

## CURRICULUM VITAE

### ROBERT SPRAGUE

Professor of Legal Studies in Business

Department of Management and Marketing

Faculty Web Page: <http://www.uwyo.edu/mgtmkt/faculty-staff/faculty-pages/sprague.html>

SSRN Author page: <http://ssrn.com/author=623074>

Bepress Selected Works Page: [http://works.bepress.com/robert\\_sprague](http://works.bepress.com/robert_sprague)

Google Scholar Profile: <http://scholar.google.com/citations?user=33QqCasAAAAJ&hl=en>

#### ADDRESS

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#### EDUCATION

J.D., University of Denver College of Law, Denver, Colorado

M.B.A., University of Southern California, Los Angeles, California

B.S.B.A., Economics, University of Denver, Denver, Colorado

#### ACADEMIC POSITIONS

2016 – Present	Professor of Legal Studies in Business, Department of Management and Marketing, College of Business, University of Wyoming, Laramie, Wyoming
2010 – 2016	Associate Professor of Legal Studies in Business, Department of Management and Marketing, College of Business, University of Wyoming, Laramie, Wyoming
2004 – 2010	Assistant Professor of Legal Studies in Business, Department of Management and Marketing, College of Business, University of Wyoming, Laramie, Wyoming
2002 – 2004	Chair, Business Foundations Department, College of Business, Eastern New Mexico University, Portales, New Mexico
2001 – 2004	Assistant Professor, Business Foundations Department, College of Business, Eastern New Mexico University, Portales, New Mexico
1988 – 1991	Senior Research Fellow, University of Denver College of Law, Denver, Colorado

## **BUSINESS EXPERIENCE**

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Extensive experience in law, technology, and management, including senior management positions with small and start-up companies, legal automation consulting, and practicing law, primarily representing clients in the computer industry.

## **COURSES**

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MGT 1040 Legal Environment of Business  
MGT 4340 Law for Managers  
MGT 4350 Commercial Law  
MGT 4360 Business Law for Entrepreneurs  
MBAM 5304 Business Law (MBA Program)

## **PRINCIPAL RESEARCH AREAS**

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Convergence of law, technology and business; privacy; privacy within evolving technologies; employment and labor law, including employment-related privacy; technology in the workplace; online business activities; corporate governance; and legal issues associated with small businesses and entrepreneurship.

## **PUBLICATIONS**

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### **Books/Treatises:**

Robert Sprague, Editor-in-Chief, [WORKPLACE DATA: LAW AND LITIGATION](#) (Bloomberg BNA 2013); 2014 Supplement. By invitation.

Robert Sprague, [LEGAL GUIDE FOR SMALL BUSINESS](#) (American Bar Association, 2010). Principal author of second edition update; by invitation.

### **Textbook:**

Robert Sprague, [LAW FOR ENTREPRENEURS AND SMALL BUSINESSES OWNERS](#) (Wolters Kluwer Law & Business 2015).

### **Articles:**

Robert Sprague, [Survey of \(Mostly Outdated and Often Ineffective\) Laws Affecting Work-Related Monitoring](#), 93 CHI.-KENT L. REV. 221 (2018). By invitation.

Robert Sprague, [\*Employee Electronic Communications in a Boundaryless World\*](#), 53 U. LOUISVILLE L. REV. 433 (2016). By invitation.

Robert Sprague, [\*Worker \(Mis\)Classification in the Sharing Economy: Trying to Fit Square Pegs into Round Holes\*](#), 31 A.B.A. J. LAB. & EMP. L. 53 (2015).

Robert Sprague, [\*Welcome to the Machine: Privacy and Workplace Implications of Predictive Analytics\*](#), 21 RICH. J.L. & TECH. 13 (2015).

Charles E. Stevens, Roland E. Kidwell, & Robert Sprague, [\*Bound by Laws, or by Values? A Multi-Level and Cross-National Approach to Understanding the Protection of Minority Owners in Family Firms\*](#), 23 CORP. GOVERNANCE: INT'L REV. 203 (2015).

Robert Sprague, [\*No Surfing Allowed: A Review & Analysis of Legislation Prohibiting Employers from Demanding Access to Employees' & Job Applicants' Social Media Accounts\*](#), 24 ALB. L.J. SCI. & TECH. 481 (2014).

Robert Sprague & Abigail E. Fournier, [\*Online Social Media and the End of the Employment-at-Will Doctrine\*](#), 52 WASHBURN L.J. 557 (2013).

Robert Sprague, [\*Facebook Meets the NLRB: Employee Online Communications and Unfair Labor Practices\*](#), 14 U. PA. J. BUS. L. 957 (2012).

Robert Sprague & Mary Ellen Wells, [\*The Supreme Court as Prometheus: Breathing Life into the Corporate Supercitizen\*](#), 49 AM. BUS. L.J. 507 (2012).

Lothar Determann & Robert Sprague, [\*Intrusive Monitoring: Employee Privacy Expectations are Reasonable in Europe, Destroyed in the United States\*](#), 26 BERKELEY TECH. L.J. 979 (2011).

Robert Sprague, [\*Invasion of the Social Networks: Blurring the Line Between Personal Life and the Employment Relationship\*](#), 50 U. LOUISVILLE L. REV. 1 (2011). By invitation.

Robert Sprague & Aaron Lyttle, [\*Shareholder Primacy and the Business Judgment Rule: Arguments for Expanded Corporate Democracy\*](#), 16 STAN. J.L. BUS. & FIN. 1 (2010).

Robert Sprague & Mary Ellen Wells, [\*Regulating Online Buzz Marketing: Untangling a Web of Deceit\*](#), 47 AM. BUS. L.J. 415 (2010).

Robert Sprague, [\*Beyond Shareholder Value: Normative Standards for Sustainable Corporate Governance\*](#), 1 WILLIAM & MARY BUS. L. REV. 47 (2010). (Inaugural issue.)

Sean Valentine, Gary Fleischman, Robert Sprague, & Lynn Godkin, [\*Exploring the Ethicality of Firing Employees Who Blog\*](#), 49 HUM. RESOURCE MGMT. 87 (2010).

Roland E. Kidwell & Robert Sprague, [\*Electronic Surveillance in the Global Workplace: Laws, Ethics, Research and Practice\*](#), 24 NEW TECH., WORK AND EMP. 194 (2009).

Robert Sprague & Corey Ciocchetti, [\*Preserving Identities: Protecting Personal Identifying Information Through Enhanced Privacy Policies and Laws\*](#), 19 ALB. L.J. SCI. & TECH 91 (2009).

Robert Sprague, [\*Orwell Was An Optimist: The Evolution of Privacy in the United States and Its Development for American Employees\*](#), 42 J. MARSHALL L. REV. 83 (2008).

Robert Sprague, [\*Rethinking Information Privacy in an Age of Online Transparency\*](#), 25 HOFSTRA LAB. & EMP. L.J. 395 (2008); by invitation.

Robert Sprague & Karen L. Page, *The Private Securities Litigation Reform Act and the Entrepreneur: Protecting Naïve Issuers from Sophisticated Investors*, 8 WYO. L. REV. 167 (2008).

Robert Sprague, *Business Blogs and Commercial Speech: A New Analytical Framework for the 21<sup>st</sup> Century*, 44 AM. BUS. L.J. 127 (2007).

Robert Sprague, [\*Fired for Blogging: Are There Legal Protections for Employees Who Blog?\*](#), 9 U. PA. J. BUS. & EMP. L. 355 (2007).

Robert Sprague, *Googling Job Applicants: Incorporating Personal Information into Hiring Decisions*, 23 LAB. LAW. 19 (2007). Selected for “The Best Articles Published by the ABA” issue of GPSOLO MAG., published by the American Bar Association (ABA) General Practice, Solo and Small Firm Division, Mar. 2008, at 40.

Robert Sprague, [\*From Taylorism to the Omnipricon: Expanding Employee Surveillance Beyond the Workplace\*](#), 25 J. MARSHALL J. COMPUTER & INFO. L. 1 (2007).

Karen L. Page & Robert Sprague, *Entrepreneur-VC Negotiations: Investigating the Power Gap*, 2 J. BUS. & LEADERSHIP 46 (2006).

John Humphreys, Lee Weyant, & Robert D. Sprague, *Predicting Organizational Commitment: The Roles of Emotional and Practical Intellect Within the Leader/Follower Dyad*, 9 J. BUS. & MGMT. 189 (2003).

Robert D. Sprague, *Multimedia: The Convergence of New Technologies and Traditional Copyright Issues*, 71 DENV. U. L. REV. 635 (1994).

Robert D. Sprague & Behrooz Shariati, *Accumulation of Information in Private Databases: Consumers Beware*, 1 W. ST. U. CONSUMER L.J. 79 (1992).

Robert D. Sprague, *Software Products Liability: Has Its Time Arrived?*, 19 W. ST. U. L. REV. 137 (1991).

John T. Soma, Robert D. Sprague, M. Susan Lombardi, & Carolyn M. Lindh, *A Proposed Legal Advisor’s Roadmap for Software Developers*, 68 DENV. U. L. REV. 191 (1991).

John T. Soma, Paula Smith, & Robert D. Sprague, *Legal Analysis of Electronic Bulletin Board Activities*, 7 W. NEW ENG. L. REV. 571 (1985).

### **Refereed Book Chapters:**

Robert Sprague, *Legal Issues Associated with Emerging Social Interaction Technologies*, in HANDBOOK OF RESEARCH ON SOCIAL INTERACTION TECHNOLOGIES AND COLLABORATION SOFTWARE: CONCEPTS AND TRENDS Vol. 1, 353 (T. Dumova & R. Fiordo eds., 2010).

Robert Sprague, *Legal Frameworks for Data Mining and Privacy*, in SOCIAL IMPLICATIONS OF DATA MINING AND INFORMATION PRIVACY: INTERDISCIPLINARY FRAMEWORKS AND SOLUTIONS 183 (E. Eyob ed., 2009).

Robert Sprague, *Employee Privacy in Virtual Workplaces* in HANDBOOK OF RESEARCH ON VIRTUAL WORKPLACES AND THE NEW NATURE OF BUSINESS PRACTICES 181 (P. Zemliansky & K. St. Amant eds., 2008).

Robert Sprague, *Liability for System and Data Quality*, in SOCIAL, ETHICAL AND POLICY IMPLICATIONS OF INFORMATION SYSTEMS 183 (L. Brennan & V. Johnson eds., 2003).

### **Refereed Encyclopedia Chapters:**

Robert Sprague, *Internet and Computing Legislation*, in ENCYCLOPEDIA OF BUSINESS ETHICS AND SOCIETY (R. Kolb ed., 2d ed. forthcoming 2017).

Robert Sprague & Sean R. Valentine, *Due Diligence*, in ENCYCLOPEDIA OF BUSINESS ETHICS AND SOCIETY 623 (R. Kolb ed., 2007). Encyclopedia awards: Choice Outstanding Academic Title; BRASS Business Reference Sources Committee Outstanding Title. Invited to submit update for 2nd edition; accepted 2016.

Robert Sprague, *Liability for System and Data Quality*, in ENCYCLOPEDIA OF INFORMATION SCIENCE AND TECHNOLOGY 1834 (M. Khosrow-Pour ed., 2005).

### **Refereed Proceedings/Transactions:**

Robert Sprague, [\*Laws Affecting Work-Related Monitoring: Mostly Outdated, Often Ineffective, and Definitely Not Normative\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Savannah, Georgia, August 7 – 10, 2017. Published in the peer-reviewed conference proceedings, 48 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2017). Recipient: Distinguished Proceedings Award.

Robert Sprague, [\*Redefining "Employee" to Provide Worker Protections Within a Flexible Workforce\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, San Juan, Puerto Rico, August 7 – 11, 2016. Published in the peer-reviewed conference proceedings, 47 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2016).

Robert Sprague, [\*Worker \(Mis\)Classification in the Sharing Economy: Square Pegs Trying to Fit in Round Holes\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Philadelphia, Pennsylvania, August 6 – 10, 2015. Published in the peer-reviewed conference proceedings, 46 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2015).

Robert Sprague, Kevin Grauberger and Nicole Barberis, [\*One Hundred Twenty Years of U.S. Privacy Law Scholarship: A Latent Semantic Analysis\*](#). 2015 Privacy Law Scholars Conference, jointly sponsored by the University of California, Berkeley Law School and the George Washington University Law School, Berkeley, California, June 4 – 5, 2015. Selected for conference workshop presentation and publication in the refereed conference proceedings.

Robert Sprague, *Predictive Analytics in the Workplace*, Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSB) Annual Conference, Chicago, Illinois, March 25 – 27, 2015. Published in the peer-reviewed conference proceedings.

Robert Sprague, [\*Privacy Implications of Big Data and Predictive Analytics\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Seattle, Washington, August 4 – 7, 2014. Published in the peer-reviewed conference proceedings, 45 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2014). Recipient: Distinguished Proceedings Award.

Robert Sprague, Kevin Grauberger and Nicole Barberis, [\*One Hundred Years of Privacy Law: A Latent Semantic Analysis\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Seattle, Washington, August 4 – 7, 2014. Published in the peer-reviewed conference proceedings, 45 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2014).

Robert Sprague, [\*You Ain't No Friend of Mine: A Review and Analysis of Legislation Prohibiting Employers from Demanding Access to Employees' and Job Applicants' Social Media Accounts\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Boston, Massachusetts, August 6 – 10, 2013. Published in the peer-reviewed conference proceedings, 44 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2013).

Charles E. Stevens, Roland E. Kidwell, and Robert Sprague, *Bound by Laws, or by Values? Cultural Dimensions, Stewardship Mentality, and Protection of Minority Owners in Family Firms*. International Family Enterprise Research Academy 2013 Annual Conference, University of St. Gallen, Switzerland, July 2 – 5, 2013. Accepted for publication in the peer-reviewed conference proceedings.

Robert Sprague & Nicole Barberis, *An Ontology of Privacy Law Derived from Published Articles Using Latent Dirichlet Allocation Probabilistic Topic Modeling*. 2013 Privacy Law Scholars Conference, jointly sponsored by the University of California, Berkeley Law School and the George Washington University Law School, Berkeley, California, June 6 – 7, 2013. Selected for conference workshop presentation and publication in the refereed conference proceedings.

Robert Sprague & Roland E. Kidwell, [\*Protecting Minority Owners of Small and Family-Owned Firms\*](#). Presented at and accepted for publication in the peer-reviewed conference proceedings of the Academy of Legal Studies in Business Annual Conference, Kansas City, Missouri, August 7 – 11, 2012. Published in the peer-reviewed conference proceedings, 43 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2012).

Robert Sprague, *Facebook Meets the NLRB: Employee Online Postings and Unfair Labor Practices*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 28 – 30, 2012. Published in the peer-reviewed conference proceedings. Recipient of the 2012 MBAA International McGraw-Hill/Irwin Distinguished Paper Award for the Legal Studies Track.

Robert Sprague & Mary Ellen Wells, [\*The Supreme Court as Prometheus: Breathing Life into the Corporate Supercitizen\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, New Orleans, Louisiana, August 10 – 13, 2011. Published in the peer-reviewed conference proceedings, 42 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2011).

Robert Sprague, *Immediate Feedback Assessment Technique Promotes Student Engagement*. Finalist, 2011 Charles M. Hewitt Irwin/McGraw-Hill Master Teacher Competition, Academy of Legal Studies in Business Annual Conference, New Orleans, Louisiana, August 10 – 13, 2011.

Robert Sprague, *Invasion of the Social Networks*. Presented at the 28th Annual Carl A. Warns, Jr. Labor & Employment Law Institute, University of Louisville Brandeis School of Law, Louisville, Kentucky, June 23 – 24, 2011. Published in the refereed conference proceedings. By invitation.

Lothar Determann & Robert Sprague, *Intrusive Monitoring: Employee Privacy Expectations are Reasonable in Europe, Destroyed in the United States*. Presented at the 2011 Privacy Law Scholars Conference, jointly sponsored by the University of California, Berkeley Law School and the George Washington University Law School, Berkeley, California, June 2 – 3, 2011. Published in the refereed conference proceedings.

Robert Sprague, *Social Networks and Employment Relationships: Where to Draw the Line*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 23 – 25, 2011. Published in the MALSBS peer-reviewed conference proceedings. Recipient of the Outstanding Proceedings Paper Award.

Robert Sprague & Aaron J. Lyttle, [\*Shareholder Primacy and the Business Judgment Rule: Arguments for Expanded Shareholder Democracy\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Richmond, Virginia, August 4 – 7, 2010. Published in the peer-reviewed conference proceedings, 41 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2010). Recipient of the Holmes-Cardozo Award for Distinguished Conference Proceedings Submission.

Robert Sprague, *Cloud Privacy: Normative Standards for Information Privacy Management Within Cloud Computing*. Presented at the Intelligent Information Privacy Management Symposium, Stanford Center of Computers and Law, Stanford University, March 22 – 24, 2010. Published in the refereed conference proceedings.

Robert Sprague & Aaron J. Lyttle, *Financial Crisis: Impetus for Restoring Corporate Democracy*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 24 – 26, 2010. Published in the MALSBS peer-reviewed conference proceedings. Recipient of the 2012 MBAA International McGraw-Hill/Irwin Distinguished Paper Award for the Legal Studies Track.

Robert Sprague, [\*Beyond Shareholder Value: Normative Standards for Sustainable Corporate Governance\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Denver, Colorado, August 5 – 8, 2009. Published in the peer-reviewed conference proceedings, 40 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2009).

Robert Sprague & Mary Ellen Wells (Alvernia University), [\*Regulating Online Commercial Speech: Oh What a Tangled Web\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Denver, Colorado, August 5 – 8, 2009. Published in the peer-reviewed conference proceedings, 40 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2009).

Robert Sprague, *Achieving Sustainable Prosperity Through Expanded Corporate Governance Standards*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 18 – 20, 2009. Published in the MALSBS peer-reviewed conference proceedings.

Robert Sprague, *Some Days You Get the Bear: Using the Blogosphere to Create Real-Time Lesson Plans*. Finalist, Charles M. Hewitt Irwin/McGraw-Hill Master Teacher Competition, Academy of Legal Studies in Business Annual Conference, Long Beach, California, August 13 – 16, 2008.

Robert Sprague & Corey Ciocchetti (University of Denver), [\*Preserving Identities: Protecting Personal Identifying Information Through Enhanced Privacy Policies and Laws\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Long Beach, California, August 13 – 16, 2008. Published in the peer-reviewed conference proceedings, 39 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2008).

Robert Sprague & Mary Ellen Wells (Alvernia College), [\*21st Century Commercial Speech: A Mix of Buzz Marketing, Immunity, and Deceptive Trade Practices\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Long Beach, California, August 13 – 16, 2008. Published in the peer-reviewed conference proceedings, 39 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2008).

Robert Sprague & Corey Ciocchetti (University of Denver), *Protecting Personally Identifying Information in a High-Tech World*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, April 2 – 4, 2008. Published in the MALSBS peer-reviewed conference proceedings. [Selected Best MALSBS Proceedings Paper](#).

Robert Sprague & Mary Ellen Wells (Alvernia College), *The Growth of Online Buzz Marketing In a Time of An Expanding Commercial Speech Doctrine*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, April 2 – 4, 2008. Published in the MALSBS peer-reviewed conference proceedings.

Robert Sprague, *Why Employers Should Not Google Employees: And How Modernized Tort Law Can Prevent Employers from Doing So*. Presented at the Hofstra University Law School Labor & Employment Law Journal Symposium: Emerging Technology and Employee Privacy, Hempstead, New York, March 7, 2008. By invitation.

*Teaching Entrepreneurs What They Need to Know About the Law*. Peer-reviewed panel presentation, with Lynn Forsythe (California State University, Fresno) and Frances E. Zollers (Syracuse University). United States Association for Small Business and Entrepreneurship Annual Conference, San Antonio, Texas, January 10 – 13, 2008.

Robert Sprague, *Get the Maxx: Data Breaches and Corporate Responsibilities*. Presented at the Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, September 28 – 29, 2007. Published in the peer-reviewed conference proceedings.

Robert Sprague, [\*Directors Behaving Badly: 21<sup>st</sup> Century Corporate Governance Standards\*](#). Presented at the Academy of Legal Studies in Business Annual Conference, Indianapolis, Indiana, August 12 – 14, 2007. Published in the peer-reviewed conference proceedings, 37 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2007).



Robert Sprague, *The Case of the Googled Job Applicant*. Finalist, Teaching Technology Law Case Competition, Academy of Legal Studies in Business Annual Conference, Indianapolis, Indiana, August 12 – 14, 2007.

Robert Sprague, *Director Privacy and Corporate Governance: 21st Century Standards*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 28 – 30, 2007. Published in the MALSBS peer-reviewed conference proceedings. [Selected Best MALSBS Proceedings Paper](#).

Karen L. Page & Robert Sprague, *Entrepreneur-Investor Negotiations: Exploring the Power Gap*. Presented at the refereed proceedings of the Western Academy of Management Annual Conference, Missoula, Montana, March 21 – 24, 2007.

Karen L. Page & Robert Sprague, *Entrepreneur-VC Negotiations: Investigating the Power Disparity*. Presented at the refereed proceedings of the Second Annual Business and Leadership Symposium, Hays, Kansas, September 27 – 28, 2006.

Robert Sprague & Karen L. Page, *Financing New Ventures: Let the Seller Beware*. Presented at the refereed proceedings of the Academy of Management Annual Conference, Atlanta, Georgia, August 11 – 16, 2006.

Karen L. Page & Robert Sprague, *Entrepreneur-Investor Negotiations: Closing the Power Gap*. Presented at the refereed proceedings of the Academy of Management Annual Conference, Atlanta, Georgia, August 11 – 16, 2006.

Robert Sprague & Karen L. Page, [Securities Regulation in the U.S.: Designed To Protect Naïve Investors from Sophisticated Issuers, But Does it Protect Naïve Issuers from Sophisticated Investors?](#) Presented at the Academy of Legal Studies in Business Annual Conference, St. Petersburg, Florida, August 8 – 12, 2006. Published in the peer-reviewed conference proceedings, 36 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2006).

Robert Sprague, *Business Compliance with Section 215 of the USA PATRIOT Act*. Presented at the Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, September 30 – October 1, 2005. Published in the peer-reviewed conference proceedings.

Robert Sprague, [Businesses and Blogs: Free Speech and Commercial Speech in the Blogosphere](#). Presented at the Academy of Legal Studies in Business Annual Conference, San Francisco, California, August 3 – 6, 2005. Published in the peer-reviewed conference proceedings, 34 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2005).

John Humphreys, Lee Weyant & Robert D. Sprague, *Predicting Organizational Commitment: The Roles of Emotional and Practical Intellect Within the Leader/Follower Dyad*. Presented at the International Business & Economic Research Conference, Las Vegas, Nevada, October 7 – 11, 2002. Published in 9 J. BUS & MGMT. 189 (2003).

Robert D. Sprague, [New Theories of Liability for Defective Software](#). Presented at the Academy of Legal Studies in Business Annual Conference, Las Vegas, Nevada, July 27 – 31, 2002. Published in the peer-reviewed conference proceedings, 31 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2002).

Robert D. Sprague, *Automated Small Business Legal Counseling Systems*. Presented at the Ninth IEEE Annual International Phoenix Conference on Computers and Communications, Phoenix, Arizona, Summer 1990. Published in the refereed conference proceedings.

Leslie G. Berkowitz & Robert D. Sprague, *Potential Theories of Legal Liability for Defective Expert System Software*. Presented at the IEEE Managing Expert System Programs and Projects Conference, Washington, D.C., Fall 1990. Published in the refereed conference proceedings.

### **Non-Refereed Proceedings/Transactions:**

Robert Sprague, *Employee Electronic Communications in a Boundaryless World*. Presented at the Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, October 3 – 4, 2014.

Robert Sprague, *Facebook Meets the NLRB: Complications Arising from Employee Terminations Due to Social Media Postings*. Presented at the Southeast Academy of Legal Studies in Business Annual Conference, Atlanta, Georgia, November 17 – 19, 2011.

Robert Sprague, *Intrusive Employer Monitoring: Recent Cases and Developments*. Presented at the Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, October 8 – 9, 2010.

Robert Sprague, *The Use of Social Media Tools by Students, Consumers and Small Businesses: Dangers in New Social Norms*. Presented at the 2010 Consumer Issues Conference, Laramie, Wyoming, September 30 – October 1, 2010. By invitation.

Robert Sprague, *Cloud Privacy: Information Privacy Management Within Cloud Computing*. Presented at the Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, October 9 – 10, 2009.

Robert Sprague, *Integrating Sustainability Into the Legal Studies Curriculum*. Presented at the Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, October 3 – 4, 2008.

Robert Sprague, *Employee Privacy in Virtual Workplaces: Will the Changing Work Environment Change Existing Law?* Presented at the Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, September 22-23, 2006.

Robert D. Sprague, *Pandora's Inbox: The Legal Issues Associated With Managing Workplace E-Mail*. Presented at the Academy of Legal Studies in Business Annual Conference, Nashville, Tennessee, August 12 – 16, 2003.

Robert D. Sprague *Expansion of Anti-SLAPP Statutes to Protect Public Issue Speech*. Presented at the Huber Hurst Seminar, University of Florida, Gainesville, Florida, February 6 – 8, 2003. By invitation.

Robert D. Sprague, *SLAPP-Happy in the Chat Room: Recent Developments in Liability for Online Messages*. Presented at the Western Academy of Legal Studies in Business Annual Conference, Asilomar, California, April 19 – 20, 2002. Received Best Paper Honorable Mention Award.

### **Other Publications:**

Robert Sprague, *Editor's Corner: Let Not Scholarship Become a Chimera*, 53 AM. BUS. L.J. 603 (2016).

Robert Sprague, *Editor's Corner: Frontiers in Employment Law*, 53 AM. BUS. L.J. 435 (2016).

Robert Sprague, *Editor's Corner: Regulating the Market*, 53 AM. BUS. L.J. 199 (2016).

Robert Sprague, *Editor's Corner: Publishing Impactful Scholarship*, 53 AM. BUS. L.J. 5 (2016).

Robert D. Sprague, *Teaching Stare Decisis Using Browse Wrap Agreements*, 2 TECH. REP. (Spring/Summer 2002) (a publication of the Technology Section of the Academy of Legal Studies in Business).

### **Other Publications – Book Reviews:**

Robert D. Sprague, *Computer Crime: A Review of Cyberpunk by Katie Hafner and John Markoff*, 18 RUTGERS COMPUTER & TECH. L.J. 439 (1992).

Robert D. Sprague, *The Role of the Computer in Today's Society: A Review of Nathan Weinberg's Computers in the Information Society*, 17 RUTGERS COMPUTER & TECH. L. J. 251 (1991).

### **Other Publications – Practitioner, Business, Technical, and Administrative Publications:**

Robert Sprague. *Electronically Stored Information and Sanctions: The Proposed Change to FRCP 37(e)*. 5 BLOOMBERG BNA BOOKS MONITOR (Fall 2013).

Lothar Determann and Robert Sprague. 2011. Arbeitnehmerüberwachung und Datenschutzerwartungen in den USA und in Europa: Es bleibt alles anders [Employee Monitoring and Privacy Expectations in the U.S. and Europe: Everything Remains Different]. *Recht der Datenverarbeitung (RDV) [Data Processing Law]*, Heft 6, 274-281.

Lothar Determann & Robert Sprague, *Reasonable Expectation of Privacy in U.S. Workplace Communications?*, COMPUTER L. REV. INT'L, Aug. 15, 2011, at 102-08.

Robert D. Sprague, *Knowledge Management in the Law Firm*, L.A. LAW., Feb. 1999, at 15-18.

Robert D. Sprague, *At What Point Does Liability Hit Home?*, IEEE SOFTWARE, July 1995, at 93-94.

Robert D. Sprague, *Navigating the RRP Process*, LEGAL ADMIN., Jan.-Feb. 1993, at 40-47.

Robert D. Sprague, *Preventive Law in the Office: Here Are the Automation Concerns Every Law Firm Should Address*, PREVENTIVE L. REP., June 1991, at 12-16.

John T. Soma & Robert D. Sprague, *Advising Software Developers: Avoiding Copyright Infringements Tough with Inconsistent Case Rules*, PREVENTIVE L. REP., Dec. 1990, at 23-28.

Robert D. Sprague, *High-tech: Innovative Computer Program Boosts Client Legal Audits*, PREVENTIVE L. REP., Sept. 1990, at 24.

Robert D. Sprague, *Hard Issues in Software: Why the Computer Industry Needs Preventive Law More Than Most*, PREVENTIVE L. REP., Mar. 1990, at 18-20.

Robert D. Sprague & M. Susan Chapman. (1989, December). *Counseling the Small Business: A Computer Program May Clarify the Employee-Contractor Dispute*, PREVENTIVE L. REP., Dec. 1989, at 3-6.

Robert D. Sprague, *Artificial Intelligence in the Law Office*, Legal Admin., July-Aug. 1989, at 44; reprinted as *Artificial Intelligence*, *Trial Mag.*, Jan. 1990, at 34; reprinted in the materials for the 1990 19th Annual Institute on Law Office Management, sponsored by the University of Michigan Law School.

Robert D. Sprague, *Part Two: Small Business Legal Audit: Computers Can Perform the Underlying Analysis for Preventive Law Purposes*, PREVENTIVE L. REP., June 1989, at 10-13.

Robert D. Sprague, *Part One: Expert Systems: Latest Computer Applications Are Well Suited for Preventive Law Purposes*, PREVENTIVE L. REP., Mar. 1989, at 3-7.

## **WORKS UNDER REVIEW/IN PROGRESS**

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*Redefining “Employee” to Provide Worker Protections Within a Flexible Workforce*. In progress.

*One Hundred Twenty Years of U.S. Privacy Law Scholarship: A Latent Semantic Analysis*, with Kevin Grauberger and Nicole Barberis. In progress.

*Big Data’s Liability Gap*. In progress.

*In Defense of Shareholder Wealth Maximization*. In progress.

## **GRANTS**

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*Holdups on the Startup Frontier: The Limits of the Law to Protect Entrepreneurs from Sophisticated Investors*, with Karen L. Page. 2005 – 2007. Ewing Marion Kauffman Foundation grant award of \$27,153.00 to support research examining power imbalances between investors and entrepreneurs in federal and state securities laws.

## **PROFESSIONAL AFFILIATION AND ACTIVITIES**

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Licensed to practice law, State of Colorado

Editor-in-Chief, *American Business Law Journal* Volume 53 (2015 – 2016)

Managing Editor, *American Business Law Journal* (2014 – 2015)

Senior Articles Editor, *American Business Law Journal* (2013 – 2014)

Articles Editor, *American Business Law Journal* (2011 – 2013)

Advisory Editor—Executive Reviewer, *American Business Law Journal* (2016 – Present)

Articles Editor, Academy of Legal Studies in Business Journal of Employment & Labor Law (2008 – 2010)

Ad Hoc Reviewer, Policy & Internet, Oxford Internet Institute

Member, Advisory Board, Privacy Foundation, University of Denver Sturm College of Law

Advisor, Wyoming State Legislature Task Force on Digital Information Privacy (2014 – 2015)

Professional Memberships:

Academy of Legal Studies in Business

President, 2010 – 2011, Employment Law Section

Vice President, 2009 – 2010, Employment Law Section

Secretary, 2008 – 2009, Employment Law Section

Midwest Academy of Legal Studies in Business

President, 2009 – 2010

Vice President, 2008 – 2009; 2009 Annual Conference Program/MBAA Track Chair

Rocky Mountain Academy of Legal Studies in Business

President, 2009 – 2010

Vice President, 2008 – 2009; 2009 Annual Conference Program Chair

## HONORS AND AWARDS

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Distinguished Proceedings Award: Robert Sprague, *Laws Affecting Work-Related Monitoring: Mostly Outdated, Often Ineffective, and Definitely Not Normative*. Presented at the Academy of Legal Studies in Business Annual Conference, Savannah, Georgia, August 7 – 10, 2017. Published in the peer-reviewed conference proceedings, 48 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2017).

University of Wyoming College of Business Sparky Turner “Raise the Bar” Faculty Service Award, 2015.

Distinguished Proceedings Award: Robert Sprague, *Privacy Implications of Big Data and Predictive Analytics*. Presented at the Academy of Legal Studies in Business Annual Conference, Seattle, Washington, August 4 – 7, 2014. Published in the peer-reviewed conference proceedings, 45 ACAD. LEGAL STUD. IN BUS. NAT'L PROC. \_\_\_\_ (2014).

University of Wyoming College of Business Advisory Board Faculty Award, 2013.

MBAA International McGraw-Hill/Irwin Distinguished Paper Award for the Legal Studies Track: Robert Sprague, *Facebook Meets the NLRB: Employee Online Postings and Unfair Labor Practices*. Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 28 – 30, 2012. Published in the peer-reviewed conference proceedings.

Outstanding Proceedings Paper: Robert Sprague, *Social Networks and Employment Relationships: Where to Draw the Line*. Presented at and published in the peer-reviewed conference proceedings, Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 23 – 25, 2011.

Holmes-Cardozo Award for Distinguished Conference Proceedings Submission: Robert Sprague & Aaron J. Lyttle, *Shareholder Primacy and the Business Judgment Rule: Arguments for Expanded Shareholder Democracy*. Presented at and published in the peer-reviewed conference proceedings, Academy of Legal Studies in Business Annual Conference, Richmond, Virginia, August 4 – 7, 2010.

MBAA International McGraw-Hill/Irwin Distinguished Paper Award for the Legal Studies Track: Robert Sprague & Aaron J. Lyttle, *Financial Crisis: Impetus for Restoring Corporate Democracy*, Presented at the Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 24 – 26, 2010. Published in the peer-reviewed conference proceedings.

University of Wyoming College of Business Outstanding Junior Research Award, 2009 – 2010.

Best Proceedings Paper: Robert Sprague & Corey Ciocchetti (University of Denver). *Protecting Personally Identifying Information in a High-Tech World*. Presented at and published in the peer-reviewed conference proceedings, Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, April 2 – 4, 2008.

Best of American Bar Association Sections publications: Googling Job Applicants: Incorporating Personal Information into Hiring Decisions. *The Labor Lawyer*, 23(1), 19-40. Selected for “The Best Articles Published by the ABA” issue of GPSOLO MAG., published by the American Bar Association (ABA) General Practice, Solo and Small Firm Division, Mar. 2008, at 40.

Governor Geringer Award for Promising Young Scholars, 2007 – 2010.

Best Proceedings Paper: Robert Sprague, *Director Privacy and Corporate Governance: 21st Century Standards*. Presented at and published in the peer-reviewed conference proceedings, Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSBS) Annual Conference, Chicago, Illinois, March 28 – 30, 2007.

University of Wyoming College of Business Outstanding Junior Research Award, 2006 – 2007.

**INVITED PRESENTATIONS/SUPPLEMENTAL MATERIALS/PAPERS PRESENTED/  
SYMPOSIA/ PANELS/PRESS QUOTES/PROFESSIONAL MEETINGS/WORKSHOPS**

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Moderator, American Business Law Journal Invited Scholars Colloquium. Academy of Legal Studies in Business Annual Conference, Savannah, Georgia, August 7 – 10, 2017.

Invited Panelist, Teaching Future Entrepreneurs the Importance of Law. Academy of Legal Studies in Business Annual Conference, Savannah, Georgia, August 7 – 10, 2017.

*Improving the Social Safety Net for Contingent Workers*. AARP. Washington, D.C., November 4, 2016. Invited panelist.

*Employee Misclassification*. AARP National Policy Council, Washington, D.C., July 19, 2016. Invited presentation.

Daniels Fund Ethics Initiative 2015 Ethics Consortium Summit, Albuquerque, New Mexico, October 29 – 30, 2015. Invited Faculty Participant.

Daniels Fund Ethics Initiative 2014 Ethics Consortium Summit, Denver, Colorado, October 23 – 24, 2014. Invited Faculty Panelist.

*Google-Stalking Candidates: Tempting but Risky*, by Audrey Williams June, The Chronicle of Higher Education, October 3, 2014, <http://chronicle.com/article/Google-Stalking-Job/149193/>.

*American Business Law Journal* Invited Scholars Colloquium. Academy of Legal Studies in Business Annual Conference, Seattle, Washington, August 4 – 7, 2014. Paper discussant.

*Welcome to the Machine: Privacy Implications of Predictive Analytics in the Workplace*. Legal and Ethical Aspects of Predictive Analytics, Center for Business Intelligence and Analytics, Virginia Tech Pamplin College of Business, Blacksburg, Virginia, June 19 – 20, 2014. Invited participant.

*NLRB and Social Media*. 31st Annual Warns-Render Labor and Employment Law Institute, University of Louisville Brandeis School of Law, Louisville, Kentucky, June 12 – 13, 2014. Invited presentation.

*Bound by Laws, or by Values? Cultural Dimensions, Stewardship Mentality, and Protection of Minority Owners in Family Firms* (Charles E. Stevens, Roland E. Kidwell, & Robert Sprague). 2014 Family Business Conference, Singapore, April 2014. Invited paper.

*Social Media: The Separation of Work & Play*. American Bar Association Section of Labor & Employment Law National Symposium on Technology and Labor and Employment Law, Berkeley, California, April 21 – 23, 2013. Invited panelist.

*Concerns for the Multinational Company*. Privacy and Employment in the Digital Society, Center on Law and Information Policy Seventh Law & Information Society Symposium, Fordham Law School, New York City, New York, March 19, 2013. Invited panelist.

*Technology, Social Media, and Privacy Issues in Employment and Labor Law*. Employment and Labor Law in the 21<sup>st</sup> Century, co-sponsored by the Business and Transactional Law Center and the Washburn Law Journal, Washburn University, Topeka, Kansas, February 28, 2013. Invited panelist.

Keynote Speaker, *Social Networking in the Workplace: The Research*. Business Ethics: What's the Research?—What's the Practice? Poe Center for Business Ethics, Warrington College of Business Administration, University of Florida, October 26, 2012.

*Privacy and Drones*. Privacy Foundation, University of Denver Sturm College of Law, Denver, Colorado, October 19, 2012.

*Privacy Law & Technology: Cutting Edge Issues*. Academy of Legal Studies in Business Annual Conference, Kansas City, Missouri, August 7 – 11, 2012. Invited panelist.

*An Experiment in Hiring Discrimination via Online Social Networks*, by Alessandro Acquisti & Christina Fong. Privacy Law Scholars Conference, Washington, D.C., June 7-8, 2012. Invited Paper Commenter/Workshop Discussion Leader.

*Employers Eyeing Twitter, Social Media*, by Lini S. Kadaba, *Privacy Journal*, 38(5), March 2012.

*What is privacy? As Job-Seekers Are Judged by Their Tweets and Facebook Posts, Uncertainty Abounds*, by Lini S. Kadaba, *Philadelphia Inquirer*, May 2, 2012,

[http://www.philly.com/philly/jobs/20120502\\_What\\_is\\_privacy\\_As\\_job-seekers\\_are\\_judged\\_by\\_their\\_tweets\\_and\\_facebook\\_posts\\_uncertainty\\_abounds.html](http://www.philly.com/philly/jobs/20120502_What_is_privacy_As_job-seekers_are_judged_by_their_tweets_and_facebook_posts_uncertainty_abounds.html). Quoted in article.

*Social Media, Privacy and the User*. Governance of Social Media Workshop, co-sponsored by the Quello Center for Telecommunication Management and Law, Michigan State University, and Georgetown University, Washington, D.C., November 11 – 12, 2011. Invited panelist.

*Corporations, "Persons" and the Bill of Rights: Business Protected, Business Exposed*. Fourth Annual Washington State University Business Law & Ethics Symposium: Business and the Bill of Rights, Pullman, Washington, November 3 – 5, 2011. Invited panelist.

*Facebook Meets the NLRB: Complications Arising from Employee Terminations Due to Social Media Postings*. Research collaboration presentation, Santa Fe Institute, Santa Fe, New Mexico, October 20, 2011. By invitation.

[\*Applying the Electronic Communications Privacy Act in the Workplace: Struggling to Keep Pace with Paradigm Shifts in Technology\*](#). Presented at the University of California Berkeley School of Law Samuelson Law, Technology & Public Policy Clinic's Spring Speaker Series, June 3 – 4, 2011. By invitation.

*How to Get Published*. Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSIB) Annual Conference, Chicago, Illinois, March 23 – 25, 2011. Invited panelist.

[\*Comments to Selected Portions of the Federal Trade Commission's Privacy Report\*](#), Protecting Consumer Privacy in an Era of Rapid Change: A Proposed Framework for Businesses and Policymakers, February 14, 2011.

*Comments to Selected Portions of the Department of Commerce's Internet Policy Task Force Report*, Commercial Data Privacy and Innovation in the Internet Economy: A Dynamic Policy Framework, Docket No. 101214614-0614-01, January 28, 2011.



*Legal Implications of Internet Advertising.* Privacy Foundation, University of Denver Sturm College of Law, Denver, Colorado, November 5, 2010.

*Obtaining a Tenure Track Job and Tenure Strategies.* Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, October 8 – 9, 2010. Invited Panelist.

*National Experts on Research and Publication.* Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado, October 8 – 9, 2010. Invited Panelist.

*Cloud Privacy: Normative Standards Needed to Foster Innovation.* Comment submitted to the National Telecommunications Administration, U.S. Department of Commerce, Internet Policy Task Force review of Information Privacy and Innovation in the Internet Economy, Docket No. 100402174–0175–01, June 1, 2010.

*How to Get Published for Lawyers.* Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSB) Annual Conference, Chicago, Illinois, March 24 – 26, 2010. Invited panelist.

*“The Cloud” and Its Privacy Implications: Up in the Air?* Privacy Foundation, University of Denver Sturm College of Law, Denver, Colorado, March 19, 2010.

Sole author of Instructor’s Manual and PowerPoint presentations for THE ENTREPRENEUR’S LEGAL COMPANION, by Daniel Davidson & Lynn Forsythe (Prentice Hall, 2011). By invitation.

*Incorporating Sustainability into the Business Law Curriculum.* Academy of Legal Studies in Business Annual Conference, Denver, Colorado, August 5 – 8, 2009. Invited panelist.

*Law, Innovation, and Growth: Moving Out the Frontier.* Second Annual Kauffman Summer Legal Institute, Dana Point, California, July 16 – 19, 2009. Organized by the Kauffman Foundation of Entrepreneurship. Invited participant.

*Incorporating Sustainability into the Legal Studies Curriculum.* Midwest Business Administration Association (MBAA) International/Midwest Academy of Legal Studies in Business (MALSB) Annual Conference, Chicago, Illinois, March 18 – 20, 2009. Organized and led panel discussion on topic.

*Identity Theft & the Small Business.* University of Wyoming College of Business Advisory Council Dinner, Laramie, Wyoming, April 18, 2008.

*What does research tell us? What research is needed?* Connect: Public Relations and Social Media Conference, University of Georgia Grady College of Journalism and Mass Communication, Athens, Georgia, October 20, 2007.

*Plugging the Leaks: Data Breaches, Customer Privacy, and Corporate Responsibility.* Privacy Foundation, University of Denver Sturm College of Law, Denver, Colorado, October 19, 2007.

*Corporate Privacy: The HP Board of Directors Affair.* Privacy Foundation, University of Denver Sturm College of Law, Denver, Colorado, February 23, 2007.

*Ethics, Privacy, and the Patriot Act.* Privacy Foundation, University of Denver Sturm College of Law, Denver, Colorado, April 29, 2005.

Robert Sprague  
Curriculum Vitae  
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*Businesses and Blogs: Free Speech and Commercial Speech in the Blogosphere.* University of Wyoming College of Business Research Seminar, Laramie, Wyoming, March 9, 2005.