

NEIL M. RICHARDS

**Koch Distinguished Professor in Law
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EMPLOYMENT & PROFESSIONAL SERVICE:

Koch Distinguished Professor in Law, Washington University School of Law, St. Louis, Missouri.
Faculty member 2003-present.

- Koch Distinguished Professor in Law, January 2019-present.
- Founding Director, Cordell Institute for Policy in Medicine & Law, October 2016-present.
- Thomas & Karole Green Professor of Law, July 2016-December 2018.
- Professor of Law with tenure, July 2008-June 2016.
- Associate Professor of Law, July 2003-July 2008.
- Awards
 - Voted Professor of the Year by student body, 2003-04 Academic Year.
 - Israel Treiman Faculty Fellow, 2005-06, 2018-19 Academic Years.
- Courses
 - Law School: Information Privacy Law, First Amendment Law, Constitutional Law, Fourteenth Amendment Law, Property Law, Digital Civil Liberties Seminar, First Amendment Theory Seminar, Law and Politics Colloquium.
 - Arts & Sciences: The Digital Society (undergraduate trans-disciplinary course).
 - School of Engineering: Privacy & Security Law and Ethics.
- Conferences Organized
 - Cordell3: Ethics of Human Gene Editing, October 2019.
 - Cross-Border Privacy & Speech Roundtable, Berkeley Law, May 2019.
 - Cordell Institute Launch Symposium, Sept. 2018.
 - “Privacy and Trust in a Digital Age,” *Washington University Law Review* Symposium, Sept. 2018.
 - Institute for Policy in Medicine and Law Planning Symposium, Sept. 2017.
 - Washington University-Cambridge University International Privacy Conference, Clare College, Cambridge, June 2012, July 2013.
 - Washington University First Amendment Roundtable, 2013-15.
- Institutional Service
 - Chair, Law School Sesquicentennial Committee, 2015-17.
 - Chair, Institutional Profile Committee, 2014-15; Committee member 2015-16.
 - Chair, Faculty Appointments, 2010-11; Committee 2004-05, 2008-09, 2018-20.
 - Chair, Clerkships Committee, 2016-18, 2020-21; Faculty Clerkships Advisor, 2003-04, 2005-06, 2009-2011.
 - Decanal Review Committee, Spring 2010.

[January 16, 2021]

- Washington University Faculty Senate Council, Law School Elected Representative, 2008-2011.
- Faculty Chair, Washington University Social Media Committee, 2013-14.
- Institute for Informatics Internal Advisory Board, 2018-present.
- Provost's Online Education Committee, 2014-2017.
- University Data Policy Committee, 2017-present.
- University IT Council, 2014-2019.
- Scholarship Committee, 2015-16.
- Faculty Promotions Committee, 2012-13.
- Faculty Marketing Committee, 2013-14.
- Faculty Advisor, *Washington University Law Review*, 2004-2010.
- Curriculum Committee, 2006-07 and 2009-10.
- Student Life Committee, 2011-12.
- Law School Liaison to Arts & Sciences, 2011-15.

Visiting Professor of Law, Georgetown Law School, Spring Semester 2021.

- Will teach 3-credit course on Information Privacy Law.

IViR (Institute for Information Law) Fellowship, University of Amsterdam, The Netherlands, Summer 2014. **Faculty Member**, IViR Summer Course on Privacy Law and Policy, 2014-2018.

Affiliate Fellow, Yale Information Society Project, Yale Law School, March 2015-present.

Affiliate Scholar, Stanford Center for Internet & Society, Stanford Law, Jan. 2015-present.

Advisory Board Member, Future of Privacy Forum, 2010-present.

Adviser, American Law Institute Project on Privacy Law, Sept. 2012-2019.

Member, American Law Institute, 2015-2019.

Distinguished Visiting Scholar, Notre Dame Law School, October 2017.

Trustee, Freedom to Read Foundation, July 2015-July 2017.

Visiting Professor of Law, Utrecht University, the Netherlands, January 2012.

- Taught one-credit short course on Comparative Free Speech Law.

Visiting Professor of Law, University of Illinois College of Law, October 2010.

- Taught one-credit short course on Privacy and the First Amendment.

Associate, Wilmer, Cutler & Pickering, Washington, D.C. 2000-2003.

- Practice included privacy, electronic commerce, and appellate litigation.

Hugo Black Faculty Fellow, University of Alabama School of Law, Tuscaloosa, Alabama. Academic Year 1999-2000; Spring Semester 2003. Inaugural research and teaching fellow in a visiting faculty program for former Supreme Court clerks. Courses: Property Law, Constitutional

Law, First Amendment. Chaired Clerkships Committee, 1999-2000.

Temple Bar Scholar, American Inns of Court. London, England. October 2000.

Law Clerk, Hon. William H. Rehnquist, Chief Justice of the United States, United States Supreme Court, Washington, D.C. July 1998-July 1999. Served during the Supreme Court's 1998-99 Term and the 1999 Presidential Impeachment Trial.

Law Clerk, Hon. Paul V. Niemeyer, United States Court of Appeals for the Fourth Circuit, Baltimore, MD. August 1997-July 1998.

Summer Associate, Powell, Goldstein, Washington, D.C. (now Bryan Cave) Summers 1996-97.

Research Assistant, Professor A.E. Dick Howard, University of Virginia School of Law, Charlottesville, VA. 1995-1997.

EDUCATION:

University of Virginia School of Law, J.D. May 1997.

Activities: Executive Editor, *Virginia Law Review*. Teaching Assistant, First-Year Study Skills Workshop. Legal Education Project. Editorial Board, *Virginia Journal of International Law*.

Honors: Order of the Coif. Slaughter Honor Prize.

University of Virginia, M.A. Legal History. Secondary Field of Study in Early American History. May 1997.

Master's Thesis: *Clio and the Court: A Reappraisal after Three Decades*.

George Washington University, B.A. History with Special Honors, *summa cum laude*, Phi Beta Kappa, University Honors Program. Minor in Economics, Secondary Field of Study in International Affairs. May 1994.

Honors Thesis: *The Last Days of the Horse: The U.S. Cavalry and Technology in the 20th Century*.

Awards: National Merit Scholar (1990). Hubbard Prize for best student of American history.

Distinguished Academic Achievement Awards. Strasser Essay Prize. Presidential Honor Scholarship (full tuition).

PUBLICATIONS:

Books:

WHY PRIVACY MATTERS (Oxford University Press, forthcoming 2021).

INTELLECTUAL PRIVACY: RETHINKING CIVIL LIBERTIES IN THE DIGITAL AGE (Oxford University Press, 2015) (paperback ed. 2017).

Works in Progress:

32. *A Duty of Loyalty for Privacy Law* (with Woodrow Hartzog).
• SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3642217
31. *Review of Lawrence Cappello, None of Your Damn Business: Privacy in the United States from the Gilded Age to the Digital Age*, AMERICAN HISTORICAL REVIEW (forthcoming 2021).

Articles and Essays in Law Reviews:

30. *A Relational Turn for Data Protection?* 6 EUROPEAN DATA PROTECTION LAW JOURNAL 4 (2020) (with Woodrow Hartzog).
29. *Privacy's Constitutional Moment and the Limits of Data Protection*, 61 B.C. L. REV. 1687 (2020) (with Woodrow Hartzog).
• Selected for the Future of Privacy Forum's "Privacy Papers for Policymakers" award 2020.
• SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3441502
28. *The Pathologies of Digital Consent*, 96 WASH. U. L. REV. (2019) (with Woodrow Hartzog).
• SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3370433
27. *Four Preconditions for Digital Expression (You Won't Believe #3!)*, 95 WASH. U. L. REV. 1353 (2018) (with Danielle Citron).
• SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3155384
26. *Privacy's Trust Gap*, 126 YALE L.J. 908 (2017).
• SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2899760
25. *The Third-Party Doctrine and the Future of the Cloud*, 94 WASH. U. L. REV. 1441 (2017).
• SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3123199
24. *Secret Government Searches and Digital Civil Liberties*, in NATIONAL CONSTITUTION CENTER, A TWENTY-FIRST CENTURY FRAMEWORK FOR DIGITAL PRIVACY (2017).
• Available at: <https://constitutioncenter.org/digital-privacy>
23. *Free Speech and the Twitter Presidency*, 2017 U. ILL. L. REV. ONLINE: TRUMP 100 DAYS (April 29, 2017).
• Available at: <https://illinoislawreview.org/symposium/first-100-days/free-speech-and-the-twitter-presidency/>
22. *Trusting Big Data Research*, 66 DEPAUL LAW REVIEW 579 (2017) (invited Symposium Issue) (with Woodrow Hartzog).
• SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2717868

21. *Taking Trust Seriously in Privacy Law*, 19 STAN. TECH. L. REV. 431 (2016) (with Woodrow Hartzog).
 - Selected for The Future of Privacy Forum’s “Privacy Papers for Policymakers 2015.”
 - Selected for regular and encore discussion at the 2015 Privacy Law Scholars Conference.
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2655719
20. *Why Data Privacy Law Is (Mostly) Constitutional*, 56 WILLIAM AND MARY LAW REVIEW 1501 (2015).
 - Selected for The Future of Privacy Forum’s “Privacy Papers for Policymakers 2013”
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2335196
19. *The Internet Grows Up?* B.U. L. REV. ANNEX (2015).
 - Available at: <http://www.bu.edu/bulawreview/richards-the-internet-grows-up/>
18. *Big Data Ethics*, 49 WAKE FOREST LAW REVIEW 393 (2014) (with Jonathan H. King).
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2384174
17. *The Dangers of Surveillance*, 126 HARVARD LAW REVIEW 1934 (2013).
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2239412
16. *The Perils of Social Reading*, 101 GEORGETOWN LAW JOURNAL 689 (2013).
 - Selected for encore and regular discussion at the 2012 Berkeley-GW Privacy Law Scholars Conference.
 - Awarded the 2012 University of Houston IPIL Sponsored Scholarship Grant prize.
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2031307
15. *Three Paradoxes of Big Data*, 66 STANFORD LAW REVIEW ONLINE 41 (2013) (with Jonathan H. King).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2325537
14. *The Limits of Tort Privacy*, 9 J. TELECOM. & HIGH TECH. L. 357 (2011).
 - Invited submission for Conference on “Privacy and the Press,” Silicon Flatirons Center, University of Colorado School of Law, Dec. 3, 2010.
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1862264
13. *Prosser’s Privacy Law: A Mixed Legacy*, 98 CALIFORNIA LAW REVIEW 1887 (2011) (with Daniel J. Solove).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1567693
12. *The Puzzle of Brandeis, Privacy, and Speech*, 63 VANDERBILT LAW REVIEW 1295 (2010).
 - Selected for discussion at the 2010 Berkeley-GW Privacy Law Scholars Conference.
 - https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1584831

11. *Rethinking Free Speech and Civil Liability* (with Daniel J. Solove), 109 COLUMBIA LAW REVIEW 1650 (2009).
 - Selected for plenary discussion at the 2009 Berkeley-GW Privacy Law Scholars Conference.
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1355662
10. *Privacy and the Limits of History*, 21 YALE JOURNAL OF LAW AND THE HUMANITIES 165 (2009) (review essay discussing Lawrence Friedman, *Guarding Life's Dark Secrets: Legal and Social Controls over Reputation, Propriety, and Privacy* (2007)).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1396888
9. *Intellectual Privacy*, 87 TEXAS LAW REVIEW 387 (2008).
 - Selected for discussion at the 2008 Berkeley-GW Privacy Law Scholars Conference.
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1108268
8. *Privacy's Other Path: Recovering the Law of Confidentiality*, 96 GEORGETOWN LAW JOURNAL 123 (2007) (with Daniel J. Solove).
 - Selected for the 2007 Michigan-Illinois Comparative Law Works-in-Progress Workshop.
 - Excerpted in Daniel J. Solove, Marc Rotenberg & Paul Schwartz, INFORMATION PRIVACY LAW (Aspen: 3d ed. 2008).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=969495
7. *The Information Privacy Law Project*, 94 GEORGETOWN LAW JOURNAL 1087 (2006) (essay).
 - Reprinted in Practising Law Institute, EIGHTH ANNUAL INSTITUTE ON PRIVACY AND SECURITY LAW: PATHWAYS TO COMPLIANCE IN A GLOBAL REGULATORY MAZE, 902 PLI/Pat 11 (July 2007).
 - Excerpted in Daniel J. Solove, Marc Rotenberg & Paul Schwartz, INFORMATION PRIVACY LAW (Aspen: 3d ed. 2008).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=941181
6. *Reconciling Data Privacy and the First Amendment*, 52 U.C.L.A. LAW REVIEW 1145 (2005).
 - Excerpted in Daniel J. Solove, Marc Rotenberg & Paul Schwartz, INFORMATION PRIVACY LAW (Aspen: 3d ed. 2008).
 - Excerpted in Rodney Smolla, ed., THE FIRST AMENDMENT LAW HANDBOOK (Thompson West: 2006).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=598370
5. *"The Good War," the Jehovah's Witnesses, and the First Amendment*, 87 VIRGINIA LAW REVIEW 781 (2001) (book review).
4. *The Supreme Court Justice and "Boring" Cases*, 4 THE GREEN BAG 2D 401 (2001).

3. *Sallie Mae, The Gunderson Effect, and My Plumber*, 3 THE GREEN BAG 2D 251 (2000) (with Christopher P. Bowers).
2. *Clio and the Court: A Reassessment of the Supreme Court's Uses of History*, 13 JOURNAL OF LAW & POLITICS 809 (1998).
1. *U.S. Term Limits v. Thornton and Competing Notions of Federalism*, 12 JOURNAL OF LAW & POLITICS 521 (1996) (student note).

Book Chapters:

8. *Understanding American Privacy*, in RESEARCH HANDBOOK ON PRIVACY AND DATA PROTECTION LAW: VALUES, NORMS AND GLOBAL POLITICS, (Edward Elgar: Gloria González Fuster, Rosamunde van Brakel and Paul De Hert eds., 2018) (with Andrew Serwin & Tyler Blake).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3256918
7. *Digital Civil Liberties and the Translation Problem*, in THE OXFORD HANDBOOK OF CRIMINAL PROCESS (Oxford: Darryl K. Brown, Jenia Iontcheva Turner, & Bettina Weisser eds., 2019) (with Michael Washington).
 - SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3678698
6. *Big Data and the Future for Privacy*, in RESEARCH HANDBOOK ON DIGITAL TRANSFORMATIONS (Edward Elgar: F. Xavier Ollerós & Majlinda Zhegu eds., 2016) (with Jonathan H. King).
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2512069
5. *How Should the Law Think About Robots?* in ROBOT LAW (Edward Elgar: Ryan Calo, Michael Froomkin & Ian Kerr eds., 2016) (with William Smart).
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2263363
4. *Privacy and Free Speech: The Transatlantic Divide*, in COMPARATIVE DEFAMATION AND PRIVACY LAW (Cambridge Press: Andrew T. Kenyon ed., 2015) (with Kirsty Hughes).
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2648307
3. *Four Privacy Myths*, in A WORLD WITHOUT PRIVACY? (Cambridge Press: Austin Sarat ed., 2015).
 - Keynote address, Amherst College/University of Alabama Conference on “A World Without Privacy? What Can/Should Law Do?” Jan. 17, 2014.
 - Selected for The Future of Privacy Forum’s “Privacy Papers for Policymakers 2014”
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2427808
2. *Privacy and Intellectual Freedom*, in THE HANDBOOK OF INTELLECTUAL FREEDOM (Unwin: M. Alfino ed., 2014) (with Joanna F. Cornwell).
 - SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2501448

1. *Tort Privacy and Free Speech*, in *THE RIGHT TO PRIVACY - PERSPECTIVES FROM THREE CONTINENTS* (De Gruyter: Dieter Doerr & Udo Fink eds., 2012).

Other Writings:

58. [A Duty of Loyalty for Privacy Law](#), OXFORD BUSINESS LAW BLOG, University of Oxford (UK), Oct. 28, 2020.
57. [What Kind of First Amendment Do We Want? Legal scholar Neil Richards on the uses and abuses of free speech in the digital age](#), SLATE, Oct. 27, 2020 (interviewed by Chloe Hadavas).
56. [Getting the First Amendment Wrong](#), BOSTON GLOBE, Sept. 4, 2020 (with Woodrow Hartzog).
55. [Welcome to Cordell Perspectives](#), Cordell Perspectives, Cordell Institute for Policy in Medicine & Law, May 1, 2020 (with Jonathan Heusel).
54. [Why Europe's GDPR Magic Will Never Work in the US](#), THE WIRED WORLD IN 2020, WIRED (UK), Feb. 20, 2020 (with Woodrow Hartzog).
53. [There's A Lot to Like About the Senate Privacy Bill, If It's Not Watered Down](#), THE HILL, Dec. 6, 2019 (with Woodrow Hartzog).
52. [Who is Who, and What Do They Do? Executive Powers over Surveillance, part two](#), IAPP.ORG, March 26, 2019 (with Andrew Serwin).
51. [Who is Who, and What Do They Do? Executive Powers over Surveillance](#), IAPP.ORG, Jan. 29, 2019 (with Andrew Serwin).
50. [It's Time to Try Something Different on Internet Privacy](#), WASHINGTON POST, Dec. 20, 2018 (with Woodrow Hartzog).
49. [Who is Who and What Do They Do? Deconflicting Cyber](#), IAPP.ORG, Oct. 30, 2018 (with Andrew Serwin).
48. [The Intelligence Community: Who Is Who and What Do They Do?](#), IAPP.ORG, Sept. 25, 2018 (with Andrew Serwin).
47. [Why the Logan Pauls of the world can push the boundaries of privacy and good taste](#), THE HILL, Jan. 16, 2018.
46. [We will work out the commercial, clinical, ethical and legal issues around genome sequencing](#). THE WIRED WORLD IN 2018, WIRED (UK), 2017 (with Jonathan Heusel).

45. Should Supreme Court Justices Continue to Have Life Tenure?, (revised), JUNIOR SCHOLASTIC MAGAZINE, Feb. 2017.
44. Should Supreme Court Justices Continue to Have Life Tenure?, (revised), NEW YORK TIMES UPFRONT MAGAZINE, Sept. 2016.
43. [The future of espionage: What techniques will spies be using in ten years' time?](#), WIRED (UK), July 16, 2016.
42. [Privacy and Respect for Individuals](#), ALA CHOOSE PRIVACY WEEK, May 4, 2016.
41. [The iPhone Case and the Future of Civil Liberties](#), MICROSOFT TECHNOLOGY/ACADEMICS/POLICY BLOG, March 7, 2016.
40. [Apple's Code = Speech Mistake](#), MIT TECHNOLOGY REVIEW, March 1, 2016.
39. [The iPhone Case and the Future of Civil Liberties](#), BOSTON REVIEW, Feb. 25, 2016.
38. [Apple v. The FBI: Why the 1789 All Writs Act Is the Wrong Tool](#), THE GUARDIAN, Feb. 24, 2016.
37. [Facebook's New Digital Assistant M Will Need to Earn Your Trust](#), THE GUARDIAN, Sept. 9, 2015.
36. [Privacy Law: From a National Dish to a Global Stew](#), LINKEDIN PULSE BLOG, April 8, 2015 (with Daniel J. Solove).
35. [The Electronic Panopticon](#), THE CHRONICLE OF HIGHER EDUCATION, March 16, 2015.
34. Digital Laws Evolve, GQ KOREA, Feb. 2015.
33. [Google Has Captured Your Mind](#), SALON, Feb. 26, 2015.
32. [The Fifty Shades of Grey Paradox](#), SLATE, Feb. 13, 2014.
31. [Why Regulating Revenge Porn Isn't Censorship](#), AL-JAZEERA AMERICA, Feb. 11, 2015 (with Danielle Citron).
30. [How Encryption Protects Our Intellectual Privacy \(And Why You Should Care\)](#), WIRED (UK), Jan. 7, 2015.
29. [Digital Laws Evolve](#), THE WIRED WORLD IN 2015, WIRED (UK).
28. [Will We Have Any Privacy After the Big Data Revolution?](#), TIME, Sept. 25, 2014.

27. [Big Data Isn't Magic](#), ZOCALO PUBLIC SQUARE, Sept. 24, 2014.
26. [Can and Should Perez Hilton Be Held Liable for Reposting Celebrities' Private Nude Photos Without their Consent?](#), FORBES, Sept. 3, 2014 (with Danielle Citron).
25. [Can Technology Prevent Another Ferguson?](#), CNN.COM, Sept. 2, 2014.
24. [Privacy Is Not Dead—It's Inevitable](#), BOSTON REVIEW, May 28, 2014.
23. [The Promises and Pitfalls of Big Data](#), AL-JAZEERA AMERICA, May 8, 2014.
22. [What's Up With Big Data Ethics?](#), FORBES, March 28, 2014 (with Jonathan H. King).
21. [What's Up With Big Data Ethics?](#), O'REILLY STRATA BLOG, March 21, 2014 (with Jonathan H. King).
20. [Gigabytes Gone Wild](#), AL-JAZEERA AMERICA, March 2, 2014, (with Jonathan H. King).
19. [Obama's Surveillance Reforms](#), BOSTON REVIEW, Jan. 22, 2014.
18. [Watching the Watchers: The Rise of Sousveillance](#), THE WIRED WORLD IN 2014, WIRED (UK).
17. [They Know Where You Are \(But They Shouldn't\)](#), BOSTON REVIEW, Aug. 26, 2013.
16. [Opinion: Don't Let U.S. Government Read Your E-mail](#), CNN.COM, Aug. 18, 2013.
15. [Surveillance After the Boston Bombing](#), THE CHRONICLE OF HIGHER EDUCATION, Issue #35, May 10, 2013.
14. [Opinion: Surveillance State No Answer to Terror](#), CNN.COM, April 23, 2013.
13. [Keep Your Update to Yourself](#), THE WIRED WORLD IN 2013, WIRED (UK).
12. [Choose Privacy Week 2012: The Perils of Social Reading](#), PRIVACYREVOLUTION.ORG, May 2, 2012.
11. [Rethinking Privacy in the Digital Age](#), WASHINGTON UNIVERSITY LAW MAGAZINE, Spring 2012, at p. 47.
10. Guest Blogger, CONCURRINGOPINIONS.COM, 2007-2012.
9. *Should Supreme Court Justices Continue to Have Life Tenure?* (revised) NEW YORK TIMES UPFRONT MAGAZINE, Sept. 21, 2009.

8. *William Hubbs Rehnquist*, in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (West: 2008).
7. *Missouri v. Holland*, in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (West: 2008).
6. *Foreword: The Rehnquist Court and the First Amendment*, 21 WASH. U. J. L. & POL. 1 (2006).
5. *Griswold v. Connecticut*, in THE ENCYCLOPEDIA OF PRIVACY (William Staples *et al.* eds., 2006).
4. *Should Supreme Court Justices Continue to Have Life Tenure?* NEW YORK TIMES UPFRONT MAGAZINE, March 7, 2005.
3. *The Constitutionality of Federal and State Historic Preservation Grants to Religious Properties* SJ053 ALI-ABA 873 (2004).
2. *Ex Ante: Taxing Cases*, 5 THE GREEN BAG 2d 2 (2001).
1. *The Electronic Communications Privacy Act and Internet Privacy Litigation*, LIBEL DEFENSE RESOURCES COUNCIL CYBER SPACE PROJECT (2001).

ACADEMIC & PUBLIC PRESENTATIONS:

281. “A U.S. GDPR?” American Association of Law Schools Annual Meeting, joint session of the Section on Privacy and Defamation Law and Section on European Law, Jan. 5, 2021.
280. Participant, Privacy Redress Options Workshop, Tech Policy Lab, University of Washington, Dec. 10, 2020.
279. The Invalidation of the EU-US Privacy Shield and the Future of Transatlantic Data Flows, testimony before United States Senate Committee on Commerce, Science, and Transportation, Washington, DC. Dec. 9, 2020.
 - Link: [The Invalidation of the EU-US Privacy Shield and the Future of Transatlantic Dat... \(senate.gov\)](#).
278. “Why Privacy Matters,” Osgoode Hall Law School, York University, Toronto, Canada, Nov. 18, 2009.
277. “Why Privacy Matters,” Berkeley Law School, Nov. 9, 2020.
276. “Do We Need a First Amendment 2.0?” New America Foundation/Slate/American University webcast, Oct. 28, 2020.

275. "A Duty of Loyalty for Privacy Law," Yale Law School, New Haven, CT, Oct. 22, 2020.
274. "Privacy's Constitutional Moment and the Limits of Data Protection," Hinshaw & Culbertson, LLP, Chicago, IL, Oct. 8, 2020.
273. "The 'Innovation' Myth," Saint Louis University School of Law Childress Lecture Conference, Oct. 1, 2020.
272. "The Future of Federal Privacy Legislation," Future of Privacy Forum Annual Meeting, Sept. 24, 2020.
271. "A Duty of Loyalty for Privacy Law," Washington University Faculty Workshop, July 8, 2020.
270. "The Future First Amendment," Conference on "Free Speech in the 21st Century," Alma Mater Europaea, Maribor, Slovenia, July 3, 2020.
269. "A Duty of Loyalty for Privacy Law," Privacy Law Scholars Conference, George Washington University Law School, Washington, DC, June 4, 2020.
268. "A Duty of Loyalty for Privacy Law," Northeastern Law School, Boston MA, April 27, 2020.
267. "Privacy's Constitutional Moment and the Limits of Data Protection," Georgetown Law School, Washington, DC, Feb. 24, 2020.
266. "Privacy's Constitutional Moment and the Limits of Data Protection," Future of Privacy Forum Privacy Papers for Policymakers, United States Senate, Washington, DC, Feb. 6, 2020.
265. Participant, Roundtable on Julie Cohen's *Between Truth and Power*, Notre Dame Law School, Jan. 31, 2020.
264. Chair, "A US GDPR? Prospects of Legislation, Regulation, and Adequacy," Computers, Privacy, and Data Protection (CPDP) 2018, University of Brussels, Brussels, Jan. 24, 2020.
263. Panelist, "Turning the Tables: Academics in the Hot Seat," Computers, Privacy, and Data Protection (CPDP) 2018, University of Brussels, Brussels, Jan. 23, 2020.
262. "Lessons from the Clinton Impeachment," Washington University School of Law, Oct. 30, 2019.
261. "Why Privacy Matters," Koch Distinguished Professor in Law Installation, Washington University, St. Louis, Missouri, Oct. 28, 2019.

260. “Privacy’s Constitutional Moment,” PLSC-Europe, The University of Amsterdam, The Netherlands, Oct. 25, 2019.
259. “Introduction: The Ethics of Human Genome Editing,” Cordell3 Conference, St. Louis, Missouri, Oct. 11, 2019.
258. Moderator, “The Science of Biohacking,” St. Louis Young Presidents’ Organization, Oct. 10, 2019.
257. “The Pathologies of Digital Consent,” Stanford University Program on Democracy and the Internet, Palo Alto, California, Oct. 4, 2019.
256. “The Future of Human Data in Health Care & Beyond,” MOMENTUM: The Inauguration of Chancellor Andrew D. Martin, Washington University, St. Louis, MO, Oct. 3, 2019.
255. “Why Privacy Matters,” Washington University Political Theory Workshop, Sept. 13, 2019.
254. “Why Privacy Matters,” Society of Law Scholars Annual Meeting, University of Central Lancashire, Preston, England, Sept. 4, 2019.
253. “Law Students vs. Technology,” Washington University School of Law Orientation, St. Louis, Missouri, Aug. 16, 2019.
252. “Private-Sector Threats to Privacy,” Dartmouth College Summer Lecture Series, Aug. 8, 2019.
251. “Information Fiduciaries and Trust Models for Data,” Multidisciplinary Workshop on the Future of Health Data, Yale University, June 13, 2019.
250. “Privacy’s Constitutional Moment,” Privacy Law Scholars Conference, Berkeley Law, May 30, 2019.
249. Convenor and Moderator, Cross-Border Speech and Privacy Roundtable, Berkeley Law, May 29, 2019.
248. “Digital Searches and Privacy,” Duke University Kenan Center for Ethics, April 19, 2019.
247. “Why Privacy Matters,” Duke University Kenan Center for Ethics, April 18, 2019.
246. “Notice and Choice,” FTC Hearings on Competition and Consumer Protection in the 21st Century, Washington DC, April 10, 2019.
245. Commentator, “Timothy Bartley, Big Data, Small Governance? Self-Regulation of Predictive Analytics in the Private Sector,” Washington University Political Theory Workshop, April 5, 2019.

244. “Why Privacy Matters,” Boston University, March 20, 2019.
243. “Genomic Privacy and Ethics,” St. Louis Academy of Science, St. Louis, Missouri, Feb. 28, 2019.
242. “Author Communication and the Law Reviews,” Washington University School of Law, Feb. 22, 2019.
241. Panelist, “Inside the Marble Palace: A Conversation with Four Former Supreme Court Clerks,” Washington University School of Law, Feb. 12, 2019.
240. Chair & panelist, “Clashing Constitutional Norms, Cross-Border Data, and Free Expression,” Computers, Privacy, and Data Protection (CPDP) 2018, University of Brussels, Belgium, Feb. 1, 2019.
239. “Why Privacy Matters,” University of Tel Aviv, Israel, Dec. 10, 2018.
238. Moderator, “Panel Discussion: *Carpenter v. United States*,” Washington University School of Law, Oct. 30, 2018.
237. “Privacy Colonialism: The EU as US Privacy Regulator,” Amsterdam Privacy Conference (APC), University of Amsterdam, The Netherlands, Oct. 2018.
236. “Privacy and Free Expression in a Time of Fake News,” Tulane Law School, Sept. 28, 2018.
235. “Surveillance and Free Expression,” Yale Law School, Sept. 26, 2018.
234. “The Pathologies of Consent,” Washington University Law Review Symposium, Sept. 14, 2018.
233. “Privacy Colonialism: The EU as US Privacy Regulator,” Society of Law Scholars Annual Conference, Queen Mary School of Law, London, England, Sept. 6, 2018.
232. “The Supreme Court Speaks on the Fourth Amendment: *U.S. v. Carpenter*,” Thomas Eagleton Federal Courthouse, St. Louis MO, Aug. 23, 2018.
231. “Law Students vs. Technology,” Washington University Law Orientation, Sept. 22, 2018.
230. “Why Privacy Matters,” University of Amsterdam, The Netherlands, July 5, 2018.
229. Commentary, “Designing without Privacy?,” Privacy Law Scholars’ Conference, George Washington University, Washington DC, June 2018.

228. “Four Preconditions for Digital Expression (You Won’t Believe #4!),” Privacy Law Scholars’ Conference, George Washington University, Washington DC, June 2018.
227. “Privacy and Design,” Notre Dame Law School, April 27, 2018.
226. “Thoughts on *Privacy’s Blueprint*,” Notre Dame Law School, April 27, 2018.
225. “Why Privacy Matters,” UCLA Law School Faculty Colloquium, April 2, 2018.
224. “Why Privacy Matters,” Washington University Institute for Informatics Annual Symposium, St. Louis MO, March 31, 2018.
223. “Why Privacy Matters,” Washington University Dallas-Fort Worth Regional Cabinet Annual Dinner, Dallas, Texas, March 8, 2018.
222. “Data Transfer-Where Have We Been and Where Are We Going?” International Privacy + Security Forum, George Washington University, Washington DC, Feb. 26, 2018.
221. Commentator, “Ari Waldman, Designing Without Privacy,” Privacy Law Scholars Conference (Europe), University of Brussels, Belgium, Jan. 28, 2018.
220. Moderator, “Finding a Way Forward for Cross-Border Data Requests,” Computers, Privacy, and Data Protection (CPDP), University of Brussels, Belgium, Jan. 25, 2018.
219. “Four Preconditions for Digital Expression (You Won’t Believe #4!),” Washington University School of Law, Jan. 20, 2018.
218. “Privacy’s Trust Gap,” Institute for Informatics, Washington University Medical School, Dec. 18, 2017.
217. “Six Preconditions for Digital Expression (You Won’t Believe #5!),” Princeton University Department of Philosophy, Dec. 15, 2017.
216. “Intellectual Privacy,” International Association of Privacy Professionals (IAPP), St. Louis Chapter, Dec. 13, 2017.
215. “Distinguished Commentary: SidleyAustin Lecture on ‘Privacy and the Collection/Use Distinction,’” Center for Data & Governance, Ohio State University, Nov. 9, 2017.
214. “Why Privacy Matters,” Notre Dame Law School Faculty Workshop, South Bend, Indiana, Oct. 27, 2017.
213. “Amicus Briefing Before the U.S. Supreme Court,” Microsoft Corporation, Brussels, Belgium, Oct. 18, 2017.

212. "Trust and Connected Toys," Privacy + Security Forum, George Washington University, Washington, DC, Oct. 6, 2017.
211. Panelist, "The Interrelation Between Privacy and Free Expression," University of Michigan School of Law, Sept. 22, 2017.
210. "Closing Remarks: Genomics, Privacy, and Trust," Institute for Policy in Medicine & Law Planning Symposium, Washington University, Sept. 18, 2017.
209. "An Evening with Edward Snowden," St. Louis, MO, Sept. 16, 2017.
208. "Law Students v. Technology," Washington University Law Orientation, Aug. 24, 2018.
207. Panelist, "Fake News, Trolling, & Cyberbullying: Debating Social Media Companies' Rights & Responsibilities," AEJMC, Chicago, Illinois, Aug. 9, 2017.
206. "Why Privacy Matters," University of Amsterdam, The Netherlands, July 6, 2017.
205. "Why Privacy Matters," Privacy Law Scholars Conference, Berkeley, CA, June 2, 2017.
204. Commentator, "Sarah Igo, Surveillance and Transparency Since the Sixties," Privacy Law Scholars Conference, Berkeley, CA, June 2, 2017.
203. "Intellectual Privacy," Washington University Science on Tap, St. Louis, MO, April 26, 2017.
202. Participant, "Algorithms and Us," National Endowment for the Humanities, SUNY Stony Brook, Stony Brook NY, April 4-5, 2017.
201. "Free Speech and the Twitter Presidency," University of Illinois College of Law, April 11, 2017.
200. "Keynote: Why Privacy Matters," American Medical Informatics Association Annual Meeting, San Francisco, CA, March 27, 2017.
199. "Privacy and the Future of the Cloud," Washington University School of Law, Dec. 14, 2016.
198. "Why Privacy Matters," WindowGroup, St. Louis, MO, Dec. 7, 2016.
197. "Challenges to the Enforcement of Consumer Privacy in the Information Age," ICPEN Annual Meeting, Bad Wiessee, Germany, Sept. 29, 2016.
196. "The Dangers of Surveillance," Fontbonne University, St. Louis, MO, Sept. 22, 2016.

195. "Oliver Stone's *Snowden*," ACLU of Eastern Missouri Movie Premiere, St. Louis, MO, Sept. 13, 2016.
194. "Why Privacy Matters," Fontbonne University Convocation Address, St. Louis, MO, Aug. 24, 2016.
193. "A Judicial Conversation with Judge Coleman," Washington University School of Law, Aug. 22, 2016.
192. "Why Privacy Matters," University of Amsterdam, The Netherlands, July 6, 2016.
191. "Intellectual Privacy and Intermediary Liability," Senate of Argentina, Buenos Aires, Argentina, June 8, 2016.
190. "Intellectual Privacy and Intermediary Liability," Seminar on International Internet Politics, Universidad de San Andrés, Buenos Aires, Argentina, June 6, 2016.
189. "Privacy and the Future of the Cloud," Privacy Law Scholars Conference, Washington, DC, June 1-2, 2016.
188. "Privacy and Genomic Science," Washington University Genomics Retreat, April 29, 2016.
187. "Trusting Big Data Research," Washington University School of Law, April 22, 2016.
186. "Code = Speech?" Washington University First Amendment Roundtable, April 15, 2016.
185. "Design, Privacy, and Trust," UC Berkeley Law School, April 8, 2016.
184. "Comments on *Privacy's Blueprint*," UC Berkeley Law School, April 7, 2016.
183. "Big Data: How will regulation affect your use of data analytics in the years ahead?" Microsoft Envision Conference, New Orleans, LA, April 4, 2016.
182. "The Future of Privacy Laws," Microsoft Envision Conference, New Orleans, LA, April 4, 2016.
181. "Drones and Privacy," Washington University Assembly Series, March 31, 2016.
180. "Taking Trust Seriously in Privacy Law," Saint Louis University School of Law, Feb. 19, 2016.
179. "Justice Scalia: The Legacy and the Vacancy," Washington University School of Law, Feb. 17, 2016.
178. "Trusting Big Data Research," University of Toronto School of Law, Jan. 22, 2016.

177. "Privacy and Trust," Dartmouth College Geisel School of Medicine, Jan. 15, 2016.
176. "Taking Trust Seriously in Privacy Law," Future of Privacy Forum "Privacy Papers for Policymakers 2015," Washington, DC, Jan. 13, 2016.
175. Adviser, "American Law Institute Restatement of Information Privacy Principles," Philadelphia, Pennsylvania, Dec. 17, 2015.
174. "Intellectual Privacy," Sever Institute Analytics Roundtable, Washington University, Dec. 15, 2015.
173. "Trusting Big Data Research," Washington and Lee Law Review/Future of Privacy Forum Conference on "Beyond IRBs?" Washington, DC, Dec. 10, 2015.
172. "Privacy and Trust," Dartmouth College Geisel School of Medicine, Nov. 15, 2015.
171. "The Right to Be Forgotten and Free Expression," ASIS&T Annual Meeting, St. Louis, Missouri, Nov. 10, 2015.
170. "Guardians of Data: How to Be Trusted in an Untrustworthy World," Microsoft Corporation, Redmond, Washington, Nov. 7, 2015.
169. "Intellectual Privacy," Microsoft Corporation, Redmond, Washington, Nov. 7, 2015.
168. "Intellectual Privacy," Washington University Seattle Regional Council Annual Dinner, Seattle, Washington, Nov. 6, 2015.
167. "Commentary: Internet Search and Mass Surveillance," Conference on Empirical Research and the Law 2015, St. Louis, MO, Oct. 30, 2015.
166. "Privacy, Security, and Trust," Fontbonne University, St. Louis, MO, Oct. 29, 2015.
165. "Taking Trust Seriously In Privacy Law," Privacy Law Scholars Conference Europe, Amsterdam, The Netherlands, Oct. 26, 2015.
164. "Intellectual Privacy and Personalized Media," Amsterdam Privacy Conference, Amsterdam, The Netherlands, Oct. 27, 2015.
163. "Algorithms and Policing," Washington University School of Law Public Law and Policy Speaker Series, Oct. 20, 2014.
162. "Intellectual Privacy and Libraries," The Digital Shift Online Library Conference, Oct. 14, 2015.

161. "Intellectual Privacy," Washington University Management Team, St. Louis MO, Oct. 12, 2015.
160. "Four Privacy Myths," STL SecureWorld Expo, St. Louis, MO, Sept. 22, 2015.
159. "Intellectual Privacy," Washington University Law Alumni Weekend, Sept. 19, 2015.
158. "Security Roundtable: The Right to Be Forgotten," Washington University, Sept. 17, 2015.
157. "Intellectual Privacy," Fordham Law School, Sept. 16, 2015.
156. "Intellectual Privacy," Yale Law School, Sept. 15, 2015.
155. "Intellectual Privacy and the Hague Declaration," University of Brescia, Italy, July 22, 2015.
154. "Privacy and Civil Liberties," Michigan State University Spartan Debate Institute (videoconference), July 17, 2015.
153. "Intellectual Privacy," Washington University Law Eliot Society, St. Louis, MO, July 16, 2015.
152. "Intellectual Privacy," University of Amsterdam, The Netherlands, July 9, 2015.
151. "Intellectual Privacy," University of Leuven, The Netherlands, July 8, 2015.
150. "Intellectual Privacy," American Library Association Annual Meeting, San Francisco, California, June 29, 2015.
149. "Intellectual Privacy," Washington University Law Eliot Society, Chicago, IL, June 24, 2015.
148. "A Theory of Privacy and Trust," Privacy Law Scholars Conference, Berkeley, California, June 5, 2015.
147. "Privacy and Free Speech: A Transatlantic Divide," Privacy Law Scholars Conference, Berkeley, California, June 5, 2015.
146. "Choose Privacy Week: Intellectual Privacy," University of Wisconsin-Milwaukee, May 4, 2015.
145. Moderator, "Plenary Session: The First Amendment and Image Capture," Yale Free Expression Scholars Conference, New Haven, Connecticut, May 3, 2015.
144. "Intellectual Privacy," Berkman Center for Internet and Society, Harvard University, Cambridge, Massachusetts, April 28, 2015.

143. "Intellectual Privacy," Washington University Boston Regional Council Annual Dinner, Boston, Massachusetts, April 28, 2015.
142. "Privacy Myths," Microsoft Corporation, Redmond, Washington, April 24, 2015.
141. "Intellectual Privacy," University of Washington Tech. Policy Lab, April 23, 2015.
140. "Intellectual Privacy," Washington University San Francisco Regional Council Annual Dinner, April 22, 2015.
139. "Intellectual Privacy," Berkeley Law School, Berkeley, California, April 22, 2015.
138. "Intellectual Privacy," Stanford Law School, Palo Alto, California, April 21, 2015.
137. "Intellectual Privacy," Saint Louis University Law School, April 13, 2015.
136. "Intellectual Privacy," Washington University School of Law, March 30, 2015.
135. "Intellectual Privacy," University of Maryland School of Law, Baltimore, Maryland, March 27, 2015.
134. "Intellectual Privacy," Washington University Pre-Law Society, March 25, 2015.
133. "Big Data Ethics," National Academies of Sciences, Irvine, California, March 13, 2015.
132. "Intellectual Privacy," Chicago-Kent School of Law, Chicago, Illinois, Feb. 23, 2015.
131. "Intellectual Privacy," Fordham Law School, New York, NY, Feb. 2, 2015.
130. "Law Enforcement Use of Body-Worn Cameras," IAPP Webinar, Jan. 30, 2015.
129. Invited Delegate, LIBER Declaration on Data Mining, The Hague, The Netherlands, Dec. 9, 2014.
128. "Ferguson and Free Speech," Washington University School of Law, Dec. 2, 2014.
127. "Four Privacy Myths," American Association of University Women, St. Louis Chapter, Chesterfield, Missouri, Nov. 13, 2014.
126. "Intellectual Privacy," Sever Analytic Roundtable, Washington University School of Engineering, Nov. 11, 2014.
125. Discussant, American Law Institute Restatement of Information Privacy Principles, San Francisco, California, Nov. 6, 2014.

124. "Privacy and Technology," Eliot Society Seminar Series, Washington University, Oct. 28, 2014.
123. "A Theory of Privacy and Trust," Notre Dame Law School, Oct. 24, 2014.
122. "Big Data and the Future for Privacy," University of Quebec at Montreal, Oct. 17, 2014.
121. "Big Data Ethics," Washington University Olin School of Business, Oct. 10, 2014.
120. "Why Privacy Matters," Washington University Political Theory Workshop, Sept. 19, 2014.
119. Panelist, "Our Enduring Constitution," Washington University Constitution Day Event, Sept. 17, 2014.
118. Panelist, "If You Have Nothing to Hide..." Missouri Bar Association Annual Meeting Plenary Session, Kansas City, Missouri, Sept. 11, 2014.
117. "Why Privacy Matters," Saint Louis University Faculty Workshop Series, Sept. 3, 2014.
116. "Why Privacy Matters," University of Amsterdam IViR, Amsterdam, the Netherlands, July 24, 2014.
115. "Intellectual Privacy," University of Amsterdam, IViR Summercourse on Privacy Law and Policy, Amsterdam, The Netherlands, July 10, 2014.
114. "Big Data Ethics," The Guardian Newspaper HQ, London, England, June 12, 2014.
113. "Four Privacy Myths," Privacy Law Scholars Conference, GW Law School, Washington, DC, June 5, 2014.
112. "Big Data Ethics," StampedeCon Big Data Conference, St. Louis Missouri, May 30, 2014.
111. "Why Data Privacy Law Is (Mostly) Constitutional," Yale Free Expression Scholars Conference, Yale Law School, New Haven, Connecticut, May 3, 2014.
110. "Privacy and Free Speech: The Transatlantic Divide," University of Melbourne Conference on Privacy and Defamation, Melbourne, Australia, April 24, 2014. (via Skype)
109. "Four Privacy Myths," Washington University Law National Council, April 25, 2014.
108. "Four Privacy Myths," Washington University Cyber-Security Roundtable, April 18, 2014.
107. "The Dangers of Surveillance (Robots)," 2014 WeRobot Conference, University of Miami School of Law, Miami, Florida, April 5, 2014.

106. "Four Privacy Myths," Loyola Law School, Chicago, Illinois, March 31, 2014.
105. Facilitator, White House Office of Science & Technology Policy/Data & Society Institute Conference on The Social, Cultural & Ethical Dimensions Of "Big Data," NYU School of Law, New York, NY, March 17, 2014.
104. "Why Data Privacy Law Is (Mostly) Constitutional," Future of Privacy Forum Privacy Papers for Policymakers, United States Congress, Washington, DC, March 5, 2014.
103. "Why Data Privacy Law Is (Mostly) Constitutional," William and Mary Law Review First Amendment Conference, Williamsburg, Virginia, Feb. 22, 2014.
102. "Four Privacy Myths," Keynote Address, University of Alabama Conference on Privacy Law, Tuscaloosa, Alabama, Jan. 17, 2014.
101. "Four Privacy Myths," Ethical Society of St. Louis, Jan. 14, 2014.
100. "The Dangers of Surveillance," Weidenbaum Center Policy Breakfast, Washington University, St. Louis, Missouri, Dec. 16, 2013.
99. "Four Privacy Myths," Washington University School of Law Faculty Workshop, Dec. 5, 2013.
98. "Why Surveillance Is Dangerous," Yale Information Society Project Thompson-Reuters Lecture Series, Yale Law School, Dec. 3, 2013.
97. "Privacy and Security: A Roundtable," Washington University Interdisciplinary Program in the Humanities, St. Louis Missouri, Nov. 20, 2013.
96. "Big Data Ethics," University of Pennsylvania Invisible Harms Conference, Philadelphia, Pennsylvania, Nov. 15, 2013.
95. "Cyber-Security, Social Media, and Big Data," Washington University School of Engineering, Oct. 29, 2013.
94. "Big Data Ethics," Wake Forest Law Review Symposium on Privacy, Winston-Salem, North Carolina, Oct. 24, 2013.
93. "Three Paradoxes of Big Data," Stanford Law Review/Future of Privacy Forum Conference on Privacy and Big Data, Washington, DC, Sept. 10, 2013.
92. "The Dangers of Surveillance," 2013 Society of Law Scholars Annual Meeting, University of Edinburgh School of Law, Edinburgh, Scotland, Sept. 5, 2013.

91. "Intellectual Privacy," Washington University-Cambridge University International Privacy Law Conference, Clare College, Cambridge, England, July 29-31, 2013.
90. "Data Privacy and the Right to be Forgotten after *Sorrell*," George Mason Law School Conference on the Law & Economics of Search and Social Media, Arlington, Virginia, May 15, 2013.
89. "Data Privacy and the Right to be Forgotten after *Sorrell*," Center for Democracy and Technology, Washington, D.C., May 14, 2013.
88. "Associations and Social Networks," Yale Law School Free Expression Scholars Conference, New Haven, Connecticut, May 4, 2013.
87. "The Dangers of Surveillance," Yale Law School Free Expression Scholars Conference, New Haven, Connecticut, May 4, 2013.
86. "Data Privacy and the Right to be Forgotten after *Sorrell*," Berkeley-GW Privacy Law Scholars Conference, Berkeley Law School, Berkeley, California, June 6-7 2013.
85. "The Dangers of Surveillance," University of Illinois Faculty Workshop, Champaign, Illinois, April 18, 2013.
84. "Free Speech Issues in the Standard & Poor's Case," Washington University Law/Business Roundtable, Washington University Olin School of Business, April 3, 2013.
83. Conference Organizer and participant, Washington University First Amendment Conference, Washington University School of Law, March 21-22, 2013.
82. "Intellectual Privacy," Amherst College Department of Law, Jurisprudence, and Social Thought, Amherst, Massachusetts, Feb. 22, 2013.
81. "Intellectual Privacy" Fordham Law School Center for Information Law and Policy Workshop, Jan. 19, 2013.
80. Panelist, Federal Trade Commission Workshop on "The Big Picture – Comprehensive Consumer Data Collection," Federal Trade Commission, Washington, DC, Dec. 6, 2012.
79. "The Dangers of Surveillance," *Harvard Law Review* Symposium on Information Privacy in the Twenty-First Century, Harvard Law School, Cambridge, Massachusetts, Nov. 9, 2012.
78. Invited participant, American Law Institute Invitational Conference on Information Privacy Law, San Francisco, California, Sept. 28, 2012.

77. "The Dangers of Surveillance," Washington University Political Theory Workshop, Sept. 7, 2012.
76. Invited Commenter, Ronald Krotoszynsky Faculty Workshop, Saint Louis University Law School Faculty Workshop, Sept. 6, 2012.
75. "Intellectual Privacy," Duke Law School Faculty Workshop, Aug. 31, 2012.
74. "The Perils of Social Reading," Comparative Perspectives on Privacy Conference (conference co-organizer), Clare College, Cambridge University, Cambridge, England, June 27, 2012.
73. "The Perils of Social Reading," Berkeley-GW Privacy Law Scholars Conference, Washington, DC, June 8 & June 9 (encore session), 2012.
72. "The Perils of Social Reading," Washington University School of Law Faculty Workshop, May 2, 2012.
71. "How Should the Law Think About Robots?" WeRobot Conference, University of Miami, Coral Gables, Florida, April 22, 2012.
70. "The Perils of Social Reading," University of Maryland Law Faculty Workshop, March 23, 2012.
69. "Freedom of Assembly and Intellectual Privacy," Engaging *Liberty's Refuge* Conference, Washington University School of Law, March 2, 2012.
68. Discussant and Google Fellow, Privacy Law Salon, Miami, Florida, Feb. 2, 2012.
67. "Tort Privacy and Intellectual Privacy," University of Durham Law Faculty Workshop, Durham, England, Sept. 12, 2011.
66. "Tort Privacy and Intellectual Privacy," Society of Law Scholars, Downing College, University of Cambridge, England, Sept. 6, 2011.
65. "Intellectual Privacy: Rethinking Civil Liberties in the Digital Age," Washington University Faculty Workshop, Aug. 3, 2011.
64. "Free Speech and Tort Privacy," Privacy Discussion Forum, Mainz, Germany, June 23, 2011.
63. "Tech Talk: Intellectual Privacy," Google Campus, Mountain View, California, June 6, 2011.
62. Discussant, "Sandra Petronio, Privacy Perils: Deciding to Disclose or Protect Confidentialities," Berkeley-GW Privacy Law Scholars Conference, June 3, 2011.

61. Discussant, "What's Wrong with Spying?" Washington University Political Theory Workshop, April 15, 2011.
60. "The Limits of Tort Privacy," University of California Berkeley School of Law, March 31, 2011.
59. "The Limits of Tort Privacy," Notre Dame Law School Faculty Workshop, March 4, 2011.
58. Participant, "Workshop on Meeting the Challenge of Online Hate," Stanford Center for Internet and Society, Jan. 14, 2011.
57. "The Limits of Tort Privacy," Conference on "Privacy and the Press," Silicon Flatirons Center, University of Colorado School of Law, Dec. 3, 2010.
56. "The Puzzle of Brandeis, Privacy, and Speech," University of California, Davis Faculty Workshop, Nov. 9, 2010.
55. "Why Privacy Matters," ACLU of Eastern Missouri, Sept. 21, 2010.
54. "Snyder v. Phelps and the First Amendment," Washington University School of Law Supreme Court Preview, Sept. 20, 2010.
53. "The First Amendment in the 21st Century," Gephardt Center for Public Service, Washington University, Sept. 17, 2010.
52. "The Puzzle of Brandeis, Privacy, and Speech," 2009 Berkeley-GW Privacy Law Scholars Conference, George Washington University School of Law, Washington, DC, June 4, 2010.
51. "The Puzzle of Brandeis, Privacy, and Speech," Washington University School of Law Faculty Research Seminar, Feb. 24, 2010.
50. "Prosser's Privacy Law: A Mixed Legacy," *California Law Review* Symposium on the 50th Anniversary of William Prosser's "Privacy" Article, GW Law School, Washington, DC, Jan. 29, 2010.
49. Panelist, "Constitutional Law, Pharmaceutical Regulation, and Commercial Speech," Section on Law, Medicine, and Health Care and Section on Constitutional Law, Association of American Law Schools Annual Meeting, New Orleans LA, Jan. 2010.
48. "Librarians, Privacy, and the First Amendment," Missouri Library Association Annual Meeting, Columbia MO, Oct. 9, 2009.
47. "The Shadow First Amendment," Washington University School of Law Faculty Incubator Workshop, July 1, 2009.

46. "Rethinking Free Speech and Civil Liability," 2009 Berkeley-GW Privacy Law Scholars Conference, Berkeley School of Law, Berkeley CA, June 5, 2009.
45. Principal Commentator, "Frank Lovett, Legal Realism," Washington University Political Theory Workshop, Spring 2009.
44. "Rethinking Free Speech and Civil Liability," Washington University School of Law Faculty Research Seminar, April 2009.
43. "Brandeis, Privacy, and Speech," Washington University Political Theory Workshop, Feb. 2009.
42. "Rethinking Free Speech and Civil Liability," Fordham Law School Center on Law and Information Policy Workshop, Dec. 5, 2008.
41. "Intellectual Privacy," 2008 Berkeley-GW Privacy Law Scholars Conference, George Washington University School of Law, Washington, DC, June 13, 2008.
40. "Brandeis, Privacy and Speech," Oklahoma City College of Law Faculty Workshop, March 25, 2008.
39. "The Supreme Court," StreetLaw St. Louis Seminar, Feb. 15, 2008.
38. "Intellectual Privacy," Loyola Los Angeles School of Law Faculty Workshop, Jan. 31, 2008.
37. "Intellectual Privacy," Washington University Political Theory Workshop, Jan. 25, 2008.
36. Discussant, "Ian McMullen, Bong Hits 4 Citizens?," Washington University Political Theory Workshop, Nov. 16, 2007.
35. "*Branzburg v. Hayes* and Intellectual Privacy," Conference on *Branzburg v. Hayes*, University of Oregon Schools of Law and Communications, Eugene, Oregon, Oct. 5, 2007.
34. Panelist, Washington University Political Theory Conference, Aug. 27, 2007.
33. "Intellectual Privacy," Washington University School of Law Faculty Research Seminar, August 15, 2006.
32. "Foundations, Trends, and Directions: Privacy and Security Law in 2007," PLI Eighth Annual Institute on Privacy Law, New York, NY, June 25, 2007.
31. "Intellectual Privacy," University of Illinois Law School Faculty Workshop Series, Champaign, IL, May 2, 2007.
30. "Intellectual Privacy," University of Missouri-Columbia Faculty Workshop Series, April 9, 2007.

29. "Intellectual Privacy," University of Nebraska Faculty Workshop Series, March 22, 2007.
28. "Privacy's Other Path," St. John's University Law School Faculty Workshop Series, Feb. 12, 2007.
27. "Privacy's Other Path," Invited Participant, Michigan-Illinois Works-in-Progress Workshop on Comparative Law, Champaign, IL, Feb. 8-10, 2007.
26. Panelist, "Information, Technology, and Privacy: What's Next?" Section on Defamation and Privacy Law, AALS Annual Meeting, Washington, D.C., Jan. 3, 2007.
25. Participant and Discussant, Workshop on Binding Corporate Rules, Fordham University School of Law, Nov. 13-14, 2006.
24. "Privacy without Confidentiality," Washington University School of Law Faculty Research Seminar, Nov. 8, 2006.
23. "Privacy after September 11," Missouri Bar Association Annual Meeting, Sept. 28, 2006.
22. "*Griswold*, Privacy, and the First Amendment," presented at the American Association of Law Librarians Annual Meeting, St. Louis, MO, July 11, 2006.
21. Conference Organizer, Welcoming Remarks, and Panel Moderator, Conference on the Rehnquist Court and the First Amendment, Washington University School of Law, Nov. 18, 2005.
20. "The Historiographical Poverty of Information Privacy Law," Symposium on "Privacy Law in the New Millennium: A Tribute to Richard C. Turkington," Villanova Law School, Oct. 28, 2005.
19. "The Information Privacy Law Project," Washington University School of Law Faculty Research Seminar, Oct. 26, 2005.
18. "The Information Privacy Law Project," Works-In-Progress Intellectual Property Colloquium 2005, Washington University School of Law, Oct. 8, 2005.
17. "The Nomination of John Roberts and the Future of the Supreme Court," Pomona College, Pomona, California, Sept. 16, 2005.
16. "The Information Privacy Law Project," Whittier Law School, Sept. 15, 2005.
15. "The Information Privacy Law Project and the Limits of Metaphor," 2005 Cardozo/Berkeley/Stanford/DePaul IP Scholars Conference, Cardozo Law School, Aug. 11, 2005.

14. Chair and Discussant, “*The Digital Person* and the Information Privacy Law Project,” Law and Society Association Annual Meeting, Las Vegas, NV, June 2, 2005.
13. “Information Privacy, Free Speech, and *Lochner*,” Fordham Law Review Symposium on Law and the Information Society. Fordham Law School, April 7, 2005.
12. “Brandeis, Privacy, and Speech,” Washington University School of Law Faculty Research Seminar, March 31, 2005.
11. “The Constitutionality of Don’t Ask, Don’t Tell,” Washington University School of Law, Feb. 24, 2005.
10. “The War on Terror Cases and Separation of Powers,” Washington University School of Law Student-Faculty Supreme Court Workshop, Sept. 1, 2004.
9. “Journalism and the First Amendment,” Bar Association of Metropolitan St. Louis, July 24, 2004.
8. “Reconciling Data Privacy and the First Amendment,” Washington University School of Law Faculty Research Seminar, July 14, 2004.
7. “Rehnquist Court” faculty conference, Northwestern University School of Law, April 23-24, 2004.
6. “*Lawrence v. Texas* and Privacy Law,” Washington University School of Law Student-Faculty Supreme Court Workshop, October 1, 2003.
5. “Reconciling Data Privacy and the First Amendment,” University of Alabama School of Law Faculty Workshop, April 14, 2003.
4. “Reconciling Data Privacy and the First Amendment,” University of Virginia School of Law, October 10, 2002.
3. “The Lessons of Past Federal Privacy Regulation for the Contemporary Privacy Debate,” University of Alabama Faculty Workshop, April 22, 2002.
2. “Family Law and the Supreme Court,” Annual Meeting, Alabama State Bar Family Law Section, July 20, 2000.
1. “The Supreme Court Law Clerk: An Agent with Many Masters,” The Federalist Society, Montgomery (Alabama) Lawyers Chapter, April 14, 2000.

SELECTED MEDIA APPEARANCES:

Newspapers:

Washington Post
Wall Street Journal
The New York Times
The Guardian (U.K.)
Christian Science Monitor
Chicago Tribune
Boston Globe
Washington Times
St. Louis Post-Dispatch
Baltimore Sun
Atlanta Journal-Constitution
San Francisco Chronicle
New York Post
Cleveland Plain Dealer
Honolulu Advertiser
Arizona Republic
Tallahassee Democrat
Palm Beach Post
Green Bay Press Gazette

New Jersey Star-Ledger
Kansas City Star

News Services:

Associated Press
 Inman News Services
 Medill News Services
 Newhouse News Services
 CNN.com
 NBC News

Magazines:

U.S. News & World Report
Black Enterprise
New York Times Upfront
Wired
Wired UK

Television:

CNN

MSNBC

PBS

Fox News Channel

Bloomberg TV

All national network affiliates in St. Louis

Radio:

National Public Radio
 NPR On Point
 BBC World Service
 BBC Radio
 CBS Radio
 WWOR Radio New York
 Bloomberg Radio
 Associated Press Radio
 Metro Networks Radio
 Pacifica Radio

PROFESSIONAL AND HONOR SOCIETIES:

American Law Institute; Phi Beta Kappa, Order of the Coif, Phi Alpha Theta History Honor Society, Golden Key Honor Society, Phi Eta Sigma Honor Society.

SELECT CONSULTING/LITIGATION EXPERIENCE

- Independent Testifying Expert retained by the Irish Government on U.S. privacy law, *Data Protection Commissioner v. Facebook*, Irish High Court, Spring 2017 (also known as *Schrems II*).
- Testifying Expert on history and theory of privacy law retained by the ACLU, *Neal v. Roessler*, (Va. Cir. Ct. 2018) (challenge to Fairfax Police use of automatic license plate readers under the Virginia Data Collection Act).
- Represented fantasy sports company in successful right of publicity litigation against Major League Baseball from federal district court to Supreme Court certiorari phase. The litigation, *Major League Baseball Advanced Media v. CBC Distribution & Marketing*, 505 F.3d 818 (8th Cir. 2007), cert. denied, 128 S.Ct. 2872 (2008), is widely considered to have saved the independent fantasy sports industry.
- Co-drafted Amicus Brief of Information Law Professors in *Spokeo v. Robins* before U.S. Supreme Court (2015).
- Advised prevailing sporting goods company in high-profile Supreme Court litigation relating to the problem of “patent trolls” or “non-practicing entities,” *Octane v. Icon Health & Fitness*, 572 U.S. ___ (2014).
- Represented celebrities in high-profile privacy litigation.
- Expert witness in consumer credit class action settlement, giving opinion on whether a settlement under the Fair Credit Reporting Act was in the best interests of consumers.

[January 16, 2021]

- Consulted with various state attorneys general's offices in privacy litigation over physician detailing statutes, culminating in the Supreme Court case of *IMS v. Sorrell, Inc.*, 131 S.Ct. 2653 (2011).
- Drafted First Amendment argument in Law Professors Brief as Amicus Curiae in Opposition to Motion to Dismiss at 16-22, *SEC v. Siebel Sys., Inc.*, 384 F. Supp. 2d 694 (S.D.N.Y. 2005) (No. 04 CV 5130(GBD)).
- Consulted with counsel, represented clients, or appeared in a variety of other cases involving privacy, defamation, or constitutional issues before a variety of state, federal, and international tribunals, including the U.S. Supreme Court.