

MICHAEL C. DUFF

Centennial Distinguished Professor of Law

University of Wyoming College of Law

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SSRN Author's Page: <http://ssrn.com/author=660895>

EDUCATION

Harvard Law School, Juris Doctorate, June 1995

West Chester University of Pennsylvania, *summa cum laude*, B.A., Philosophy, December 1991

EXPERIENCE

ACADEMIC LEGAL EXPERIENCE

University of Wyoming College of Law

8/2006-present

Administrative Experience

Associate Dean of Student Programs
and External Relations

10/2015-9/2016

Responsible for day-to-day management of student programs, including oversight of student recruitment, admissions, and career services; supervision of external relations with a variety of entities including State Bar officials, legal employers, undergraduate pre-law advisors, and the Law School Admissions Council; catalyst for new program development responsive to rapid changes in the overall law school environment; coordination of student counseling, academic support, and Bar admissions support; and staff supervision in connection with each of these functions.

Founder and Director of Academic Support Program

9/2006-8/2012

Established College of Law's first formal academic support program. Developed and taught Introduction to Law course as a hybrid platform to provide accelerated "legal civics" knowledge while simultaneously delivering law school skills instruction. Also conducted law school retention program during spring semester.

Academic Appointments

Professor of Law

7/2012-present

Associate Professor of Law

8/2009-6/2012

Assistant Professor of Law

8/2006-7/2009

PUBLICATIONS

Law Review Articles

A Tale of Two Standards: Why Wyoming Courts Should Apply the Actual Substantial Evidence Standard in Wyoming Workers' Compensation Cases, forthcoming 18 WYOMING L. REV. ____ (2017)

Workers' Compensation Benefit Adequacy (forthcoming 2017)

Facial and As-Applied Challenges to Workers' Compensation Statutes: The Elusive Inadequacy Tipping Point (Work in Progress)

Beyond Republic Steel: Seeing NLRBA Remedies Through the Prism of the Collateral Source Rule (Work in Progress)

Workers' Compensation Judicial Decisional Independence (Work in Progress)

Comment on Chapter 4 of The Restatement of Employment Law: Principles of Employer Liability for Tortious Harm to Employees, EMPLOYEE RTS. & EMP. POL'Y J. (forthcoming 2017)

Between a Rock and a Hard Place: Potential Conflicts Between State Workers' Compensation Reform and ERISA (with James Wooten) (forthcoming 2017)

Worse Than Pirates or Prussian Chancellors: A State's Authority to Opt-Out of the Quid Pro Quo, 17 MARQ. BENEFITS & SOC. WELFARE L. REV. 123 (2016) (Lead article)

The Cowboy Code Meets the Smash Mouth Truth: Meditations on Worker Incivility, 117 W. VA. L. REV. 100 (2015)

Alt-Labor, Secondary Boycotts, and Toward a Labor Organization Bargain, 63 CATHOLIC U. L. REV. 837 (2014)

What Brady v. N.F.L. Teaches about the Devolution of Labor Law, 52 WASHBURN L. J. 429 (2013)

New Nip in the Bud: Does the Obama Board's Preemptive Strike Doctrine Enhance Tactical Employment Law Strategies?, 16 EMPLOYEE RTS. & EMP. POL'Y J. 143 (2012)

Of Courage, Tumult, and the Smash Mouth Truth: A Union-Side Apologia, 15 EMPLOYEE RTS. & EMP. POL'Y J. 521 (2012)

Union Salts as Administrative Private Attorneys General, 32 BERKELEY J. EMP. & LAB. L. 1 (2011)

Labor Injunctions in Bankruptcy: The Norris-LaGuardia Firewall, 2009 MICH. ST. L. REV. 669 (2009)

- Cited by dissent in 8th Circuit Court of Appeals, *Brady v. National Football League*, 640 F.3d 785, 797 (8th Cir. 2011)
- Cited by the United States Bankruptcy Court, District of Delaware, *In re Trump Entertainment Resorts*, 534 B.R. 93 (2015)

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Embracing Paradox: Three Problems the NLRB Must Confront To Resist Further Erosion of Labor Rights in the Expanding Immigrant Workplace, 30 BERKELEY J. EMP. & LAB. L. 133 (2009)

Days Without Immigrants: Analysis and Implications of the Treatment of Immigration Rallies Under the National Labor Relations Act, 85 DENV. U. L. REV. 93 (2007)

Books

WORKERS' COMPENSATION LAW (Carolina Academic Press, 2nd Edition 2017) (Part of the Context and Practice Series explicitly applying Carnegie principles to casebook design)

Teachers Manual for Workers' Compensation Law (Carolina Academic Press)

SECUNDA, HIRSCH & DUFF, LABOR LAW: A PROBLEM BASED APPROACH (Carolina Academic Press, 2nd Edition 2017)

LABOR, CIVIL RESISTANCE, AND THE RULE OF LAW (Work in progress)

Book Chapters & Other Contributions to Books

John L. Lewis and the United Mine Workers in THE AMERICAN MIDDLE CLASS: AN ECONOMIC ENCYCLOPEDIA OF PROGRESS AND POVERTY, Robert S. Rycroft, Ed. (ABC-CLIO 2017)

The Cloak (of Authority) That Will Not Fit: The 6th Circuit Upholds the NLRB's New Pre-Recognition Negotiation Rule in THE CHALLENGE FOR COLLECTIVE BARGAINING: PROCEEDINGS OF THE NEW YORK UNIVERSITY 65TH ANNUAL CONFERENCE ON LABOR, Samuel Estreicher and Michael Green, Eds., Chapter 8, (Matthew Bender 2013)

Shorter Pieces

Noe Rodriguez v Brand Dairy: Balancing Equal Protection and a State's Economic Interest, 3 INTERNATIONAL LABOR RIGHTS CASE LAW 106 (2017)

Compulsory Arbitration: More Empty Preemption of State Workers' Comp?, TORTSOURCE, PUBLICATION OF THE TORT TRIAL & INSURANCE PRACTICE SECTION, Vol. 19, No. 1 at 3 (Fall 2016)

Opt-Out and ERISA's Empty Preemption of Workers' Compensation (with Mark DeBofsky), TORT TRIAL & INSURANCE PRACTICE SECTION NEWSLETTER (Fall 2016)

Workers' Compensation Laws: No Escape from ERISA Preemption?, LEXISNEXIS LEGAL NEWSROOM, WORKERS' COMPENSATION LAW available at <https://www.lexisnexis.com/legalnewsroom/workers-compensation/b/recent-cases-news-trends-developments/archive/2016/05/23/workers-compensation-opt-out-laws-no-escape-from-erisa-preemption.aspx> (May 31, 2016)

Choppy Waters Ahead: The New Environment of Law School Scholarships, WYOMING LAWYER, 39-APR WYO. LAW 20 (April 2016)

Are Workers' Compensation "Alternative Benefit Plans" Authorized by State Opt-Out Schemes Covered by ERISA?, 45 THE BRIEF 22, A.B.A. TORT TRIAL & INSURANCE PRACTICE SECTION (Spring 2016)

- Cited by the Oklahoma Supreme Court concurrence, *Vasquez v. Dillard's*, 381 P.3d 768, 780 n.38 (Ok. 2016)

Workers' Comp Agency Declares Oklahoma Opt-Out Statute Unconstitutional, LEXISNEXIS LEGAL NEWSROOM, WORKERS COMPENSATION LAW available at <http://www.lexisnexis.com/legalnewsroom/workers-compensation/b/recent-cases-news-trends-developments/archive/2016/02/28/workers-comp-agency-declares-oklahoma-opt-out-statute-unconstitutional.aspx> (February 28, 2016)

A Hundred Years of Excellence: But is the Past Prologue? Reflections on the Pennsylvania Workers' Compensation Act, 87 PA. B.A. Q. 20 (January 2016)

- Cited by Kentucky Court of Appeals, *Choate v. Bank of Cadiz & Trust Co.*, 2016 WL 3453326

Book Review: *Defamation Law and Social Attitudes: Ordinary Unreasonable People*, by Roy Baker, 42 INT'L J. LEGAL INFO. 420 (2014)

The Continued Relevance of the NLRA to Non-Union Workplaces under Section 7's Mutual Aid or Protection Clause, ABA Section of Employment Litigation and Labor Relations E-Newsletter (Winter 2014) available at <http://apps.americanbar.org/litigation/committees/employment/home.html>

Terms Matter: Reflections on the Wyoming Debate Over the Teachers' "Union" and Teacher "Tenure", 34 WYOMING LAWYER 16 (April 2011).

The Debt Ceiling Debate and the Constitution: A Call for Caution, JURIST- Forum, July 16, 2011, <http://jurist.org/forum/2011/07/davis-duff-ware-debt-ceiling.php> (with Benjamin Davis, Craig Jackson, and Leland Ware)

PRESENTATIONS & PUBLIC APPEARANCES

Invited Panelist, "Grand Bargain or Contract of Adhesion: The Ongoing Debate Over Benefit Adequacy, Procedural Efficacy, and Blanket Immunity in Workers' Compensation," Workers' Compensation Institute, Orlando, Florida, August 8, 2017

Invited Discussant, "Integrating Workers' Compensation Policy Experts into the Data Collection Efforts of the National Association of Social Insurance," Washington D.C., June 7, 2017

Invited Panelist, "Top 5 Workers' Compensation Cases in 2016," College of Workers' Compensation Lawyers' Inaugural Symposium, Phoenix, Arizona, March 18, 2017

Invited Discussant, Law School Outreach Summit, Pound Civil Justice Institute, Methods to Improve Communication Between Law Schools and the Plaintiffs' Bar, San Francisco, CA, January 6, 2017

Invited Presenter, "Comment on Chapter 4 of The Restatement of Employment Law: Principles of Employer Liability for Tortious Harm to Employees," Labor Law Group Symposium, Indiana University, Bloomington, Indiana, November 18, 2016

Presenter, "The Corporatization of Workplace Adjudication," ClassCrits IX Conference, Loyola University Chicago School of Law, Chicago, Illinois, October 21, 2016

Invited Presenter, "ERISA & Opt-Out," Workers' Injury Law & Advocacy Group Annual Meeting, Carefree, Arizona, September 26, 2016

Invited Discussant, “The Demise of the Grand Bargain” Symposium, Rutgers Law School, September 23, 2016

Invited Panel Moderator and Presenter, “The Opt Out, the Constitution, and the Grand Compromise,” 8th Annual National Workers’ Compensation Judiciary College, Orlando, Florida, August 23, 2016

Invited Panelist, “The Opt-Out Option in Workers’ Compensation: Who Gains and Who Loses?,” Disparate Income, Wealth and Opportunity: Implications for Social Insurance, National Academy of Social Insurance, National Press Club, Washington, D.C., January 27, 2016

Invited Speaker: “Methodical Confrontation of Suspected Bias in Administrative Decision Making,” Michigan Association for Justice 2016 Workers’ Compensation/Social Security Seminar, Detroit, Michigan, January 15, 2016

Keynote Speaker, “Footholds from Free Fall,” National Labor Relations Board Union Annual Meeting, Atlanta, Georgia, October 10, 2015

Keynote Speaker, “A Hundred Years of Excellence: But is the Past Prologue?” 31st Annual Fall Section Meeting of the Workers’ Compensation Law Section of the Pennsylvania Bar Association, Centennial Celebration, Hershey, Pennsylvania, October 7, 2015

Invited Panel Moderator and Presenter, “Two Enduring Workers’ Compensation Legal-Ethical Problems: Unrepresented Parties and Undocumented Workers,” American Bar Association Section of Labor and Employment Law, Tort, Trial and Insurance Practice Section, 2015 Workers’ Compensation Midwinter Seminar and Conference, Naples, Florida, March 20, 2015

Invited Panelist, “New Frontiers in Traditional Labor Law: From Student Athletes to Social Media,” University of Denver/Ogletree Deakins Annual Speaker Event, Sturm College of Law, Denver, Colorado, February 25, 2015

Invited Presenter, “Workers’ Compensation Judicial Decisional Independence,” Workers’ Injury Law & Advocacy Group Annual Meeting, Santa Barbara, California, October 29, 2014

Invited Presenter, “The Cowboy Code Meets the Smash Mouth Truth,” University of West Virginia College of Law, Zealous Advocacy for Social Change: Transforming an Anti-Labor Environment into a Culture of Civility, Morgantown, West Virginia, October 24, 2014

Presenter, “Workers’ Compensation and a State’s Right to be Worse than Pirates and Prussian Chancellors,” University of Colorado, 9th Annual Labor & Employment Scholars Colloquium, Boulder, Colorado, September 11, 2014

Presenter, “What Brady v. N.F.L. teaches about the Devolution of Labor Law,” Washburn University, School of Law’s Business and Transactional Law Center, The Landscape of Private Sector Labor Law in the 21st Century - Changes in the Arenas of Conflict, Topeka, Kansas, February 28, 2013

Panelist, “The Role of Law in Creating the Good Employer,” United Association of Labor Education Annual Conference, Pittsburgh, Pennsylvania, March 23, 2012

Panelist, “Exploring How Access to Education and Safe, Affordable Energy Contribute to Creating a More Just Workplace,” Working Class Studies Association Annual Conference, University of Illinois-Chicago, Chicago, Illinois, June 25, 2011

Presenter, “Collective Bargaining: What it is; What it isn't; Why it Matters,” Wyoming Continuing Legal Education Session, University of Wyoming, Laramie, Wyoming, April 16, 2011

Presenter, “Of Courage, Tumult, and the Smash Mouth Truth,” Association of American Law Schools (AALS) Annual Meeting, Author Meets Reader: Discussing Julius Getman’s Restoring the Power of Unions, Section on Labor Relations and Employment, San Francisco, California, January 8, 2011

Presenter, “Canaries in the Coal Mine: The Tactical Use of the National Labor Relations Act to Aid in the Protection of Workers Exposed to Pollutants,” Shepard Symposium on Social Justice, University of Wyoming, Laramie, Wyoming, April 8, 2010

Panelist, “Contested Case Procedures under the Wyoming Administrative Procedure Act,” Annual Meeting of the Wyoming Association of County Officials, Laramie, Wyoming, September 22, 2009

Presenter, “University of Wyoming Social Justice Research Center and My Personal Commitment to Issues of Social Justice,” Martin Luther King Jr. Day, March and Days of Dialogue, University of Wyoming, Laramie, Wyoming, January 19, 2009

Presenter, “Working in the Federal and Wyoming Legal Systems,” Casper, WY, July 17, 2008 (Wyoming Continuing Education Seminar)

Presenter, “Federal Sector Equal Employment Opportunity Law Complaint Procedures Pursuant to 29 C.F.R. 1614,” National Labor Relations Board Union Convention, Miami, Florida, October 17, 2003

Presenter, “The State of ‘Refusal to Hire’ Law in the Wake of the NLRB’s Decision in FES” International Brotherhood of Electrical Workers Regional Meeting, Pomona, New Jersey, January 16, 2003

Presenter, “Traps for the Unwary in National Labor Relations Board Regional Office Procedures,” Rutgers University School of Management and Labor Relations, Union Leadership Academy, April 2, 2001

HONORS AND AWARDS

Fellow, *American Bar Foundation*, “The Fellows is an honorary organization of attorneys, judges, law faculty, and legal scholars whose public and private careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession. Membership in The Fellows is limited to one percent of lawyers licensed to practice in each jurisdiction. Members are nominated by their peers and elected by the Board of the American Bar Foundation.”

Member, *National Academy of Social Insurance*, “The National Academy of Social Insurance is a nonprofit, nonpartisan organization made up of the nation’s leading experts on social insurance. Its mission is to advance solutions to challenges facing the nation by increasing public understanding of how social insurance contributes to economic security.”

Pound Academic Fellow, *Pound Civil Justice Institute*, Group of twenty-three legal academics from law schools across the U.S. who serve with Pound Institute Trustees to keep the Institute abreast of the latest legal trends and to assist the Institute in maintaining a relevant, meaningful dialogue with the nation’s courts and law schools.

Recognition Award, *Workers' Injury Law and Advocacy Group*, September 2016, for research and writing focused on injured workers and the attempted deregulation of workers' compensation systems

Fellow, *College of Workers' Compensation Lawyers*, "Members have been nominated for the outstanding traits they have developed in their practice of twenty years, or longer, representing plaintiffs, defendants, serving as judges, or acting for the benefit of all in education, overseeing agencies and developing legislation. These individuals have convinced their peers, the bar, bench and public that they possess the highest professional qualifications and ethical standards, character, integrity, professional expertise and leadership"

Centennial Distinguished Professor of Law, 2014-2016, a professorship established to "recognize and retain a distinguished professor of law who has outstanding abilities as a scholar and teacher." Recipients are selected by a faculty committee and serve a multi-year appointment.

ACCOMPLISHMENTS OF NOTE

Consulted by Congressional Committee on Education and the Workforce in winter of 2016 to provide legal analysis on the intersectionality of ERISA and state workers' compensation systems in the context of emerging and novel employee benefits models

Appointed to Board of Governors of the College of Workers' Compensation Lawyers in May 2017

MEDIA APPEARANCES

Quoted in J. Todd Foster, "Panelist: Grand Bargain Imperiled, but State Has Constitutional Safeguard," WORKCOMP CENTRAL, August 9, 2017

Quoted in J. Todd Foster, "Business Interests Huddle with Lawmakers Over Protz Ruling that Removed IREs," WORKCOMP CENTRAL, August 2, 2017

Quoted in J. Todd Foster, "Attorneys Take No Issue with DWC's Interpretation of Compounds as 'Specialty Services'," WORKCOMP CENTRAL, July 21, 2017

Quoted in J. Todd Foster, "Court Decision Could Affect State's [Pennsylvania] Ability to Enact Formulary, Officials Say," WORKCOMP CENTRAL, June 29, 2017

Quoted in Jim Sams, "Inaction By Lawmakers Not Always a Partisan Divide," WORKCOMP CENTRAL, June 26, 2017

Quoted in Emily Brill, "Single-Payer Bill to Consider How Experience Ratings Fit into Comp Merger," WORKCOMP CENTRAL, June 5, 2017

Quoted in Peter Rousmaniere, "Unconstitutional in Alabama," WORKERS COMPENSATION.COM, May 17, 2017

Quoted in Emily Brill, "Appeals Court Misinterpreted Definition of 'Willful Misconduct,' High Court Finds," WORKCOMP CENTRAL, March 1, 2017

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Quoted in Bryce Covert, “The Nurses Who Lost Their Jobs Thanks to Trump’s New Labor Secretary Nominee,” ThinkProgress, February 23, 2017 (Note: I argued in support of the nominee)

Quoted in Nat Levy, “Postmates ordered to pay 2+ years of workers’ comp premiums for more than 3,000 couriers,” GEEKWIRE, December 13, 2016

Featured in Emily Brill, “Workers’ Comp Professor Has One Foot in Theoretical, Practical,” WORKCOMPCENTRAL, November 22, 2016

Quoted in Sherri Okamoto, “Unlevel Playing Field?” in WORD ON WORKERS’ COMPENSATION 2016, WORKCOMPCENTRAL, November 10, 2016

Quoted in J. Todd Foster, “Federal Interest in Comp Making Some Nervous, but Quick Action Unlikely,” WORKCOMPCENTRAL, October 7, 2016

Quoted in LexisNexis Newsroom Staff, “8 Myths and Facts About Workers’ Compensation,” LEXISNEXIS LEGAL NEWSROOM WORKERS’ COMPENSATION LAW, August 19, 2016

Quoted in Timothy Noah, “Who’s Afraid of the Persuader Rule,” POLITICO, August 3, 2016

Quoted in David DePaolo, “The Real Objection to Opt Out,” WORKCOMPCENTRAL, June 10, 2016

Quoted in Emily Brill, “Report: Opt Out in Texas Shifts \$400M-\$600M to Public, Private Payers,” WORKCOMPCENTRAL, June 10, 2016

Quoted in Howard Berkes, “Oklahoma Commission Declares Workers’ Comp Alternative Unconstitutional,” NATIONAL PUBLIC RADIO, February 29, 2016

Quoted in Karen C. Yotis, “Federalization of Workers’ Comp: Politics, Opt-Outs and Survival of the State-Based Status Quo,” LEXISNEXIS LEGAL NEWSROOM, WORKERS COMPENSATION LAW, February 19, 2016

Quoted in Sherri Okamoto, “Claimant Attorneys Fight Cost Cutting with Constitutional Challenges” in WORD ON WORKERS’ COMPENSATION 2015, WORKCOMPCENTRAL, November 25, 2015

Quoted in Moshe Z. Marvit, “Duquesne’s NLRB Filing Reads as a Brazen Threat To Adjunct Union Organizers,” IN THESE TIMES, August 3, 2015

Quoted in Andrew Elrod, “Inside the Case That Could Hold McDonald’s Responsible for Union-busting,” IN THESE TIMES, April 29, 2015

Quoted in Lisa Nagele-Piazza, “Uber, Lyft Drivers’ Wage Claims May Affect On-Demand Business Model, Attorneys Say,” BLOOMBERG BNA DAILY LABOR REPORT, April 8, 2015

Quoted in Richie Bernardo, “2015’s Hardest Working Cities in America.” WALLETHUB, February 2015

Quoted in Andrew Elrod, “How a Good Employer Supports Union Busting,” THE NATION, August 15, 2014

Interviewed by Melodie Edwards, “Latino Workplace Safety,” WYOMING PUBLIC RADIO, July 18, 2014

Interviewed by Mike Elk, “Former DOJ Inspector General Represents GOP NLRB Member Caught in Scandal,” IN THESE TIMES, April 11, 2012

Quoted in Geoff Williams, “Workers’ Compensation, Employers Complication,” NFIB.COM, December 14, 2012

COURSE INSTRUCTION

Employee Benefits (2017-present)

Alternative Dispute Resolution in the Workplace (2014-2015)

Torts (2013-present)

Evidence (2013)

Administrative Law (2008-2012; University of Denver, Sturm College of Law, Spring 2013)

Introduction to Law (2007-2012)

Workers’ Compensation Law (2007, 2013-present)

Labor Law (2007-present; University of Denver, Sturm College of Law, Spring 2013)

Administrative Law (University of Wyoming College of Law, Guest lecturer, 2006)

Alternative Dispute Resolution (University of Wyoming College of Law, Guest lecturer, 2006)

Contract Enforcement and Interpretation (Rutgers University School of Management and Labor Relations, Adjunct, Spring 2002)

INSTITUTIONAL GOVERNANCE & SERVICE

Student Conduct Hearing Officer, assigned by University Dean of Students to hear sensitive sexual assault case, February, 2017

Member, University of Wyoming Provost, Vice President of Academic Affairs Search Committee, Spring 2016

Member, University of Wyoming Faculty Dispute Resolution Panel, 2014-2015, Chair, Ad Hoc Hearing Committee, 2014-2015, selected by University Administration and Faculty Senate to hear sensitive faculty dismissal/sexual assault case

Member, University of Wyoming College of Law Dean Search Committee, 2014-2015

Member, University of Wyoming College of Law Honor Council, 2013-2015 (Chair, 2014)

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Member, University of Wyoming University Reappointment, Tenure & Promotion Committee, 2013-2015

Faculty Consultant, University of Denver Sturm College of Law, Wagner National Labor and Employment Law Moot Court Competition, Spring 2013

Founder & Director, University of Wyoming College of Law Academic Support Program, 2006-2012

Member, University of Wyoming College of Law ABA Accreditation Committee, 2012-2013

Member, University of Wyoming College of Law Academic Policies and Procedures Committee, 2012

Chair, University of Wyoming College of Law Bar Examination Task Force, 2012

Member, University of Wyoming Faculty Academic Standards and Rights and Responsibilities Committee, 2011-2012

Member, University of Wyoming College of Law Admissions Committee, 2007– 2011, 2014-present

Member, University of Wyoming College of Law Clinics and Skills Committee, 2011-2013

Member, University of Wyoming College of Law Marketing Committee, 2011-2013

Member, University of Wyoming College of Law Faculty Appointments Committee, 2009-2010, 2016-2017

Faculty Consultant, University of Wyoming College of Law, Appellate National Moot Court, 2006-2009, 2012

NON-ACADEMIC LEGAL EXPERIENCE

National Labor Relations Board, Philadelphia, PA; Minneapolis, MN 9/1997-8/2006
Regional Office Attorney

McTeague, Higbee & MacAdam et al., Topsham, ME 9/1995-8/1997
Associate

Massachusetts Department of Industrial Accidents, Boston, MA 6/1993-6/1995
Law Clerk

REPORTED LITIGATION

Northeast Iowa Telephone Company, 346 NLRB 465 (2006)

Volair Contractors, 341 NLRB 673 (2004)

Smucker Company, 341 NLRB 35 (2004)

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American Sprinkler DE, 2002 WL 225708 (2002)

In re Bakery Workers Local 6, 337 NLRB 407 (2002)

Jacee Electric, Inc., 335 NLRB 568 (2001)

Neshaminy Electrical Contractors, Inc., 334 NLRB 994 (2001)

Ebroadburl Realty Corp., 330 NLRB 70 (1999)

Three-I Truck Line, Inc., 1999 WL 33452951(1999)

BIW Deceived v. S6, Marine Workers, 132 F.3d 824 (1st Cir. 1997)

Ciampi v. Hannaford Brothers Co., 681 A.2d 4 (1996) *cert. denied* 519 U.S. 1056 (1997)

NON-LEGAL WORK EXPERIENCE

U.S. Airways, Philadelphia, PA 3/1986-8/1992
Fleet Service Agent

Flying Tiger Line, Philadelphia, PA 7/1983-7/1986
Claims Prevention Supervisor

PROFESSIONAL ASSOCIATIONS

American Bar Association, Tort Trial and Insurance Practice Section, Workers' Compensation Committee (2015-present; Vice Chair August 2015-present)

American Association for Justice (2014-present)

Wyoming Bar Association (2014-2016)

American Civil Liberties Union, Member (2006-2012)

American Bar Association, Labor and Employment Section, Member (1995-2000; 2006-2012)

Maine Bar Association, Member (1995-1997)

PUBLIC SERVICE

Board of Directors, Snowy Range Academy (K-9 Elementary School), Chair, 2015-2016; 2010-2012; Member 2014-2017)

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During my 2015-16 Chairmanship oversaw school's ascent to top academic K-8 school in Albany County School District (Wyoming) and one of the highest performing K-8 schools in state of Wyoming (est. top 5%) on statewide performance assessment.

Election Judge, County of Albany, Wyoming (2007-2010)

Panelist, American Civil Liberties Union, Wyoming Statewide Advisory Panel (2007-2012)

Advisory Board Member and Interim Director, Social Justice Research Center at the University of Wyoming, (2007-2010; Interim Director: Spring 2009)

Faculty Consultant, University of Wyoming United Multicultural Council (2007-2008)

Board Member, Board of Zoning Appeals, Golden Valley, Minnesota (2004-2006)

BAR ADMISSION

Maine 1996