

DANIELLE D'ONFRO

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ACADEMIC APPOINTMENTS

Washington University School of Law, St. Louis, MO

Associate Professor of Law

Jan. 2019–Present

Lecturer in Law

July 2016–Dec. 2018

Teaching: Corporations; Property; Advanced Private Law

Service: Clerkship Committee (July 2017–present)

Faculty Advisor, Disability Law Caucus

Faculty Advisor, First Generation Law Society

TEACHING & RESEARCH INTERESTS

Corporations, Property, Bankruptcy, Compliance, Torts, Commercial Law, Private Law Theory

EDUCATION

Harvard Law School, J.D. *cum laude*

June 2011

Program on the Foundations of Private Law, Student Fellow

Harvard Law & Policy Review, Solicitations Editor

Columbia College, B.A. *magna cum laude*, Classics

May 2006

SCHOLARSHIP

PUBLICATIONS

[*The New Bailments*](#), 96 WASHINGTON LAW REVIEW __ (forthcoming 2022) (empirical)

[*Error-Resilient Consumer Contracts*](#), 71 DUKE LAW JOURNAL __ (forthcoming 2021)

[*Companies as Commodities*](#), 48 FLORIDA STATE UNIVERSITY LAW REVIEW __ (forthcoming 2021)

[*Smart Contracts and the Illusion of Automated Enforcement*](#), 61 WASHINGTON UNIVERSITY JOURNAL OF LAW & POLICY 173 (2020) (symposium contribution)

[*Corporate Stewardship*](#), 44 JOURNAL OF CORPORATION LAW 439 (2019)

[*Limited Liability Property*](#), 39 CARDOZO LAW REVIEW 1365 (2018)

Note, [*A New Uniform Code of Consumer Credit*](#), 5 HARVARD LAW & POLICY REVIEW 449 (2011)

WORKS IN PROGRESS

The Fourth Amendment and the General Law (with Dan Epps)

Rethinking Tangibility in Property

Consultants as Fiduciaries

Purchasing Windfalls

EMPIRICAL STUDIES

[*Multidistrict Litigation: A Surprising Bonus for Pro Se Plaintiffs and a Possible Boon for Consumers*](#) (2011) (working paper)

COMMENTARY

[*A narrow win for creditors*](#), SCOTUSBLOG (Jan. 20, 2021)

[*Argument analysis: Bankruptcy metaphysics*](#), SCOTUSBLOG (Oct. 16, 2020)

[*Case preview: Squaring impoundment with federal bankruptcy procedure*](#), SCOTUSBLOG (Oct. 12, 2020)

[*Opinion analysis: A very narrow decision to start the term*](#), SCOTUSBLOG (Dec. 11, 2019)

[*Argument analysis: "Not a paragon of clarity"*](#), SCOTUSBLOG (Oct. 18, 2019)

[*Argument preview: A conflict between plain text and background rules*](#), SCOTUSBLOG (Oct. 10, 2019)

[*Opinion analysis: An extremely narrow Fair Debt Collection Practices Act ruling*](#), SCOTUSBLOG (Mar. 22, 2019)

[*Argument analysis: Searching for the least unnatural reading*](#), SCOTUSBLOG (Jan. 9, 2019)

[*Argument preview: Is foreclosure debt collection?*](#), SCOTUSBLOG (Dec. 31, 2018)

[*Opinion analysis: Justices confirm that "respecting" means "relating to" in the Bankruptcy Code*](#), SCOTUSBLOG (June 5, 2018)

[*Argument analysis: When neither baseball nor Vermeer analogies persuade the court*](#), SCOTUSBLOG (Apr. 18, 2018)

[*Argument preview: Court to decide whether Bankruptcy Code protects dishonest debtors*](#), SCOTUSBLOG (Apr. 10, 2018)

[*The Best Way to Hold Equifax Accountable*](#), WASHINGTON POST (Sept. 14, 2017)

[*Surprise Dismissal of Bankruptcy Case Seemingly Prompted by Change in Claim Ownership*](#), SCOTUSBLOG (Aug. 11, 2017)

[*DeVos Gives Accountability the Boot*](#), TAKE CARE (April 14, 2017)

[*That Time When Republicans Re-Regulated Retirement Savings*](#), TAKE CARE (April 11, 2017)

[*The Fiduciary Rule: Triaging Quality for "Access" and Small Business at All Costs*](#), TAKE CARE (March 28, 2017)

Bankruptcy Expert, *First Mondays* (Supreme Court podcast) (2016–2019)

[*Two Years after Bankruptcy Reform, Much Ado About Little*](#), WALL STREET JOURNAL PRO (Dec. 8, 2016) (with Elliot Ganz)

[*Limiting the Background Noise: Investor Motivation and Identity in Bankruptcy*](#), 33 AMERICAN

BANKRUPTCY INSTITUTE JOURNAL 38 (December 2014) (with Allison Hester-Haddad)

EXPERIENCE

Wilmer Cutler Pickering Hale & Dorr LLP

Boston, MA 2013–2016
 Washington, DC 2012–2013
Senior Associate (2015–2016) & *Associate* (2012–2014), *Bankruptcy & Financial Restructuring*
 Divided practiced among regulatory compliance, debt-financing transactions, bankruptcy litigation, and policy advocacy. Representative matters included: Provided strategic counseling to consumer financial services companies on compliance with state and federal financial regulations. Negotiated multinational securitization facility, addressing concerns related to European risk-retention rules. Spearheaded response of the leveraged loan industry to the American Bankruptcy Institute Commission to Study the Reform of Chapter 11. Collaborated with economists to design and execute empirical study of debtor-in-possession financing. Defended corporations in multi-billion-dollar fraudulent transfer actions at both trial and appellate level. Litigated test cases on behalf of residential mortgage servicers in Chapter 13 cases through appeal. Drafted amicus brief for National Association of Consumer Bankruptcy Attorneys in *Law v. Siegel*, 134 S. Ct. 1188 (2014).

U.S. Court of Appeals for the Fourth Circuit, Raleigh, NC 2011–2012
Law Clerk to Judge Allyson Kay Duncan

Congressional Oversight Panel, Washington, DC 2008–2010
Volunteer
 Provided research support to Congressional panel charged with oversight over the U.S. Treasury Department's Troubled Asset Relief Program.

Public Citizen Litigation Group, Washington, DC Summer 2010
Law Clerk

Federal Trade Commission, Washington, DC Summer 2009
Law Clerk, Bureau of Consumer Protection

Ingram Yuzek Gainen Carroll & Bertolotti, LLP, New York, NY 2006–2008
Paralegal

PRESENTATIONS

Washington University School of Law, *The New Bailments* (Dec. 14, 2020)

Washington University Law Junior Faculty Spring Writing Retreat, *Consultants as Fiduciaries* (April 24, 2020)

National Business Law Scholars Conference, UC Berkeley School of Law, *Corporations as Commons* (June 20, 2019)

University of Richmond Junior Faculty Forum, *Corporations as Commons* (May 20, 2019)

ClimenkoFest, Harvard Law School, *Corporations as Commons* (Mar. 29, 2019)

Berkeley Consumer Law Scholars' Conference, UC Berkeley School of Law, *Formalities as Consumer Protection* (Feb. 21–22, 2018) (Commentators: Ryan Calo and Mateusz Grochowski)

Washington University School of Law, *Corporate Stewardship* (Aug. 27, 2018)

National Business Law Scholars Conference, University of Georgia School of Law, *Corporate Stewardship* (June 22, 2018)

American Bankruptcy Institute Junior Scholars Conference, Brooklyn Law School, *Limited Liability Property* (Nov. 3, 2017) (Commentators: Ted Janger & Jay Westbrook)

MEDIA APPEARANCES

Shahla Farzan, [*Airport Privatization Bill Heads To St. Louis Aldermen After 3 Hours And 21 Amendments*](#), ST. LOUIS PUBLIC RADIO (June 25, 2020)

Shira Tarlo, [*The Sackler family made billions from OxyContin. Will they face repercussions?*](#), SALON (Sept. 29, 2019)

Michael Kruse, [*The 2008 Class That Explains Elizabeth Warren's Style*](#), POLITICO MAGAZINE (June 25, 2019)

David Migoya, [*Colorado foreclosure system under the microscope in U.S. Supreme Court case*](#), DENVER POST (Jan. 25, 2019)

Diane Davis, [*'Dishonest Debtor' Prevails Over Law Firm at Supreme Court*](#), BNA'S BANKRUPTCY LAW REPORTER (June 5, 2018)

Randy Evans, [*Equifax, Tell Us About Burdensome Regulations*](#), IOWA WATCH (Sept. 20, 2017)

Kimberly Strawbridge Robinson, [*SCOTUS Opening Day: United States v. United States?*](#), UNITED STATES LAW WEEK (Aug. 16, 2017)

PEER REVIEW

American Law & Economics Review

Columbia Law Review

Yale Law Journal

PROFESSIONAL MEMBERSHIPS & AFFILIATIONS

American Association of Law Schools, Section on Creditors' and Debtors' Rights,
Executive Committee 2019–present

American Bankruptcy Institute 2011–present

American Law & Economics Association 2018–present

BAR ADMISSIONS

District of Columbia	2011
Massachusetts	2014

LANGUAGES

Conversational in German; proficient reading knowledge of Classical Greek, French, Italian, and Latin; basic reading knowledge of Dutch, Spanish, and Russian.

PARENTAL LEAVE

Spring 2017; Spring 2020

Last updated: Monday, April 19, 2021