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# Andrew Verstein

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## ACADEMIC APPOINTMENTS

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| <b>University of Chicago Law School</b><br><i>Visiting Associate Professor of Law; Charles J. Merriam Scholar</i>                             | Fall 2017    |
| <b>Wake Forest University School of Law</b><br><i>Associate Professor of Law (2016 – present)</i><br><i>Assistant Professor (2013 – 2016)</i> | 2013-present |
| <b>Yale Law School</b><br><i>Executive Director, Yale Law School Center for the Study of Corporate Law</i>                                    | 2011-2013    |
| <b>East China University of Political Science and Law (Shanghai, China)</b><br><i>Visiting Associate Professor of Law</i>                     | 2009-2010    |
| <b>Fudan University Law School (Shanghai, China)</b><br><i>Visiting Scholar</i>                                                               | 2009-2010    |

## EDUCATION

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|---------------------------------------------------------------------|------|
| <b>Yale Law School, J.D.</b>                                        | 2009 |
| <b>Dartmouth College, A.B. (Philosophy), <i>Summa Cum Laude</i></b> | 2005 |

## SCHOLARLY ARTICLES

1. *Enterprise Without Entities*, [116 MICHIGAN LAW REVIEW 247](#) (2017).
2. *Insider Tainting: Strategic Tipping with Material Non-Public Information*, [112 NORTHWESTERN UNIVERSITY LAW REVIEW](#) (forthcoming 2018).
3. *The Jurisprudence of Mixed-Motives*, [127 YALE LAW JOURNAL](#) (forthcoming 2018).
4. *Privatizing Personalized Law*, [UNIVERSITY OF CHICAGO LAW REVIEW](#) (forthcoming 2018).
5. *The Corporate Governance of National Security*, [95 WASHINGTON UNIVERSITY LAW REVIEW](#) (forthcoming 2018).
6. *Insider Trading in Commodities Markets*, [102 VIRGINIA LAW REVIEW 447](#) (2016).

7. *Benchmark Manipulation*, [56 BOSTON COLLEGE LAW REVIEW 215](#) (2015).
8. *Ex Tempore Contracting*, [55 WILLIAM & MARY LAW REVIEW 1869](#) (2014).
9. *Assessing Transnational Private Regulation of the OTC Derivatives Market: ISDA, the BBA, and the Future of Financial Reform*, [54 VIRGINIA JOURNAL OF INTERNATIONAL LAW 9](#) (2014) (with Gabriel Rauterberg).
10. *Index Theory: The Law, Promise, and Failure of Financial Indices*, [30 YALE JOURNAL ON REGULATION 1](#) (2013).
11. *Revolution in Manipulation Law: The New CFTC Rules and the Urgent Need for Economic and Empirical Analyses*, [15 UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW 357](#) (2013) (with Rosa Abrantes-Metz & Gabriel V. Rauterberg).
12. *The Misregulation of Person-to-Person Lending*, [45 U.C. DAVIS LAW REVIEW 445](#) (2011).
13. *Bad Policy for Good Policies: Article 9's Insurance Exclusion*, [17 CONNECTICUT INSURANCE LAW JOURNAL 287](#) (2011) (peer reviewed).

### **BOOKS**

1. BUSINESS ASSOCIATIONS: A SYSTEMS APPROACH (under contract with Aspen/Wolters Kluwer) (with Lynn LoPucki).

## SHORTER PUBLICATIONS

1. *Wrong-Termism, Right-Termism, and the Liability Structure of Time Horizons*, \_\_\_ SEATTLE UNIVERSITY LAW REVIEW \_\_\_ (forthcoming 2018).
2. *White-Collar Violent Crime*, [49 WAKE FOREST LAW REVIEW 873](#) (2014).
3. *Trustee or Delegate? Understanding Representation to Illuminate Shareholder Governance and Regulatory Change*, [9 EUROPEAN COMPANY AND FINANCIAL LAW REVIEW 74](#) (2012).
4. *Integrating Transactional Skills Training Into the Doctrinal Curriculum*, [18 TRANSACTIONS: THE TENNESSEE JOURNAL OF BUSINESS LAW 438](#) (2016) (coauthored).
5. *The First Insider Trader in Commodities*, [HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE AND FINANCIAL REGULATION](#), December 4, 2015 (reprinted at Law360 and Huffington Post).
6. Brief For *Amici Curiae* Financial Markets Law Professors In Support Of Plaintiffs-Appellants, *In re Libor Antitrust Litigation*, In the United States Court of Appeals for the Second Circuit, [13-3565-cv\(L\)](#) (May 27, 2015) (coauthored).
7. *Andrew Verstein on the Salman Personal Benefit Standard for Tipping Liability*, [PROFESSORBAINBRIDGE.COM](#), Jan. 2, 2016.
8. *Legal Confusion as to Spoofing*, [HUFFINGTON POST](#), May 12, 2015 (coauthored).
9. *Compliance Failures that Facilitated Libor Rigging*, [LAW360](#), Jan. 17, 2013 (coauthored).
10. *Deterring Libor Manipulation and Improving Benchmarks*, [THE COLUMBIA LAW SCHOOL BLUE SKY BLOG](#), April 11, 2013.
11. *What is Libor and Why Does it Matter?* [HUFFINGTON POST](#), November 8, 2013.
12. *Untangling the Libor and Forex Scandals*, [HUFFINGTON POST](#), November 18, 2013.
13. *The Law and Economics of Benchmark Manipulation*, [THE COLUMBIA LAW SCHOOL BLUE SKY BLOG](#), Aug. 27, 2014.
14. [Assessing Dodd-Frank](#) (editor, with Roberta Romano, of a transcript of the Yale Law School Center for the Study of Corporate Law's Weil, Gotshal & Manges Roundtable, April 1, 2011).

## WORKING PAPERS

1. *When Prices Fail: Judicial Intervention in Long-Term Contracts* (creating a framework to analyze contract failures, with special emphasis on price terms).
2. *Regulation as Punishment* (arguing that economic crises and scandals produce a distinct form of punitive law).
3. *The Failure of Mixed Motives Jurisprudence* (arguing against the most widespread and intuitive rule for evaluating mixed-motives).
5. *The Enduring Distinction Between Business Entities and Security Interests* (with Ofer Eldar) (defining unique functional distinction between entities and security interests).

## ACADEMIC SERVICE

### Referee or Reviewer

JOURNAL OF FINANCIAL REGULATION  
LEGAL STUDIES  
National Science Foundation (USA)  
Israel Science Foundation.

### Wake Forest

AALS 2016, 2017, 2018 Annual Meetings, Faculty Representative  
2014-15 Business & Law ABA Assessment and Outcomes Group, Chairperson  
Faculty Secretary  
Committee Member: Admissions & Scholarship; International Programs;  
Provost's Grant Committee

## TEACHING

Business Organizations F09, F10, S14, S15, S16, S17, S18  
Corporate Finance S16  
Contemporary Issues in Law & Business S12  
Contracts F13, F14, F15, F16  
Financial Law F10  
Securities Litigation S15, S17, F17

Additional Teaching Interests: Bankruptcy, Secured Transactions, Banking/Financial Institutions, Futures & Derivatives, Corporate Tax