession*, Emerging from the Pandemic / Emerging Legal Issues CLE Series, Saint Louis University Law School, June 29, 2021 (also organized the CLE series).

*LLRN Round Table: Autonomy in Academia? Breaking Through the Invisible Boundaries of Contemporary Scientific Thought*, Labor Law Research Network, University of Warsaw Law School / University of Lodz Law School, June 29, 2021.

*Remote and Virtual Work*, Emerging from the Pandemic / Emerging Legal Issues CLE Series, Saint Louis University Law School, June 20, 2021 (also organized the CLE series).

*Teaching Contracts through Current Events*, Program for New Law Teachers, West Academic Panel, June 24, 2021, <https://www.youtube.com/watch?v=3BML2xlpstk>

*Ready Employee One: Virtual Reality in the Workplace*, ABA Labor & Employment Section, Technology in Labor & Employment Law, April, 2021.

Roundtable, *Autonomy in Academia? Breaking Through the Invisible Boundaries*, Labor Law Research Network (LLRN) Conference, University of Warsaw / University of Lodz, June 29, 2021.

"The Future of the Gig Economy" for Oregon Law Lab's YouTube Series, 2021, <https://www.youtube.com/watch?v=zQt65qDgPeg>



*People Analytics*, Oxford University's Artificial Intelligence reading group, February , 2021 (with Matthew Bodie and Marcia McCormick).

*Alternate History / Uchronie*, Plurality University (France), February 22, 2021.

"The Future of Work," for Oregon Law Lab's YouTube Series, 2021,  
<https://www.youtube.com/watch?v=mpFjxbiMnMEand>

*Essential Work and Retail Workers in the Pandemic*, Colloquium on Employment and Labor Law (COSELL), University of Louisville, October, 2020.

*Gig Worker Organizing during the Pandemic*, William C. Wefel Center for Labor & Employment Law and the Saint Louis University Law Journal, Sept. 18, 2020.

*An Update on Gig Workers Around the World*, Aspen/Wolters Kluwer Webinar, March 12, 2020.

*Gig Work as Essential Work*, Saint Louis University Law School, "Law in the Time of Pandemic" CLE Series, September, 2020.

*Gig Workers as Essential Workers*, Saint Louis University Summer Faculty Workshop, July 15, 2020. (also organized).

Participant, National Science Foundation Workshop on The Future of Work, Summer 2020.

*Increasing Student Engagement in Contracts*, AALS Contracts Conference, University of the Pacific-McGeorge School of Law, Sacramento, CA, February 25, 2020.

"*An International System of Regulation for Platform Work?*," Conference on Responding to the Backlash Against Global Institutions, Hamilton Luger School of International Relations, Indiana University – Bloomington, Bloomington, Ind., Oct. 14, 2019.

"*The Digilantes at Work*," Saint Louis University Law Faculty Workshop, St. Louis September 26, 2019.

"*The Future of Platform Work*," Labor 2030 Conference, Porto, Portugal, September, 2019.

"*Popular Culture in the Contracts Classroom*," Teaching to Engage, SEALS Conference, Boca Raton, FL, July 31, 2019.

"*The ABCs of Regulation: Employment Classification in the Gig Economy*," Colorado Bureau of Labor Statistics, Denver, CO, July 15, 2019.

"*Back to the Future: The Regulation of Automation at the ILO in the 1960s*," Labor Law Research Network, University of Valparaíso Pontifical University, Valparaíso, Chile, June 26, 2019.

"*The Digilantes*," Denver University Law School Faculty Workshop, June 18, 2019 Denver, CO.

*“Conflicts of Law in the Gig Economy, Symposium Talk,”* Lyft-ing the Veil on a Worker’s Status in the Gig Economy, Northern Illinois University, Chicago, IL, April 12, 2019.

*“A Continuity of Dialogue: Research on Automation in the ILO Archives,”* Seminar sponsored by KU-Leuven University & International Labour Office, Geneva, Switzerland, February 28, 2019.

*“Regulatory Options for the Gig Economy,”* Technical Seminar INWORK, United Nations-International Labour Office, Geneva, Switzerland, February 27, 2019.

*“The On-Demand Economy, Corporate Compliance, and Labor Rights: Conflicts of Law in the Global Supply Chain,”* Workshop Talk, Florida State University, February 18, 2019.

*“Globalization, Sustainability, and Firm Cultures,”* Section on Economic Globalization and Governance, AALS Annual Meeting, New Orleans, Louisiana, January 3, 2019.

*“Conflict of Laws in the Gig Economy,”* Workshop Talk, Saint Louis University School of Law, Saint Louis, September 24, 2018.

*“Crowdwork, Conflict of Laws, and Global Supply Chains,”* INWORK Seminar, United Nations-International Labour Office, Geneva, Switzerland, July 24, 2018.

*“Roundtable on Conflict of Laws and the Platform Economy,”* Conference on Le Droit International Prive dans La Labyrinthe de Plateformes Digitales, Swiss Institute for Comparative Law, Lausanne, Switzerland, June 28, 2018.

*“The Internet and the Law of Work,”* Geneva Internet Law Colloquium, University of Geneva, Geneva, Switzerland, June 22, 2018.

*“The Law and Business Ethics of People Analytics and Big Data,”* Workshop Talk, University of Vienna Law School, Vienna, Austria, June 14, 2018.

*“Gamification and the Hiring Process,”* Research Colloquium on Negotiating the Algorithm, KU-Leuven Law School, Leuven, Belgium, May 18, 2018.

*“Corporate Social Responsibility in the On-Demand Economy,”* Saint Louis Law Journal Symposium, St. Louis, March 2, 2018.

Commenter, *“New Voices in Employment Law,”* Panel Presentation, Association of American Law Schools, Jan. 5, 2018.

*“Crowdwork and Environmental Sustainability,”* Workshop / Thinking Space, Institute for Advanced Sustainability Studies (IASS), Potsdam, Germany, Nov. 29-30, 2017.

*“Future Directions for Studying the Future of Work,”* Labor Law Research Network, Toronto, Canada, June 27, 2017.

*“A Comparative View of the On-Demand Economy: The United States and the United Kingdom,”* Faculty Workshop, Saint Louis University, St. Louis, MO, April 12, 2017.

*“Introduction to Invisible Labor,”* Book Signing, Saint Louis University Law Library, St. Louis, MO, March 19, 2017.

*“Introduction: An Evening with Percy Green,”* Black Law Students Association & Employment Law Association Event, Saint Louis University Law School, St. Louis, MO, Feb. 16, 2017.

*“Dependent Workers in the Gig Economy,”* Panel Presentation, Association of American Law Schools, San Francisco, CA, Jan. 4, 2017.

Commenter, *“New Voices in Employment Law,”* Panel Presentation, Association of American Law Schools, Jan. 3, 2017.

*“The Sharing Economy and the Edges of Contract Law,”* Conference on International Contract Law, George Washington University, Washington D.C., Nov. 19, 2016.

*“Litigation Update on U.S. Law and the On-Demand Economy,”* Symposium, International Labor Office, sponsored by Korea Labor Institute, Geneva, Switzerland, Sept. 22, 2016.

*“Is Uber the Future of Transportation Law? Is Uber the Future of Employment Law?,”* Conference on the Future of Transportation Law, Texas A&M University Law School, Fort Worth, Texas, April 1, 2016.

*“People Analytics and the Gamification of Work,”* Symposium on Law & Business of People Analytics, Saint Louis University, St. Louis, MO, February 19, 2016.

*“Platforms Built to Share,”* Conference on Platform Cooperativism, The New School, New York City, NY, Nov. 15, 2015.

*“The Digital Transformation of Work,”* Symposium for the Comparative Labor Law and Policy Journal, Wharton School of Business, University of Pennsylvania, Philadelphia, PA, Nov. 7, 2015.

*“Worker Misclassification in the On Demand Economy,”* Colloquium on Labor and Employment Law, University of Indiana-Bloomington, Bloomington, IN, September 11, 2015.

*“McEmployers and the On-Demand Economy,”* Southeastern Association of Law Schools (SEALS) Conference, Boca Raton, FL, August 8, 2015.

*“Update on U.S. Litigation in the On-Demand Economy,”* Conference on Regulating for Decent Work, International Labour Office, United Nations, Geneva, Switzerland, July 9, 2015.

*“Legal Issues in the Sharing Economy,”* Continuing Legal Education Seminar, Saint Louis University Law School, St. Louis, MO, June 12, 2015.

*“A Minimum Wage for Crowdwork?”* Digital Labor Conference, The New School, New York City, NY, November 15, 2014.

*“Corporate Social Responsibility and Crowdwork,”* Conference on the Handbook of Research on Digital Transformations, Montreal, Canada, October 16, 2014.

*“Invisible Labor,”* Saint Louis University Faculty Workshop Series, Saint Louis University, Oct. 1, 2014 (with Marion G. Crain & Winifred R. Poster).

*“Virtual Work,”* Wefel Center Continuing Legal Education Series, Saint Louis University Law School, Oct. 9, 2014.

*“The Gamification of Work and People Analytics,”* Colloquium on Labor and Employment Law, University of Colorado School of Law, Denver, CO, Sept. 12, 2014.

*“Cyber Commodification,”* Thompson Coburn Award Ceremony, Saint Louis University Law School, St. Louis, MO, April 11, 2014.

*“The Law and Economics of Corporate Social Responsibility and Greenwashing,”* U.C. Davis Law School, Davis, CA, November 20, 2013.

*“Cyber Commodification,”* University of Toronto, Toronto, Canada, September 20, 2013.

*“Privacy, Technology, and Work,”* SEALS Annual Meeting, West Palm Beach, FL, August 5, 2013.

*“Contracts without Consent,”* AALS Annual Contracts Conference, Texas Wesleyan School of Law, Dallas, TX, February, 2013.

*“Teaching Employment Discrimination, Virtually,”* Saint Louis University Law School Labor and Employment Colloquium, February 15, 2013.

*“Invisible Labor and Virtual Work,”* Washington University in Saint Louis School of Law, February 7, 2013.

*“Toward a More Responsible Corporate Social Responsibility,”* Midwest Law & Economics Association (MLEA) Annual Meeting, Washington University in Saint Louis, Saint Louis, MO, October 12, 2012.

*“Cyber Commodification,”* Washington University, Workshop in Politics, Ethics, and Society, October 12, 2012.

*“The Gamification of Work,”* Labor & Employment Law Colloquium, Northwestern University Law School, Chicago, IL, September 2012.

*“Virtual Whistleblowing,”* Symposium on Citizen Employees, South Texas College of Law, March 6, 2012, Houston, TX.

*“Cyber Commodification,”* AALS Annual Contracts Conference, Thomas Jefferson School of Law, March 1, 2012, San Diego, CA.

“*The New Work*,” Roundtable Discussion on Platforms and Power, New York University School of Law, sponsored by New York University School of Law Information Law Institute & Engelberg Center on Innovation Law & Policy, May 6, 2011, New York City, NY.

“*Virtual Contracts, Virtual Employment*,” AALS Contracts Conference, Stetson University Law School, Feb. 19, 2010, Gulfport, FL.

“*Greenwashing and Corporate Social Responsibility*,” Society of American Law Teachers (SALT) Conference, December 10, 2010, Honolulu, Hawaii.

“*Clawback Provisions in the Dodd-Frank Act*,” Panel on Executive Compensation in Recessionary Times, Southeast Association of Law Schools (SEALs) Conference, Aug. 3, 2010, West Palm Beach, FL.

“*Clawback Clauses*,” Panel, Can I Get a Remedy?, Annual AALS Conference on Contracts, University of Nevada-Las Vegas, Feb. 27, 2010, Las Vegas, NV.

“*Clawbacks: Prospective Contract Measures in an Era of Excessive Executive Compensation and Ponzi Schemes*,” Panel, Financial Collapse and Recovery Effort, Business Associations Section, AALS Annual Meeting, Jan. 10, 2010 (selected from blind call for papers), New Orleans, LA.

“*Contractual Clawbacks and Corporate Governance*,” Conference on Global Federalism and the Financial Crisis, University of the Pacific-McGeorge School of Law, Oct. 18, 2009, Sacramento, CA.

“*Writing in Comparative Law*,” New Voices Panel, Annual Meeting of the American Society of Comparative Law, Roger Williams Law School, Oct. 4, 2009, Bristol, RI.

“*Whistleblowers in Cyberspace*,” Southeast Association of Law Schools, August 6, 2009, West Palm Beach, FL.

“*Technology and Working Across Borders*,” Law and Society Association, June 5, 2009, Denver, CO.

“*The Global Dimensions of Virtual Work*,” Saint Louis University Law School, Symposium, Competition in the Global Workplace, The Role of Law in Economic Markets, April 3, 2009, St. Louis, MO.

“*Virtual Work*,” invited presentation, American Bar Association, Technology in the Practice and Workplace Committee Mid-Year Meeting, May 1, 2008, Chicago, IL.

“*Employment and Labor Law Lawyer as Public Intellectual*,” AALS Annual Meeting presentation, Employment Law Section, January 4, 2008, New York City, NY.

Discussant, “*The Brain Drain, Labor, and Economic Development*,” University of the Pacific-McGeorge School of Law, Nov. 16, 2007, Sacramento, CA.

“(Social) Class in the Classroom: The Case of Lucy, Lady Duff Gordon,” Symposium on the Legacy of Lucy, Lady Duff-Gordon, Pace University, Nov. 7, 2007, White Plains, NY.

*“Global Issues in Employment Law,”* Second Annual Colloquium on Current Scholarship in Labor and Employment Law, University of Colorado, Sept. 28, 2007, Boulder, CO.

*“Global Issues in Employment Law,”* Faculty Colloquium, University of Nebraska, Sept. 21, 2007, Lincoln, NE.

*“Funds and Fundamentalism,”* Association for Law Culture and Humanities Conference, Georgetown University Law Center, March 23, 2007, Washington D.C.

*“A Satire of Law Firm Employment Practices,”* Colloquium on Current Scholarship in Labor and Employment Law, Marquette University, October 25, 2006, Milwaukee, WI.

*“Contracts Pedagogy,”* Southeast Association of Law Schools (SEALS) Conference, July 21, 2006, West Palm Beach, FL.

*“Mythology of the Whistleblower,”* Law and Society, July 7, 2006, Baltimore, MD.

*“Law Professor Blogs,”* Coast to Coast / The Legal Talk Network, June 2, 2006 (radio show interview with Professors Eugene Volokh and Susan Crawford).

*“Analyzing the Development of Prediction Markets,”* Faculty Colloquium, University of Alabama Law School, April 7, 2006, Tuscaloosa, AL.

*“Marriage and Divorce in Edith Wharton’s Summer,”* Association for Law Culture and Humanities Conference, March 7, 2006, Syracuse University, Syracuse, NY.

*“Contracts Pedagogy and a Dinosaur Named Sue,”* International Contracts Conference, Texas Wesleyan University, February 25, 2006, Dallas-Ft. Worth, TX.

*“Sex Stereotyping Theory and Images of Working Women in Popular Culture,”* AALS Annual Meeting, Employment Discrimination Section, Jan. 5, 2006, Washington D.C.

Moderator, Panel on Scholarship and Continuing Legal Education, AALS Annual Meeting, Employment Discrimination Section, Jan. 5, 2006, Washington D.C.

*“Markets for Markets: Origins and Subjects of Information Markets,”* Faculty Workshop Talk, Saint Louis University Law School, Oct. 18, 2005, St. Louis, MO.

*“Using Information Markets to Predict Supreme Court Outcomes,”* New Scholars Panel, Southeast Association of Law Schools (SEALS) conference, July 21, 2005, Hilton Head, SC.

*Legal Commentary, Sarbanes-Oxley Act / HealthSouth Trial,* Channel 42, CBS Local News, June 29, 2005.

*“Decentering the Corporation”* Symposium Presentation, April 1, 2005, U.C. Davis Law School, Davis, CA.

*“Melodrama and the Tale of the Whistleblower,”* Law, Culture, and Humanities Conference, March 12, 2005, Austin, TX.

*“How to Succeed in Business Without Really Trying (Cases): Gender Stereotypes and Sexual Harassment Since the Passage of Title VII,”* Conference on the Fortieth Anniversary of Title VII, Feb. 26, 2005, Hofstra Law School, Hempstead, NY.

*“Sarbanes-Oxley Act: Key Points and Provisions,”* Panel on Managing and Governing Non-Profits in the Era of Sarbanes-Oxley, Program by Non-Profit Resource Center of Alabama, Nov. 12, 2003, Birmingham, AL.

**LAW SCHOOL SERVICE, UNIVERSITY SERVICE, SERVICE TO THE PROFESSION, BLOGGING**

Member, American Law Institute, (2008 -).

Chair and Executive Committee Member, AALS Contracts Section (2018-2022).

Faculty Editor, ABA Journal of Labor & Employment Law (2018-).

Technical Advisor, IG Metall, International Union Resolution on the Platform Economy (2016 -).

Member, Faculty Senate Compensation and Benefits Committee, Saint Louis University (2013-present).

Member, Adjunct Committee, Saint Louis University Law School (2013-2014).

Chair, 1843 Scholars Committee (Saint Louis University Law School 2011-2013).

Member, Scholarship Committee (Saint Louis University Law School 2012-2013).

Co-Organizer, Invisible Labor Colloquium (Saint Louis University – Washington University in Saint Louis, held February, 2013).

Co-Organizer, Employment Law Colloquium (Saint Louis University – Washington University in Saint Louis, October 2010).

Co-Organizer, Fourth International Contracts Conference, AALS Contracts Section (Pacific-McGeorge, February 2008).

Contributing Author and Permanent Blogger, ContractsProf Blog, (2005- 2012).

Guest Author, Faculty Lounge Blog (Spring 2010).

Guest Author, Concurring Opinions Blog (Spring 2006, Fall 2008, Summer 2012, Fall 2012).

Guest Author, Prawfsblawg Blog (Fall 2006, Fall 2014).

Member, Faculty Development Committee (2006 – 2009, Pacific-McGeorge).

Member, Teaching Methods Committee (2007 – 2008, Pacific-McGeorge).

Member, Curriculum Committee (2008 – 2009, Pacific-McGeorge).

Executive Committee, AALS Section on Employment Discrimination (2006 – 2008).

Member, Colloquium Committee (2003-2005, Cumberland Law School).

Member, University Institutional Review Board (2004, Cumberland Law School-Samford University).

Member, University Diversity Committee (2004-2005, Cumberland Law School-Samford University).

Member, University Task Force on Academic Standards (2004-2005, Cumberland Law School-Samford University).

Member, Faculty Recruitment Committee (2003-2004, Cumberland Law School).

### **ACADEMIC REFEREE / REVIEWER**

Cambridge University Press, Wolters Kluwer / Aspen, West Academic, Routledge, Yale Law Review, Stanford Law Review.

### **BAR ADMISSION**

Admitted to Massachusetts Bar in December, 1999.

### **INTERESTS**

Enjoy writing science fiction, walking Plato, Socrates, and Schopenhauer, the miniature dachshunds, jigsaw puzzles, and gardening (but not all at the same time).