

Orly Lobel

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Faculty Webpage: https://www.sandiego.edu/law/faculty/biography.php?profile_id=2844

Research: http://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=337751

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APPOINTMENTS

CHAired PROFESSOR OF LAW, UNIVERSITY OF SAN DIEGO, 2009-CURRENT

- Warren Distinguished Professor (permanent highest endowed chair) 2019-current
- Founding Director, Center for Employment and Labor Policy (CELP) 2022-current
- University Professor (endowed chair) 2012-2013; 2022-2023
- Founding Faculty, Center for Intellectual Property Law & Markets
- Don Weckstein Professor of Employment and Labor Law 2012-2019
- Class of 1975 Professorship Award, granted to one faculty for meritorious leadership, teaching, and scholarship 2018-2019
- Herzog Professor (endowed chair) 2010-11
- Associate Professor 2007-2009
- Assistant Professor 2005-2007

TEL AVIV UNIVERSITY LAW FACULTY, Visiting Professor 2023 (Pro-Bono); 2011-2012

UCSD RADY SCHOOL OF MANAGEMENT, Visiting Professor, 2009-10

YALE LAW SCHOOL, Visiting Lecturer, 2004-2005

Affiliated Fellow – Yale Information Society Project (ISP) - current

HARVARD LAW SCHOOL, Clark Byse Teaching Fellow, 2003-2004.

Taught Workshop: *Restructuring Work: New Approaches to Law and Governance in a Flex-Regulatory Era* (Spring 2004)

HARVARD UNIVERSITY,

Center for Ethics and the Professions, Edmond D. Saphra Fellow, 2001-02

Kennedy School of Government, Hauser Center Fellow for Non-Profit Research, 2002-2004

Weatherhead Fellow for International Affairs, 2004-2005

SUPREME COURT OF ISRAEL, Law Clerk for Justice Professor Itzhak Zamir, 1998-99.

ISRAEL DEFENSE FORCES, Intelligence Commander, Talpiot Project of 8200 Intelligence

EDUCATION

HARVARD LAW SCHOOL, S.J.D. (2006)

Dissertation Title: Administrative Governance and Workplace Regulation
Fields of General Exam: Regulatory and Administrative Innovation; Work and Social Policy; Law and Society; Legal Theory.
Teaching Assistant, The American Legal System and Perspectives on American Law
Teaching Fellow, Thesis Writing Workshop
Chair of the Graduate Forum, a yearlong colloquium for the HLS graduate community
LL.M. advisor, instructing incoming LLM candidates on courses and research
Leader of the yearlong Colloquium on Law Teaching

Awards

Sidney R. Knafel Dissertation Completion Grant (awarded to one doctoral student at Harvard from the entire university) 2004-2005.
Project on Welfare, Justice and Economics (directed by Amartya Sen) Doctoral Fellowship (waived).

HARVARD LAW SCHOOL, LL.M., *summa cum laude*, 2000

Awards and Activities:

Article consultant for Harvard International Law Journal.
E. David Fischman Fellowship, full tuition award, 1999-2003.
Fulbright Scholar, 1999-2001.
Tel-Aviv University Doctoral Scholarship, 1999-2002.

TEL-AVIV UNIVERSITY FACULTY OF LAW, LL.B., ranked 1st in graduating class.

Magna cum Laude, 1998.
Student Editor, *Tel-Aviv Plilim Law Journal*.
Class Representative, Elected 1996-1997.
Member of the Student Council and the Committee of Academic Affairs.

Awards:

THE ISRAELI PARLIAMENT (KNESSET) AWARD OF ACADEMIC EXCELLENCE, 1998.
Nation-wide award granted to distinguished scholars selected from all academic fields.
Number one ranked student (out of 1800) at Tel-Aviv Law School.
PRESIDENT OF THE UNIVERSITY AWARD AND SCHOLARSHIP (received twice).
DEAN'S AWARD FOR EXCELLENT ACHIEVEMENTS (received twice).

MAX-PLANCK INSTITUTES Private and Public International and Comparative Law Workshops at Hamburg and Heidelberg, Germany, Summer of 1998.

NORTHWESTERN UNIVERSITY SCHOOL OF LAW, Chicago, IL. Chosen to represent Tel-Aviv University as a semester exchange student with scholarship, 1996-97. GPA: A+ (4.4).

SORBONNE UNIVERSITY, Diploma of French Humanities, Paris, France, 1993-94.

Honors: Special excellence citation; Ranked number one in class.

PUBLICATIONS

Books

THE EQUALITY MACHINE: HARNESSING TOMORROW'S TECHNOLOGIES FOR INCLUSION AND EMPOWERMENT (PUBLICAFFAIRS, AN IMPRINT OF PERSEUS-HACHETTE) OCTOBER 2022

- Grant Recipient, the AI and Humanities Project
- McKinsey Author talk
- Reviews/Excerpts/Features: The Economist, Stanford Social Innovation; Lit Hub; Forbes, Harvard Magazine; Gizmodo; Kirkus; Science; Legal Theory; Boston Globe, Big Think, Yahoo! Finance, Engadget, Analytics India Magazine (must read books 2022); Medium (top books 2022); Lat's Library; San Diego Union Tribune; La Jolla Light; Midwest Book Review; Inside Higher Ed; Wired.
- Book Symposium Yale Journal of Regulation 2023
- Podcasts: Keen On, Modern Customer, Securities, Legally Speaking, Digital Transformation, Data Framed, The Economist Asks, Office Hours, Future Hindsight, Legally Speaking, McKinsey Author Talk, SingularityU
- Chinese publisher: Shanghai People's Publishing House
- [Outstanding Works of Literature \(OWL\)](#) Award longlist
- [Top Books](#) 2022 San Diego Union Tribune
- [Science Review](#)
- [The Economist Best Books of 2022](#)
- [Kirkus Review](#)
- [2022 Notable Books](#) of the Year Privacy and Security Books
- [Top Ten Books of the Year](#) Legal Theory
- Selected to Boston Consulting Group (BCG) Top Books that Inspire of 2023
- Selected by Stanford Medical School as the Mandatory Summer Book for all Med Students
- Selected reading by Johnson & Johnson; MetLife; Zoom and other companies

EMPLOYMENT LAW, 6TH EDITION (WITH MARK ROTHSTEIN ET AL) THOMPSON REUTERS 2020; 7 th Ed forthcoming 2024

EMPLOYMENT LAW, HORNBOOK SERIES 6TH EDITION (CO-EDITOR WITH MARK ROTHSTEIN ET AL) WEST ACADEMIC 2019

YOU DON'T OWN ME: HOW MATTEL V. MGA ENTERTAINMENT EXPOSED BARBIE'S DARK SIDE (WW NORTON 2017)

- Gold Medalist, Best Business Book - Winner of the Independent Publisher's 2018 Book Award
- Gold Medalist, The Nonfiction Authors Association
- Winner of the 2018 Thornes Book Award for Outstanding Legal Scholarship
- Eric Hoffer Award Gold Medalist, Business Books
- Montaigne Medal Finalist
- Reviews by Booklist (starred review), Publisher's Weekly, Kirkus, Legal Theory Bookworm (Top 10 Books of 2017), JOTWELL, Wall Street Journal, the New Yorker, Financial Times, Times Literary Supplement, Slate, La Repubblica, La Presse, the Australian, The Globes, Times Higher Education, Above the Law, Modern Law, Yahoo!LifeStyle (Must-read books), NPR, ABA Modern Law, TechDirt, Vulture, San

Diego Tribune, San Francisco Chronicle, Fire of Genius, National Law Journal, Harvard Magazine, and more.

- Released by Norton UK Jan 3, 2018
- Released in Canada by Penguin Random House
- Paperback Release April 2019
- In Development for Mini-Series CBS Studios

TALENT WANTS TO BE FREE: THE UPSIDE OF LEAKS, RAIDS & FREE-RIDING (Yale University Press 2013)

- Gold Medalist Next Generation Book Awards Best Business Book 2015
- Gold Medalist of Axiom's 2014 Best Business Books
- Gold Medalist in the Independent Publishers Award 2014
- Winner of the 2014 International Book Awards Best Book in both the law and the business categories
- Winner of the 2014 Thornes Prize of Excellence in Legal Scholarship
- Finalist, 2014 San Diego Book Awards
- Reviewed/featured in the Economist, Fortune, Sunday Times, Forbes, NYT, Harvard Law Review.
- Book Symposium in Concurring Opinions
- Invited in August 2016 to speak about the book at the White House
- Foreign Translations

ENCYCLOPEDIA OF EMPLOYMENT LAW AND ECONOMICS (Elgar Publishing, with Dau-Schmidt and Harris 2009).

EMPLOYMENT & LABOR LAW (Ethics Press, 1998) [in Hebrew].

Articles

1. [*The FTC's Noncompete Ban Was Long Overdue*](#), HARVARD BUSINESS REVIEW, May 2024.
2. [*Do We Need to Know What is Artificial? Unpacking Disclosure and Generating Trust in an Era of Algorithmic Action*](#), The Dynamics of Generative AI Symposium [Network Law Review](#) 2024
3. [*The AI Regulatory Pyramid: A Taxonomy and Analysis of the Emerging Toolbox in the Race for Regulation and Governance of Artificial Intelligence*](#), based on the keynote lecture of the law review's annual symposium, Loyola Law Review 2024.
4. *The Future of Work and Labor Markets in the Era of AI*, based on Annual Stewart Endowed Lecture, forthcoming Indiana Law Review 2024
5. *AI Readiness v. Impact: Separating Related but Distinct Strategies*, based on Keynote for the 2024 Thrower Symposium The Promise and Challenge of Artificial Intelligence in the Information Age forthcoming Emory Law Journal 2024.

6. [*Why We Need a National Absolute Noncompete Ban: Restrictive Covenants from Innovation, Antidiscrimination & Competition Policy Perspectives*](#), *forthcoming*, Symposium on UREAA, University of Florida Journal of Law & Public Policy 2024.
7. *Noncompete law as Innovation Policy*, chapter in the Encyclopedia of Intellectual Property Law, Elgar (Irina Stamatoudi, Peter Yu, Bernd Justin Jütte, Paul Torremans eds) 2024.
8. *Public Administration in the Digital Age*, chapter in The Oxford Handbook of Digital Constitutionalism (Giovanni, Oresteeds & Valcke eds.) (coauthored chapter with Cary Coglianese) 2024
9. [*The Law of AI for Good*](#), Florida Law Review 2023
10. [*Disclosure of Agency Legal Materials*](#), Michigan Journal of Environmental & Administrative Law (with Bell, Bernard W. and Coglianese, Cary and Herz, Michael Eric and Kwoka, Margaret B.; based on our ACUS Report) 2023
11. [*Remote Law: The Great Resignation, The Great Gigification, and the Overdue Reshuffling of Work and Welfare Policy*](#), Santa Clara Law Review Annual Symposium, 2023.
12. [*Supporting Market Accountability, Workplace Equity, and Fair Competition by Reining in Non-Disclosure Agreements*](#), Day One Project Report, 2022 (with Evan Starr, Rachel Arnow-Richman, Jodi Short, Gretchen Carlson and Julie Roginsky)
13. [*Progress is Less*](#), Symposium on Silbey's Against Progress, Boston University Law Review Online 2022.
14. [*The \(Re\)New\(ing\) Democracy and Cyclical Forms and Substance of Regulatory Governance*](#), symposium on William Novak's "New Democracy" Yale Journal of Regulation Notice & Comment Online. 2022.
15. [*Boilerplate Collusion: Clause Aggregation, Antitrust Law & Contract Governance*](#), Minnesota Law Review 2021.
16. [*Banning Noncompete Agreements to Create Competitive Job Markets*](#), Day One Project Report, January 2021 (with Lemley, Mark)
17. [*We Are All Gig Workers Now: Online Platforms, Freelancers and The Battles Over Employment Status and Rights During the COVID-19 Pandemic*](#), Symposium Covid-19 and the Law, San Diego Law Review, 2021.
18. [*Biopolitical Opportunities: Datafication & Governance*](#), Notre Dame Law Review Reflection 2021.
19. [*Non-Competes, Human Capital Policy & Regional Competition*](#), JOURNAL OF CORPORATION LAW, Symposium in honor of Ronald Gilson (2020).
20. [*Exit, Voice & Innovation*](#), HOUSTON LAW REVIEW, Annual Frankel Lecture (invited responses by Lisa Oullette and Todd Rakoff) (2020).

21. [*Knowledge Pays: Reversing Information Flows and the Future of Pay Equity*](#), COLUMBIA LAW REVIEW (2020).
22. [*Gentlemen Prefer Bonds: How Employers Fix the Talent Market*](#), New Directions in Antitrust Law Symposium, SANTA CLARA LAW REVIEW (2020). [Jotwell review](#) by Charles Sullivan
23. [*The Spinoff Advantage: Human Capital Law and Entrepreneurship*](#), in *The CAMBRIDGE HANDBOOK ON LAW AND ENTREPRENEURSHIP IN THE UNITED STATES* 257 (D. Gordon Smith, Brian Broughman & Christine Hurt eds., 2022)
24. [*Poor Consumer\(s\) Law*](#), forthcoming in *LEGAL APPLICATIONS OF MARKETING THEORY* (Jacob Gerson & Joel Steckel eds. 2021) with Yuval Feldman & Samuel I. Becher
25. [*The Goldilocks Path of Legal Scholarship in a Digital Networked World*](#), symposium THE FUTURE OF LEGAL SCHOLARSHIP, LOYOLA LAW REVIEW 2019
26. [*Regulating the Sharing Economy: Self-Governance, Efficiency & Values*](#), Symposium China-Yale Law 2018 Conference on the Sharing Economy at the China Academy of Social Sciences, Beijing, GLOBAL LAW JOURNAL 2019.
27. [*Coase & the Platform Economy*](#), in CAMBRIDGE UNIVERSITY PRESS SHARING ECONOMY HANDBOOK 2018 (Nestor et al eds).
28. [*Secrets and Innovation: The Defend Trade Secret Act as Part of the New Secrecy Ecology*](#), (Keynote Lecture at University of Missouri Annual Conference), BUSINESS, ENTREPRENEURSHIP AND TAX LAW JOURNAL 2018
29. [*Platform Market Power*](#), BERKELEY LAW AND TECH JOURNAL, 2018 (with Kenneth Bamberger) [cited by the 5th Circuit Ct. of Appeals in *NetChoice v. Paxton* 2022]
30. [*The NFL as a Workplace: Applying Occupational Health and Safety Laws to Protect Players*](#) (with Adam Finkel, Chris Deubert, Glenn Cohen & Holly Lynch) ARIZONA LAW REVIEW 2018
31. [*The Law of the Platform*](#) MINNESOTA LAW REVIEW 2016
 - [Jotwell review](#) by Margot Kaminski
 - [Jotwell review](#) by Marty Mailin
32. [*The Gig Economy and the Future of Employment and Labor Law*](#), USF LAW REVIEW 2016 (article based on Lobel's 12th Annual Pemberton Lecture at the 9th Circuit Court of Appeals Courthouse in San Francisco 2016).
33. [*Enforceability TBD: From Status to Contract in Intellectual Property Law, IP notice symposium*](#), BOSTON UNIVERSITY LAW REVIEW 2016.
34. [*Economic Espionage as Reality or Rhetoric: Prosperity as a Component of National Security \(co-authored with Rochelle Dreyfuss\)*](#), Trade Secrets and Business Law Symposium, LEWIS AND CLARK LAW REVIEW 2016.
35. [*Behavioral Approaches to the Study of Law*](#), in *Rethinking Legal Scholarship: A Transatlantic interchange* (Hans-Wolfgang Micklitz, Ed Rubin, and Rob van Gestel EUI/Tilburg eds. Oxford Press 2016).

36. [*The New Cognitive Property: Human Capital Law and the Reach of Intellectual Property*](#), TEXAS LAW REVIEW 2015.
Responses to the article published in
- Texas Law Review Online by Brett Frischman & Mark McKenna
 - [Jotwell](#) Review by Matt Bodie
37. [*Risk Management for the Future: Age, Risk and Choice Architecture*](#), in 43 Advances in Consumer Research 90 (Diel and Yoon ed.) (with On Amir).
38. [*Behavioral Tradeoffs :Beyond the Land of Nudges Spans the World of Law and Psychology*](#), in NUDGING IN EUROPE: WHAT CAN EU LAW LEARN FROM BEHAVIORAL SCIENCES? 2014 (with Yuval Feldman).
39. [*How Noncompetes Stifle Innovation*](#), HARVARD BUSINESS REVIEW, January–February 2014 (with On Amir).
40. [*Driving Performance: A Growth Theory of Non-Compete Law*](#) (with On Amir), STANFORD TECHNOLOGY LAW REVIEW (2013).
41. [*Liberalism and Lifestyle: Informing Regulatory Governance with Behavioral Research*](#), EUROPEAN JOURNAL OF RISK REGULATION, 2012 (with On Amir).
42. *Non-Union Employment Representation Systems: The United States from a Comparative Perspective*, in EMPLOYMENT REPRESENTATION SYSTEMS AROUND THE WORLD, Kluwer 2012 (with Anne Lofaso).
43. *Talent wants to be Free: Human Capital & Knowledge Flows* UNIDO REPORT NETWORKS OF PROSPERITY 2012 (special UN invitation).
44. [*Linking Prevention, Detection, and Whistleblowing: Principles for Designing Effective Reporting Systems*](#), Symposium on Whistleblowing and the Regulation of Workplace Reporting, SOUTH TEXAS LAW JOURNAL, 2013.
45. *Employment and Labor Law and Economics (with Yuval Feldman and Lilach Luria)*, in LAW AND ECONOMICS (Uriel Procaccia ed.) (in Hebrew) 2012.
46. [*New Governance as Regulatory Governance*](#), OXFORD HANDBOOK OF GOVERNANCE (David Levi-Four ed. 2012).
47. *Whistleblowers and Social Enforcement* (with Yuval Feldman) in EXPLAINING REGULATORY COMPLIANCE (Nielsen & Land Eds., Elgar 2011)
48. *Is Law Dangerous?* in IS LAW IMPORTANT (Menny Mautner ed., Hebrew 2011).
49. [*The Incentives Matrix: A Study of the Comparative Effectiveness of Monetary Rewards as Compliance Systems*](#) (with Yuval Feldman) TEXAS LAW REVIEW (2010).
- Winner of the ABA Litigation Section Research Fund Grant
 - Selected for Yale-Stanford Junior Faculty Forum
50. [*Lawyer Loyalties*](#), FORDHAM LAW REVIEW (2009).

51. [*Citizenship, Organizational Citizenship, and the Laws of Overlapping Obligations*](#), CALIFORNIA LAW REVIEW 2009
 - Selected for the Seton Hall *Junior Scholar Forum in Employment and Labor Law*, 2007
52. *The Overlaying of Fair Trade Systems on Other Regulatory Approaches*, FAIR TRADE, CORPORATE ACCOUNTABILITY AND BEYOND (Ashgate 2009).
53. [*National Regulation in a Global Economy: New Governance Approaches to Twenty-First Century Work Law*](#), in ELGAR ENCYCLOPEDIA OF EMPLOYMENT LAW AND ECONOMICS (Dau-Schmidt, Harris & Lobel eds. 2009).
54. [*Intellectual Property and Restrictive Covenants*](#), in ELGAR ENCYCLOPEDIA OF EMPLOYMENT LAW AND ECONOMICS (Dau-Schmidt, Harris & Lobel eds. 2009).
55. [*Behavioral Versus Institutional Antecedents of Decentralized Enforcement: An Experimental Approach*](#) (with Yuval Feldman), REGULATION & GOVERNANCE 2008.
56. [*Stumble, Predict, Nudge: How Behavioral Economics Informs Law and Policy*](#) 108 COLUMBIA LAW REVIEW 2098 (2008). (with On Amir)
57. [*The Paradox of "Extra-Legal" Activism: Critical Legal Consciousness and Transformative Politics*](#), 120 HARVARD LAW REVIEW 937 (2007)
 - Winner of the Thorsnes Prize for Faculty Scholarship
 - Reactions by Professors Scott Cummings and Robert Fellmeth published in the *Harvard Law Review Forum*.
 - Excerpted Reprint in the *Journal of Law and Social Change* [Hebrew]
58. *Form and Substance in Labour Market Policies*, in *The Intersection of Rights and Regulation: New Directions in Sociolegal Scholarship* (Brownen Morgan, Ed., Ashgate Press 2007).
59. [*Big Boxes' Benefits: The Targeting of Giants in a National Campaign to Raise Work Conditions*](#), Wal-Mart Matters Symposium, UNIVERSITY OF CONNECTICUT LAW REVIEW (2007).
60. [*Rethinking Traditional Alignments: Privatization and Participatory Citizenship*](#), in Clare Dalton ed., PROGRESSIVE LAWYERING, GLOBALIZATION AND MARKETS: RETHINKING IDEOLOGY AND STRATEGY 2007.
61. [*Reflections on Gender Equality and the Regulation of Sexuality in the Workplace: A Response to Kim Yuracko*](#), Symposium on the Rights and Wrongs of Discrimination, SAN DIEGO LAW REVIEW (2006).
62. [*Walmartization and the Fair Share Act*](#), Symposium on Employer-based Health Care, 19 ST. THOMAS LAW REVIEW 105 (2006) (with Julia Contreras).
63. [*The Four Pillars of Work Law*](#), 104 MICHIGAN LAW REVIEW 1539 (2006) (review essay).
 - Reprinted in ICFAI Journal of Employment Law (2006).
64. [*Sustainable Capitalism or Ethical Transnationalism: Off-Shore Production and Economic Development*](#), 17 Fordham University symposium on trade and human rights, *Journal of Asian Economics* 56 (2006).

65. *Making Consumption Decisions By Following Personal Rules*, in *Inside Consumption: Frontiers of Research on Consumer Motives, Goals, and Desires* (Ratti Ratneshwar & David Mick eds. Routledge Press 2006) (with On Amir & Dan Ariely).
66. [*Interlocking Regulatory and Industrial Relations: The Governance of Worker Safety*](#), 57 *Administrative Law Review* 1071 (2005) (winner of the 2005 Irving Oberman Memorial Award for best paper on a current legal issue in law and governance).
- Excerpt reprinted in Mark Tushnet & Lisa Heinzerling, *THE REGULATORY AND ADMINISTRATIVE STATE* (Oxford University Press 2006).
 - Excerpt reprinted in Timothy P. Glynn et al., *EMPLOYMENT LAW* (Aspen 2007).
67. *Formulating a New Paradigm: Newness and the Ripeness of the Moment* (Proceedings from the New Legal Realism Conference) 2005 *WISCONSIN LAW REVIEW* 479
68. [*Setting the Agenda for New Governance Research*](#), 89 *MINNESOTA LAW REVIEW* 498 (2004)
69. [*The Renew Deal: The Fall of Regulation and the Rise of Governance in Contemporary Legal Thought*](#), 89 *MINNESOTA LAW REVIEW* 342 (2004)
- selected for the Yale/Stanford Junior Faculty Forum
 - response by Bradley Krakeinan in the *Minn. L. Rev*
 - translated and reprinted in *FRONTIERS IN PUBLIC LAW* (Journal of Peking University School of Law, China).
 - Excerpt reprinted in *Federal Administrative Law, Cases and Materials* (University Casebook Series) (Kristin Hickman & Richard J. Pierce)
70. *Between Individualism and Solidarity: Collective Efforts for Social Reform in the Heterogeneous Workplace*, Vol. 14 *RESEARCH IN THE SOCIOLOGY OF WORK* (2004).
71. [*Gender Discriminatory Behavior During Adolescence and Young Adulthood: A Developmental Analysis*](#), *JOURNAL OF YOUTH AND ADOLESCENCE* 2004 (with Thalma Lobel, Nohar Nov-Krispin, Daniela Schiller & Amit Feldman).
72. [*Orchestrated Experimentalism in the Regulation of Work*](#), 101 *MICHIGAN LAW REVIEW* 2146 (2003) (review essay).
- reprinted in *EMPLOYMENT DISCRIMINATION LAW: CASES, PROBLEMS AND CRITICAL PERSPECTIVES* (Janis McDonald, Frank Ravitch, & Pamela Sumners eds., Prentice Hall 2005)
73. *The Law of Social Time*, 76 *TEMPLE LAW REVIEW* 357 (2003) (review essay).
74. [*The Slipperiness of Stability: The Private Employment Agency and Flexible Work Arrangements*](#), Symposium: The Role of Contract in the Modern Employment Relationship, 10 *TEXAS WESLEYAN LAW REVIEW* 109 (2003).
75. [*Family Geographies: Global Care Chains, Transnational Parenthood, and New Legal Challenges in an Era of Labor Globalization*](#), 5 *CURRENT LEGAL ISSUES* 383 (Oxford University Press, 2002).

76. [*Agency and Coercion in Labor and Employment Relations: Four Dimensions of Power in Shifting Patterns of Work*](#), 4 UNIVERSITY OF PENNSYLVANIA JOURNAL OF LABOR AND EMPLOYMENT LAW 121 (2001).
77. [*Class and Care: The Roles of Private Intermediaries in the In-home Care Industries in the United States and Israel*](#), 24 HARVARD WOMEN'S LAW JOURNAL 89 (2001).

Representative Popular & Shorter Writing

1. *Automation Rights*, University of Chicago Law Review Online, forthcoming 2024
2. *Improving Public Access to Agency Law*, Harvard Journal of Legislation Online (with Bernard W. Bell, Cary Coglianese, Michael Herz, and Margaret B. Kwoka) 2023.
3. [*Affirmatively Disclosing Agency Legal Materials*](#), The Regulatory Review (with Bernard W. Bell, Cary Coglianese, Michael Herz, and Margaret B. Kwoka) Sep 2023
4. [*Platform Liability for Content Moderation in the Google and Twitter Cases*](#), Blue Briefs, 2023.
5. [*Banning Noncompetes is Good for Innovation*](#), Harvard Business Review (with Mark Lemley) Feb 2023
6. [*The business case for a nationwide ban on noncompetes*](#), (with Rachel Arnow-Richman) The Hill Jan 2023
7. [*Why your privacy shouldn't be so private*](#), The Hill Dec 2022.
8. [*The Problem with Too Much Privacy: How Sometimes Data Protection Can Hurt the Most Vulnerable*](#), TIME October 18 2022.
9. [*In Moriana v. Viking, the Court Once Again Favors the Federal Arbitration Act*](#), Blue Briefs, 2022.
10. [*Non-Competes Should be Banned for All*](#), Wall St. Journal, Sept. 22, 2021.
11. [*The Debate about How to Classify Workers is Missing the Bigger Picture*](#), Harvard Business Review July 2019.
12. [*The History Behind the NDAs Trump Wants to Weaponize*](#), The Atlantic March 2019.
13. [*NDAs Are Out of Control. Here's What Needs to Change*](#), Harvard Business Review Feb 2018.
14. [*The Uber-Waymo Law Suit: It Should Be Easy to Poach Talent, But Not IP*](#), Harvard Business Review June 2017.
15. [*Companies Compete But Won't Let Their Workers Do the Same*](#) New York Times, May 2017.
16. [*The Prisoner's Dilemma in Airing Fox's Corporate Culture*](#), Fortune, June 2016.
17. [*Why California is Such a Talent Magnet*](#), Harvard Business Review January 2016.
18. [*High Tech Hubs & Post-Employment Restrictions: Hawaii Joins California in its Ban of Non-Competes*](#), CaseText, August 2015.
19. [*Trade Secrets Behind a Paywall? Angie's Lists Sues Amazon Local*](#), CaseText, June 2015.

20. [Don't Let the Law Undermine Employee Incentives](#) (with Jim Bessen) Harvard Business Review Oct 2014.
21. [By Suppressing Mobility, NonCompete Pacts Suppress Innovation](#), New York Times, June 2014.
22. [My Ideas, My Boss's Property](#), New York Times April 2014.
23. *Silicon Valley's Human Capital Antitrust*, Daily Journal, April 11, 2014.
24. [Aereo Isn't Illegal Just Because It Threatens Broadcasters](#), Harvard Business Review April 2014.
25. [Understanding the Copyright Wars: Google Books, Goldbloom and Aereo](#), Harvard Business Review Feb 2014.
26. [Compensation Should Be Guided by Merit](#), Wall St. Journal, Jan. 23, 2014.
27. [Why Noncompetes May Give You the Least Desirable Employees](#), Wall St. Journal, Jan. 22, 2014.
28. [Turnover Alchemy: Converting Employee Losses Into Gains](#), Strategy and Business, March 2014.
29. [Forget Brain Drain](#), Tablet Magazine, December 2013.
30. [To Hide or to Patent](#), Harvard Business Review, November 22, 2013.
31. [Creativity, Discovery and Intellectual Property](#), ACS Blog, October 15, 2013
32. [Free Your Talent and the Rest Will Follow: Why Silicon Valley Flourishes and Cognitive Controls are Dangerous](#), The Freeman Magazine, October 14, 2013.
33. [Aggressive Talent Wars are Good for Cities](#), Harvard Business Review Online, October 4, 2013.
34. [America's Hypocritical Approach to Economic Espionage](#), Fortune / CNN Money, September 24, 2013.
35. [The Benefits of Talent Mobility](#), Bloomberg, September 16, 2013
36. [Choose Your Battles to Win the Talent War](#), Chief Executive Magazine, July 19 2013.
37. [Talent: Raid It, Own It, Set It Free](#), Change This, CEOREAD-800, 109.04, July 2013.
38. *Who is a Hero and Who is a Snitch: Cross Cultural Studies of Whistleblowing Behavior*, The Marker Magazine, April 2013 (in Hebrew).
39. *The Cognitive-Citation App*, Micro-Symposium on Orin Kerr's 'A Theory of Law' (2012). Green Bag 2d, Vol. 16, No. 2, 2013, pp. 213-226; Journal of Law: A Periodical Laboratory of Legal Scholarship, Vol. 2, No. 3, 2012, pp. 487-502.
40. *Book Review: Roger Waldinger & Michael I. Lichter, How the Other Half Works: Immigration and the Social Organization of Labor*, REV. OF POLITICAL ECON. (2009).
41. *Book Review: Labour Law and Labour Market Regulation*, COMPARATIVE LABOR LAW AND POLICY JOURNAL 2008.
42. *Developments in Law and Economics of Employment Law*, Proceedings of the 2008 AALS Annual Meeting, Section on Law and Economics, Volume 12, Issue 2, of the Employee Rights and Employment Policy Journal.

43. *New Ways of Governing the Workplace*, Proceedings of the 2007 AALS Annual Meeting, Section on Labor and Employment law, EMPLOYEE RIGHTS AND EMPLOYMENT POLICY JOURNAL 2007.
44. *The New Labor Market and Regulatory Innovation from an American Perspective*, 23 REVISTA DO TRIBUNAL DO TRABALHO DA 15ª REGIÃO-BRAZIL (2004).
45. *Tanner Lecture Review: Dean Kathleen Sullivan on Emergency Constitutionalism*, Ethics@Harvard (President of Harvard University Commissioned Report 2002) (with Martin Sandbu).
46. "Between Coercion and Freewill" *Haaretz*, Sept. 1997 (in Hebrew).
47. "Who Owns This Profile?" *Haaretz*, Nov. 1997 (in Hebrew).

WORKS IN PROGRESS

1. Data Driven Trust, with Ori Aronson and Yuval Feldman (law review project)
2. *The Rise of Academic Entrepreneurship: From TTOs to Industry-Led University Spin-Offs* (with Aran, Bar-Ziv & Fischman-Afori)
3. Secrecy Exposed, a collaborative study of the market effects of expansion of corporate secrecy policies and contracts, with Rachel Arnow-Richman, Jodi Short and Evan Starr
4. FDA, Data and Automation: A Case Study of the Insulin-Dependent Community User-Innovation and the Medical Device Approval Process
5. Salk, Science, and Sex: What a World Class Research Institute Reveals About the Politics and Exclusions of Science
6. Transparency and Pay: An Empirical Study (with Rachel Arnow-Richman & Zev Eigen)
7. Goldilocks Innovation, invited book chapter, Gruter Institute/Kauffman Foundation book Project.
8. Risk Management for the Future: Judgment, Decision Making and Choice Architecture, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2102541
9. Healthy Choices (with On Amir) Robert Wood Johnson Foundation Grant 2010-2011 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1876734
10. Regulating Coexistence in the New Economy: Nonprofit Human Service Providers in a Workforce Development Approach (KSG Working Paper http://www.ksg.harvard.edu/hauser/publications/working_papers/workingpaperlist.htm awarded the *Hauser New Research Fund Grant*; SSRN: <http://ssrn.com/abstract=463642>).

GRANTS & AWARDS

1. The 2023 IP Vanguard Award granted to one academic by the California State Bar
2. Legal Pioneer, San Diego Magazine, 2023
3. International Advisor Council Grant to speak at the Geneva United Nations Summit 2023
4. AI and the Humanities Grant 2022
5. Reporter, Understanding Safety Regulation, Harvard University-NFL Grant
6. Risk Management for the Future: Judgment, Decision Making and Choice Architecture, **Netspar Research Grant, Tilburg University**
7. 2009-10 Searle-Kauffman Fellow on Law, Innovation, and Growth
8. *ABA Litigation Section Research Fund Grant* (with Yubal Feldman)
9. Healthy Choices (with On Amir) Robert Wood Johnson Foundation Grant

CONSULTING, POLICY & BOARD WORK

- Advisory Board, Sonah.AI
- Amicus Briefs & Comments in support of the FTC's 2024 Noncompete Rule
- Sacramento – testimony before the California assembly on AI Regulation – March 2024
- Advisory Board Member, Future of Privacy Forum (FPF) 2023-current
- SIIA Data Policy Advisory Council Member, 2023-current
- Mentor for the Racial Equity in Technology Policy Accelerator, Federation of American Scientists and the Kapor Center 2023
- G7 Representative to the Japan Task Force on Digital Transformation reporting to the World Economic Forum 2023
- Guidepoint Expert to Institutional Investors in the Tech/Platform Space
- Alphasights Expert in Competition Policy
- Expert Consultant on Section 16000 of the California Business Code 2023; Led the drafting on a bill strengthening California's competition policy signed by Governor Newsom 2023.
- Committee Member, ACUS Consulting Team on Government Disclosure of Legal Materials 2022
- Consulting, Government Accountability Office; FTC re noncompete policy 2022.
- Testimony to the IL Legislature on NDAs Feb 2022
- Day One Project Report on Non-Disclosure (with Jodi Short, Evan Starr and Rachel Arnow-Richman).

- Academic Policy Consultant, Fiverr 2021-current Advising the leading marketplace platform for online services, including on ethical content moderation, trust & safety, child protection policies.
- Testimony to the CT Legislature on Non-Competes Jan 2021 (with Mark Lemley)
- Day One Project Report on Non-Competes (with Mark Lemley) Jan 2021. President Biden issued an executive order on competition policy on July 2021 largely adopting the recommendations in our report.
- Advise the FTC and Antitrust Division on noncompete policy; advise Senator Murphy's policy team on the federal non-compete bill.

EXPERT WORK

- Expert witness in *Columbitech v. NetMotion* 2024, deposed in June 2024.
- Expert witness in a major entertainment industry case on workplace organizational processes was deposed and testified before arbitrator 2023 (under seal).
- Robillard v. Opal Labs, Inc., Docket No. 3:16-cv-00780 (D. Or. May 05, 2016). Expert witness on a case about age discrimination in tech industry 2020 was deposed before the case settled (protective order).
- Expert witness in *Insight Global v. Beacon Hill* – submitted Expert Report 2018; Was Deposed in November 2018; Case settled in 2019.
- Expert witness in *John Barker v. Insight Global* – submitted Expert Report & Declaration in Support of Class Certification 2019.
- *Jefferies LLC v. Jon Alan Gegenheimer*, 19 Civ. 3147 (NRB) (S.D.N.Y. Jun. 17, 2020); No. 20-2273 (2d Cir. Jun. 3, 2021) testimony before panel in FINRA arbitration on January 30, 2019.
- Expert Consultant in major case in the entertainment industry (under seal in arbitration)
- Expert witness in employment arbitration case involving production studios, submitted expert report.
- Expert witness in *Juniper v. Palo Alto Networks*, submitted expert report.
- Consultant for plaintiffs, class action against overly broad secrecy clauses in Trump political campaigns (pro bono)

REPRESENTATIVE KEYNOTES AND INVITED TALKS

1. Book Event on the Equality Machine, AALS Section on Technology, Law, and Legal Education Programs, Jan 2025

2. Panelist, BYU Webinar on the FTC Rule, June 2024
3. Speaker, [AI and the Future of Workplace Democracy](#), May 2024
4. Keynote, La Jolla Country Club Speaker Series, May 2024
5. Speaker, [State of the Union, European Union Institute](#), Italy, May 2024
6. 10th Annual Employment Law Collaborative, May 2024
7. Speaker, University of Chicago Law Review Symposium, Apr 2024
8. Keynote, [ABA Annual Dispute Resolution Conference](#), Apr 2024
9. The Equality Machine Book Talk, Weizenbaum Institute, Berlin March 2024
10. Speaker, Dynamics of Generative AI Symposium, Berlin Mar 2024
11. Series Speaker, AI and the Future of Democracy, Mar 2024
12. Keynote, Artificial Intelligence and the Future of Humanity, Mar 2024
13. Keynote, Loyola of Los Angeles Law Review Symposium, Feb 2024
14. Keynote, [2024 Thrower Symposium](#), Emory Law Journal, Feb 2024
15. Endowed Lecture, Indiana University Annual William R. Stewart Lecture, Feb 2024
16. Keynote, [Business in the Digital Age Conference](#), Jan 2024
17. Keynote, Tech IAC OC Nov 2023
18. Keynote, [Harvard Carr Center Toward Life 3.0](#) Oct 2023
19. Series Speaker, [NYU Meltzer Center](#) Oct 2023
20. Keynote, [Stanford AI Symposium](#), Nov 2023
21. Keynote, [MetLife TechX](#), NYC Oct 2023
22. Keynote, [Generative AI Conference](#), Berkeley Sept 2023
23. Data Symposium Speaker, Lewis & Clark Sept 2023
24. Keynote IAPP November 2023
25. Keynote Orientation Speaker, Stanford Medical School August 2023
26. Book Event, Tel Aviv University Faculty of Medicine June 2023
27. Keynote, AI For Good United Nations/ITU Geneva 2023 Summit
28. Workshop on Monitoring and Enforcement, Georgetown, May 2023.
29. Keynote, Agile Governance, World Economic Forum Tokyo Summit, April 2023
30. Keynote, BILETA, Amsterdam April 2023
31. Equality Machine Book Event, University of Tilburg, April 2023
32. Equality Machine Book Event, University of San Diego, April 2023
33. Yale University Book Talk March 2023
34. NYU, Book Talk & IP Conference March 2023
35. Speaker, Employment Law Section, AALS Annual Meeting, San Diego Jan 2023

36. Tel Aviv University, Conference in honor of The Equality Machine, Dec 2022
37. Labor Law Group, USD Law, December 2022 (co-host)
38. The Equality Law Scholars' Forum, Loyola University Los Angeles, Nov 2022
39. Seattle Town Hall, Book Talk Nov 2022
40. Center for Data Innovation, Book Talk Nov 2022
41. Book Talk, Harvard Coop Bookstore, October 2022
42. Entrepreneurship and the Law Conference, Penn, Oct 2022
43. Penn Law, Book Talk Oct 2022
44. Faculty Workshop, USC Law School, Oct 2022
45. Practicing Law Institute, Book Talk Oct 2022
46. National Conference of Women's Bar Associations, Book Talk Sept 2022
47. Keynote Speaker, National Conference of State Legislatures (NCSL) on Portable Benefited hosted by Amazon, Seattle, May 2022
48. Dyess Speaker, TCU Business School, April 2022
49. Faculty Workshop, Washington University Law School, May 2022
50. Speaker, What to Expect in the New Normal Post-Pandemic, Santa Clara Law Review Symposium, April 2022
51. Speaker, Returning to Work, Berkeley Journal of Employment and Labor Law 2022 Symposium, April 2022
52. Keynote Speaker, India Annual Conference on Gross Development Knowledge Product (GDKP) March 2022
53. Speaker, NYU Annual Survey of American Law, March 2022
54. Faculty Workshop, Wharton Legal Studies & Business Ethics Series, March 2022
55. Book Talk, Humanities Center, University of San Diego, March 2022
56. Speaker, 3rd Annual Machine Lawyering Conference, Chinese University of Hong Kong, Feb 2022.
57. Speaker, University of Tokyo workshop on Gig Economy, Jan 2022.
58. Speaker, Tel Aviv University School of Management Alpha Forum 2022.
59. Speaker, APEC Conference in collaboration with Taiwan's Department of Labor, Taiwan October 2021.
60. Speaker, Institute for National Security (INSS), Israel October 2021
61. Speaker, COSELL, Conference on Scholarship in Employment and Labor Law, Vanderbilt University October 2021
62. Speaker, KCON 2021, the Annual Contract Scholarship conference, Oct 2021

63. Speaker, NY State Bar Annual Trade Secrets Conference, Sept 2021
64. Faculty Workshop, Maryland Constitutional Law and Economics Seminar, 2021
65. Silicon Valley Entrepreneurs Group, Book Talk, May 2021
66. Book Talk, Lewis & Clark University, 2020
67. Speaker, Osher Program, UCSD, 2020
68. Speaker, COSELL, Conference on Scholarship in Employment and Labor Law, 2020
69. Keynote, Friends of Tel Aviv University Event, 2020
70. Faculty Workshop, Hebrew University, June 2020
71. Law and Economics Series Speaker, Tel Aviv University 2020
72. Keynote Speaker, Annual Distinguished Lecture in Tech Law, Case Western, April 2020.
73. Speaker, Loyola University Chicago Faculty Workshop April 2020.
74. Speaker, Class Action Forum, USD March 2020
75. Speaker, Chief District Judge Conference of the 9th Circuit, Feb 2020.
76. Speaker, Notre Dame University Conference Between Truth and Power Book Event, Jan 2020.
77. Speaker, University of Texas Conference on IP & Gender, Feb 2020.
78. Keynote Speaker, Federal Trade Commission Workshop on Noncompetes, DC Jan 2020
79. Keynote Speaker, Annual Frankel Lecture, Houston Law Review, Oct 2019.
80. Speaker, Univ of British Columbia Faculty Workshop, Oct 2019.
81. Speaker, Villanova Law School Faculty Workshop, Sept 2019.
82. Speaker, Corporate Law Conference in Honor of Ronald Gilson, Wharton, Sept 2019.
83. Speaker, University of Virginia Law School Faculty Workshop, Sept 2019.
84. Speaker, UC Hastings Faculty Workshop, August 2019.
85. Speaker, Center for Private Law Speakers Series, Yale Law School April 2019
86. Keynote Speaker, IP Conference, Montana University Law School, April 2019
87. Keynote Speaker, Federal Bar Association, US District Courthouse, Seattle WA, April 2019
88. Keynote Speaker, University of Colorado Annual IP Workshop, March 2019
89. Speaker, Santa Clara Law Review Symposium on Antitrust Law, Feb 2019
90. Speaker, Mastering Class Action Mastery Forum, San Diego Jan 2019
91. Speaker, ACS Event on Gender Equity in Big Law, San Diego Jan 2019
92. Speaker, ACS National Meeting on Regulation, Washington DC, Dec 2018
93. Speaker, California Bar Association IP Institute, Nov 2018
94. Elected participant, TED Women, November 2018
95. Washington DC Author Event, Orrick DC, Oct 2018
96. Georgetown University, Book Talk, Oct 2018

97. Faculty Workshop, UCI Law Faculty, Oct 2018
98. Speaker, Conference on Behavioral Law and Leadership, George Washington University, Oct 2018
99. Speaker, Notre Dame Roundtable on Governance, Sept 2018
100. Speaker, Conference on AI & Law, Berkeley, Sept 2018
101. Book Talk, Humanities Center, USD, Sept 2018
102. Bar Ilan University, Faculty Workshop, July 2018
103. Keynote Speaker, Law and Governance in Globalization, Yale-China Center Conference, Beijing May 2018 ; additional lectures at Renmin University and Peking University.
104. Keynote Speaker, Lawyers Club San Diego, Pay Equity Day Luncheon, April 2018
105. Speaker Trade Secrets Summit, AIPLA March 2018
106. Speaker, Gender Sidelining Conference, April 2018
107. Spring 2018 Book talks: Harvard Law School, Northeastern University, Suffolk, Chicago-Kent, Berkeley, USD, UC Irvine, UCSD.
108. Speaker, Conference on The Future of Legal Scholarship, invited speaker (other speakers include Judge Posner and Mark Lemley), April 2018.
109. AALS Panels, Jan 2018, Section on Employment and Labor Law; Section on Economic Development.
110. Evil Twin Debate, IP Forum, Jan 2018, debating DTSA and trade secrecy.
111. Plenary Speaker, State of Our State, ASU October 2017.
112. Speaker, Platform Law Conference, UC-Berkeley Law School April 2017.
113. Speaker, Berkeley-USD Business Law Meet-Up Las Vegas March 2017.
114. Keynote speaker University of Missouri School of Law's Implementing and Evaluating the Defend Trade Secrets Act, March 10 2017.
115. 17th Annual Women and the Law Conference TJ School of Law, Panel Chair and Moderator, February 2017.
116. Speaker, Inauguration Conference of Center on Disability Law, Loyola Law School, Jan 2017.
117. Public lecture in the Grande Bibliotheque du Quebec in Montreal on the Sharing Economy, January, 2017.
118. Speaker, Workshop on Regulating the Sharing Economy at the University of Sherbrooke, Longueuil, Jan 2017.
119. Labor Law Group, Annual Meeting, UCLA Faculty Center Dec 2016.
120. Speaker, Fischman Anniversary Conference, Waldorf Astoria Hotel, Jerusalem, Nov 2016.
121. Faculty Workshop, The Law of the Platform, Fordham University School of Law Sept 2016.

122. The White House – presidential policy team meeting about non-competes, invited to present research and book Talent Wants to Be Free. Subsequently, member of White House working group, culminating in a Call for Action to the States, August 2016.
123. Speaker, Talent Wants to Be Free, San Diego Regional EDC's Economic Development Committee, May 2016.
124. Speaker, Gruter Institute Annual Conference, Squaw Valley, May 2016.
125. Employment Law and Technology, Hofstra Univ., presentation on BYOD to work implications for human capital law, May 2016.
126. Old Regulatory Models, New Technologies, speaker at event sponsored by Engine and the Berkeley Center for Law & Technology.
127. Faculty Workshop, Georgetown, April 2016
128. 2th Annual Pemberton Lecture, 9th Circuit Court of Appeal Courthouse, Feb 2016.
129. Faculty Workshop, UC Davis, Feb 2016
130. Faculty Workshop, SMU, Feb 2016.
131. Faculty Workshop, BYU, Feb 2016
132. Faculty Workshop, UCI, Jan 2016
133. Faculty Workshop, Michigan Law School, Oct 2015
134. Faculty Workshop, Iowa Law School, Sept 2015
135. Business Law Forum, Lewis & Clark Sept 2015
136. IP Notice, Boston Law Review Symposium, Sept 2015
137. Talent Summit, Monterey Oct 2015
138. Understanding the Effect of Regulation on Innovation, George Washington University, March 2015
139. Innovation Beyond IP, Yale University, March 2015
140. Faculty Workshop, Haas UC Berkeley Feb 2015
141. Faculty Workshop, BYU, Nov 2014
142. Knowledge Summit, Harvard Club, NY, Nov 2014
143. Trade Secret Summit, Intel, Nov 2014.
144. Human Capital Law, three lectures in Seoul National University and Samsung, Korea, Nov 2014.
145. Faculty Workshop, USC, Oct 2014
146. Faculty Workshop, Cardozo, October 2014
147. Start-ups and IP, University of Tokyo, September 2014
148. Book Talk, University of British Columbia, September 2014

149. Law and Society Association Annual Meeting, June 2014
150. Faculty Workshop, Notre Dame Law School, April 2014
151. Talent Wants to Be Free, NYU, NY April 2014
152. Innovation Motivation, Hofstra, NY April 2014
153. The New Cognitive Property, Yale Law School, New Haven March 2014
154. Behavioral Economics and Policy, EUI, Florence, Italy, March 2014
155. Faculty Workshop, Thomas Jefferson School of Law, Feb 2014
156. Faculty Workshop, University of Nevada School of Law, Feb 2014
157. Human Rights and Human Mind, Tel Aviv, December 2013
158. Emerging Issues in Employment Law, Appellate Judges Education Summit, San Diego November 2013.
159. Talent Wants to Be Free, University of Georgia, October 2013
160. Human Capital and Talent Wars, Annual Employment Law Scholars, Las Vegas September 2013
161. Governance and Behavioral Law, Universite Paris Sud, Paris July 2013
162. Whistleblowing and Good Governance, Law and Society Annual Meeting, Boston June 2013
163. Non-Competes and Endogenous Growth Theory, Emory University, April 2013
164. Age and Risk Taking, University of Georgia Business School, April 2013
165. Innovation Motivation, Faculty Workshop, University of Denver, Feb 2013.
166. Human Capital Law, Law and Business Speakers Series, University of Colorado, Feb 2013.
167. Human Capital Law, WIPIP, Seton Hall, Feb 2013
168. Risk Management for the Future, Insurance and Consumer Law Section, AALS 2013.
169. Whistleblowing and Privatization, Israeli Law and Society Conference, Dec 2012.
170. Human Capital Law, Law and Economics Workshop, Tel Aviv University, Dec 2012.
171. Risk Management for the Future, CELS, Stanford University November 2012.
172. Innovation Motivation, MLEA, Washington University, October 2012.
173. IASC, Building Institutions for Sustainable Scientific, Cultural and Genetic Resources Commons, Louvain, Belgium, September 2012
174. Knowledge Networks and Knowledge Network Governance, UNIDO, Vienna, September 2012
175. Comparative Administrative Law in Asia, Sinica Institute, Taipei, Closing Plenary Speaker, August 2012
176. Antitrust and Employment Law, Annual Labour and Employment Law Conference, Eilat March 2012
177. IZA - Institute for the Study of Labor, Germany, March 2012.

178. Symposium on Whistleblowing Law, University of Houston School of Law, March 2012.
179. The Japan Institute for Labour Policy and Training, Tokyo, February 2012.
180. Business and Finance Law Conference, Athens, Greece, December 2011.
181. America Invents Act Conference, Bar Ilan University, December 2011.
182. Contracts: Economic, Behavioral, and Empirical Perspectives, Hebrew University, Dec 2011.
183. Law and Economics Conference, Italy, December 2011.
184. Faculty Workshop, Haifa University, December 2011.
185. Faculty Workshop, Interdisciplinary Center, Herzliya, November 2011.
186. University of Pennsylvania School of Law, Center for Innovation and Competition, Faculty Workshop, September 2011.
187. Peking University, Conference on Regulation and Governance, July 2011
188. Law and Society Association Annual Meeting, June 2011
189. American Law and Economics Association, Columbia, May 2011
190. University of Pittsburg Faculty Workshop, April 2011
191. Law and Economics Workshop, Boston University March 2011
192. Faculty Workshop, Pepperdine Law School Feb 2011
193. National Health Policy Conference, Arizona State Jan 2011
194. IP Scholars (Plenary Presentation) Berkeley, August 2010
195. International Health Economics Conference, Helsinki July 2010
196. Faculty Workshop, Bar-Ilan University July 2010
197. Labor Law Group, Biennial Meeting, UCLA Arrowhead Center, June 2010.
198. American Law and Economics Association, Princeton, May 2010
199. ABA Section on Employment and Labor Law Annual Meeting, Coronado, March 2010
200. Law and Economics Conference at Chapman, March 2010
201. Innovation and Law Conference, USC, March 2010
202. Faculty Workshop, Cornell Law School, February 2010.
203. Law, Innovation and Growth, Florida Jan 2010.
204. Robert Wood Johnson Foundation, Grantee Annual Meeting, Philadelphia Jan 2010
205. Israeli Law and Society Annual Meeting, December 2009.
206. Law and Technology Workshop, Tel-Aviv/IDC, December 2009.
207. Behavioral Law and Economics, Haifa, December 2009.
208. Faculty Workshop, Vanderbilt Law School, November 2009.
209. Aspiring Law Professor Conference, Arizona State October 2009.
210. Law, Innovation and Growth, Searle Center, Northwestern, October 2009.

211. Conference on Empirical Legal Studies, Berkeley, April 2009.
212. Law and Society Annual Meeting, Denver, May 2009.
213. American Association of Law School, Mid-Year Meeting, June 2009.
214. Faculty Workshop, UC Hastings School of Law, January 2008.
215. Faculty Forum, Hebrew University School of Law, December 2008.
216. International Law and Society Meeting, Hebrew University, December 2008.
217. Faculty Workshop, Loyola LA School of Law, October 2008.
218. Annual Conference of Employment and Labor Law Scholarship October 2008, San Diego (co-organizer).
219. The Lawyer's Role, Fordham Law Review Symposium, September 2008.
220. Regulation & Governance CRN, LSA May 2008, Montreal.
221. The Global Workplace: Expanding Intellectual Borders with International and Comparative Workplace Law, Thomas Jefferson School of Law, February 2008.
222. AALS Annual Meeting 2008, Law and Economics Section Panel, NYC. Beyond Adversarial Governance, UC Hastings College Of The Law, February 2008.
223. Conference on International Trade, Ethics and Corporate Accountability, University of Melbourne, December 2007.
224. Faculty Presentation, University of Melbourne, December 2007.
225. Faculty Presentation, Tel-Aviv University Faculty of Law, November 2007.
226. Northwestern Law Faculty Workshop, November 2007.
227. Employment and Labor Law Junior Faculty Forum, Seton Hall, October 2007.
228. University of North Carolina Faculty Workshop, October 2007.
229. University of Alabama Faculty Workshop, September 2007.
230. Faculty Workshop, Southwestern University of Finance and Economics (SWUFE), China, August 2007.
231. Loyola-LA School of Law, Faculty Workshop, March 2007.
232. Thomas Jefferson School of Law, Faculty Workshop, February 2007.
233. AALS Annual Meeting 2007, Presentation on the Employment and Labor Law Section Panel, Washington DC, January 2007.
234. Wal-Mart Matters, Symposium of the Connecticut Law Review, Oct 2006.
235. Colloquium on Current Scholarship in Labor and Employment Law, Marquette University, October 2006.
236. Law and Society Association, Annual Meeting, Baltimore, July 2006.
237. Regulation and Rights Conference, Baltimore, July 2006.

238. The Labor Law Group Annual Meeting, Saratoga Springs, N.Y., June 2006.
239. The Rise of New Governance and the Transformation of Law, University of Wisconsin School of Law, April 2006.
240. The Rights and Wrongs of Discrimination, University of San Diego Institute of Law and Philosophy, April 28-29, 2006.
241. Georgetown Law Center Faculty Workshop, October 2005.
242. Thomas Jefferson School of Law, Faculty Workshop, October 2005.
243. Conference on Entrepreneurship and Human Rights, Fordham University, August 2005.
244. Summer Institute of Law and Society, Oxford, July 2005 (with full grant).
245. Law and Society Association, Annual Meeting, Las Vegas June 2005.
246. New Governance in a Globalized World: A Critical Engagement with the Emergence of Soft Law and Non-State Norms and Regulation, Harvard University, February 2005.
247. Conference on Comparative Administrative Law, UCSD political science dept.-USD law, January 2005.

TEACHING INTERESTS

Tech Policy & Strategy
 Competition Law and Platform Regulation
 Artificial Intelligence and Ethical Automation
 Employment Law; Employment Discrimination; Labor Law
 Intellectual Property; Trade Secrets; Copyright Law; IP Strategy & Corporate Innovation;
 Law and Technology
 Entrepreneurship and the Law; Consumer Law
 Contracts; Torts
 Regulatory Governance; The Regulatory Process
 Behavioral Law and Economics; Consumer Law

LANGUAGES

English & Hebrew – native
French - fluent
Spanish & Arabic – basic

UNIVERSITY COMMITTEES & SERVICE

Professorship Oversight Committee 2023-current
 Coordinator, University of San Diego Law School Faculty Speakers Series
 Woman of Impact Faculty Award (Nomination by Students), 2018, 2020, 2021
 Woman of Valor, Woman Law Student Association, 2021, 2022
 University-wide IRB Committee, 2019-present.

Faculty Development Committee, 2015-2018.

Chair, Faculty Appointments Committee, USD School of Law, 2014-2016

Faculty Appointments Committee, USD School of Law, 2009-2018; 2021-22

Faculty Representative to USD's Compensation Audit Committee

Law Faculty Ambassador, CARE project, to increase campus awareness for reporting sexual assault

Member, University of San Diego, University Senate's Faculty Status Committee.

Member, University of San Diego, Curriculum Committee for the New
Peace and Justice School.

Member, University of San Diego, Search Committee for the LRC Director.

Judge, Member, University of San Diego, Law School Mock Trial Sessions

Faculty Advisor, Employment and Labor Law Student Association

Faculty Advisor, Students for Reproductive Justice

Faculty Advisor, Women's Law Association

Faculty Advisor, Jewish Law Student Association

PROFESSIONAL ASSOCIATIONS & ACTIVITIES

Founding Board Member, Fair Pay Alliance

Annual Judge, Eric Hoffer Award Book Awards 2020-current

Area Reviewer, ALEA

Area Reviewer, ELEA

Advisory Board, CaseText

Advisory Board, Opening.co

Elected Member, American Law Institute (ALI)

Vice Chair, Collaborative Governance Section, Administrative Law & Regulatory Practice, ABA

Advisory Board, San Diego Lawyer Chapter of the American Constitution Society, 2010-Current

Advisory Board, The Employee Rights Center, 2010-Current

International Advisory Board Member, Oxford Handbook on Governance, 2009-2011.

Jurist, Foundation for the Science and Technology of Portugal, Adjudication Panel in Political
Science and Law, 2009; 2010.

Committee Member, 2007-2010, Committee on Curricular Reform, AALS

Committee Member, 2007-2009, Student Article Prize, LSA.

Reviewer for Oxford Press, NYU Press, Cornell Press, UC Press; Aspen Press; Cambridge
University Press.

Jurist, Pace Faculty Law Scholarship Competition.

Referee for Regulation & Governance

Referee for Law & Policy

Referee for Law and Society Review

Consultant, Law360

Member, Regulation Research Network.

Member, Labor Law Group

Member, Labor Law CRN-LSA.

Member, IRRA - Industrial Relations Research Association.

Vice Chair, 2007-08 Committee on Collaborative Governance, Admin Law Sec of the ABA

Member, 2004-2006, Committee on the Conditions of Work, Law and Society Association.

Member, 2003-2005, Connections Committee, Law and Society Association