

## URŠKA VELIKONJA

Georgetown University Law Center  
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Washington, DC 20001

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301.787.8950 (cell)

### ACADEMIC APPOINTMENTS

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<b>GEORGETOWN UNIVERSITY LAW CENTER</b>	2017–present
Professor of Law Visiting Professor of Law (2016–17)	
<b>EMORY UNIVERSITY SCHOOL OF LAW</b>	2013–2017
Associate Professor of Law Assistant Professor of Law (2013–15)	
<b>DUKE UNIVERSITY SCHOOL OF LAW</b>	Spring 2016
Visiting Associate Professor of Law	
<b>THE UNIVERSITY OF CHICAGO LAW SCHOOL</b>	Fall 2015
Visiting Professor of Law	
<b>UNIVERSITY OF MARYLAND, FRANCIS KING CAREY SCHOOL OF LAW</b>	2011–2013
Assistant Professor of Law	

### EDUCATION

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<b>HARVARD LAW SCHOOL, J.D. <i>magna cum laude</i></b>	2009
<i>Harvard Environmental Law Review</i> , Senior Editor <i>Harvard Journal of Law and Technology</i> , Article Editor HLS TaxHelp, Volunteer	
<b>HARVARD LAW SCHOOL, LL.M.</b>	2003
Ron Brown Fellowship, U.S. Department of State Central Bank of Slovenia Graduate Fellowship	
<b>UNIVERSITY OF LJUBLJANA, SCHOOL OF LAW, LL.B. with honors</b>	2002
Class Rank: 1 of 368 Central Bank of Slovenia Award for Best Thesis	

### SCHOLARSHIP

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#### Works in Progress

*Securities Enforcement*, in ELGAR ENCYCLOPEDIA OF LAW AND ECONOMICS, CORPORATE LAW AND ECONOMICS (Adam Badawi, ed.) (forthcoming 2019).

*Securities Enforcement After Kokesh*, working paper.

*Agency Settlement and Legal Change*, working paper.

*Admissions in Public Enforcement*, working paper.

### **Articles**

*Patterns of Nonenforcement*, 93 NOTRE DAME L. REV. 1549–67 (2018) (invited symposium contribution).

- Results featured in the *Wall Street Journal*, the *Washington Post*, *Bloomberg News*, the *Boston Globe*, *Le Monde*.

[\*Are the SEC's Administrative Law Judges Biased? An Empirical Investigation\*](#), 92 WASHINGTON LAW REVIEW 315–370 (2017).

- Selected for presentation at the 2017 Stanford/Harvard/Yale Junior Faculty Forum and the 2016 Conference on Empirical Legal Studies.
- Reviewed by William Funk, *Factoids, Alternative Facts, and the Truth*, JOTWELL (June 9, 2017).
- Discussed in the *New York Times* and the *Financial Times*.

[\*Reporting Agency Performance: Behind the SEC's Enforcement Statistics\*](#), 101 CORNELL LAW REVIEW 901–980 (2016).

- Reprinted in the 58 CORPORATE PRACTICE COMMENTATOR 901 (2017) (Robert Thompson, ed.).
- Cited in SEC v. Caledonian Bank Ltd., 15cv895 (S.D.N.Y., Sept. 28, 2016)
- Featured in an exclusive story by *Bloomberg*, and discussed in *The Economist*, *The Guardian*, *Reuters*, and the *Wall Street Journal*.
- Recommendations implemented by the SEC and discussed in a keynote address by SEC Commissioner Michael Piwowar at the 34<sup>th</sup> Annual Current Financial Reporting Issuer Conference (New York, NY, Nov. 16, 2015).

[\*Public Compensation for Private Harm: Evidence from the SEC's Fair Fund Distributions\*](#), 67 STANFORD LAW REVIEW 331–395 (2015).

- Honored by the CORPORATE PRACTICE COMMENTATOR as one of Top Ten Corporate and Securities Articles of 2015.
- Selected for presentation at the 2014 Stanford/Harvard/Yale Junior Faculty Forum and the 2014 Conference on Empirical Legal Studies.
- Quoted in the *Financial Times*, *Reuters*, *The Economist*, *The Globe and Mail*, and the *Wall Street Journal*.

[\*Waiving Disqualification: When Do Securities Violators Receive a Reprieve?\*](#), 103 CALIFORNIA LAW REVIEW 1081–1137 (2015).

- Discussed in a keynote address by SEC Commissioner Daniel Gallagher at the 37<sup>th</sup> Annual Conference on Securities Regulation and Business Law (Dallas, TX, Feb. 13, 2015).
- Recommendations from the article have been included in legislation introduced by Congresswoman Maxine Waters (D-CA).

[\*Distortion Other Than Price Distortion\*](#), 93 WASHINGTON UNIVERSITY LAW REVIEW 425–451 (2015).

[\*The Political Economy of Board Independence\*](#), 92 NORTH CAROLINA LAW REVIEW 855–916 (2014).

- Featured in the *Financial Times*, *The New York Times*, and *Reuters*.

[\*The Cost of Securities Fraud\*](#), 54 WILLIAM & MARY LAW REVIEW 1887–1957 (2013).

- Reprinted in 46 SECURITIES LAW REVIEW § 4:3 (2014) (Donald C. Langevoort, ed.).
- Third Prize at Junior Faculty Business and Financial Law Workshop sponsored by Center for Law, Economics & Finance, George Washington University Law School.

- Testified at the PCAOB Standing Advisory Group Meeting, Nov. 13, 2013.

[\*Leverage, Sanctions, and Deterrence of Accounting Fraud\*](#), 44 U.C. DAVIS LAW REVIEW 1281–1345 (2011).

[\*Making Peace and Making Money: Economic Analysis of the Market for Mediators in Private Practice\*](#), 72 ALBANY LAW REVIEW 257–291 (2009).

- Translated into Portuguese and circulated to Brazilian legislators by the Conselho Nacional de Justiça (National Justice Council of Brazil) (November 2013)

### **Briefs, Essays and Shorter Works**

*(Non)enforcement and the Rule of Law: Can Bučar Provide Some Clues?*, in AT HIS CROSSROADS: REFLECTIONS ON THE WORK OF FRANCE BUČAR (Igor Kovač, ed., forthcoming 2018).

[\*What is Lucia About?\*](#), YALE J. ON REG. NOTICE & COMMENT (Apr. 11, 2018) (invited symposium contribution).

[\*Brief for Urška Velikonja and Joseph A. Grundfest as Amici Curiae in Support of Neither Party\*](#), Lucia v. SEC, No. 17-130, U.S. Supreme Court (filed February 28, 2018).

[\*Behind the SEC's Enforcement Statistics: Does the U.S. Securities Regulator Misreport Its Own Performance\*](#), CAYMAN FINANCIAL REVIEW (July 18, 2017).

[\*Securities Settlements in the Shadows\*](#), 126 YALE LAW JOURNAL FORUM 124–138 (2016).

[\*Politics in Securities Enforcement\*](#), 50 GEORGIA LAW REVIEW 17–41 (2015) (invited symposium contribution).

[\*Team Production Theory and Securities Laws\*](#), 38 SEATTLE UNIVERSITY LAW REVIEW 725–37 (2015) (invited symposium contribution).

*Negotiating Executive Compensation in Lieu of Regulation*, 25 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 621–666 (2010).

*The Costs of Multiple Gestation Pregnancies in Assisted Reproduction*, 32 HARVARD JOURNAL OF LAW & GENDER 463–504 (2009).

### **Other publications**

[\*Behind the Annual SEC Enforcement Report: 2017 and Beyond, Part III\*](#), Program on Corporate Compliance and Enforcement at New York University School of Law (Nov. 29, 2017), [https://wp.nyu.edu/compliance\\_enforcement/2017/11/29/behind-the-annual-sec-enforcement-report-2017-and-beyond-part-iii/](https://wp.nyu.edu/compliance_enforcement/2017/11/29/behind-the-annual-sec-enforcement-report-2017-and-beyond-part-iii/).

[\*Behind the Annual SEC Enforcement Report: 2017 and Beyond, Part II\*](#), Program on Corporate Compliance and Enforcement at New York University School of Law (Nov. 27, 2017), [https://wp.nyu.edu/compliance\\_enforcement/2017/11/27/behind-the-annual-sec-enforcement-report-2017-and-beyond-part-ii/](https://wp.nyu.edu/compliance_enforcement/2017/11/27/behind-the-annual-sec-enforcement-report-2017-and-beyond-part-ii/).

[\*Behind the Annual SEC Enforcement Report: 2017 and Beyond, Part I\*](#), Program on Corporate Compliance and Enforcement at New York University School of Law (Nov. 22, 2017), [https://wp.nyu.edu/compliance\\_enforcement/2017/11/22/behind-the-annual-sec-enforcement-report-2017-and-beyond-part-i/](https://wp.nyu.edu/compliance_enforcement/2017/11/22/behind-the-annual-sec-enforcement-report-2017-and-beyond-part-i/).

[\*SEC Settlements After Dodd-Frank\*](#), THE CLS BLUE SKY BLOG (Oct. 18, 2016), <http://clsbluesky.law.columbia.edu/2016/10/18/sec-settlements-after-dodd-frank/>.

[\*Public Compensation for Private Harm: SEC's Fair Fund Distribution\*](#), HARVARD LAW SCHOOL FORUM ON CORP. GOVERNANCE AND FIN. REG. (Apr. 30, 2014), <https://corpgov.law.harvard.edu/2014/04/30/public-compensation-for-private-harm-secs-fair-fund-distribution/>.

[Independent Directors as a Handy Political Tool](http://clsbluesky.law.columbia.edu/2013/12/05/independent-directors-as-a-handy-political-tool/), THE CLS BLUE SKY BLOG (Dec. 5, 2013), <http://clsbluesky.law.columbia.edu/2013/12/05/independent-directors-as-a-handy-political-tool/>.

[Making Peace and Making Money](#), ABA DISPUTE RESOLUTION MAGAZINE, Winter 2011, at 20 (solicited).

*Commercial Collections in Slovenia*, in INTERNATIONAL COMMERCIAL DEBT COLLECTION (David Franklin ed., 2007).

*On Translating the European Constitution: Drafted in Two Languages, Law in Twenty-Seven*, 41 JAVNA UPRAVA 890 (2005).

*Corporate Governance of State-owned Enterprises*, in CORPORATE GOVERNANCE IN SLOVENIA 113 (Katarina Zajc ed., 2004).

*Companies Law Amended to Implement E.U. Directives*, TAX PLANNING INT'L: EUROPEAN UNION FOCUS, BNA INTERNATIONAL, July/August 2004 (with Aleš Lunder).

*Investigating White-Collar Crime and Corruption*, PRAVNA PRAKSA, Jan. 1999, at 2–3.

## PAPER PRESENTATIONS

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### *Securities Enforcement After Kokesh*

- Corporate Law Conference, Tulane University Law School, New Orleans, LA (Mar. 16, 2019) [scheduled]
- Business Law Seminar, UT Austin Law School (Feb. 11, 2019) [scheduled]
- Corporate & Securities Litigation Workshop, University of Richmond School of Law (Oct. 19, 2018)

### *Administrative Settlements and Legal Change*

- Winter Deals Conference, Brigham Young University, Park City, UT (Mar. 1-2, 2018)
- Faculty Workshop, University of Wisconsin Law School (Oct. 18, 2017)

### *Accountability for Nonenforcement*

- Corporate Law Conference, Tulane University Law School, New Orleans, LA (Mar. 17, 2018)
- Institute of Criminology at the Faculty of Law Ljubljana (Jan. 11, 2018)
- Notre Dame Law Review Symposium, Notre Dame Law School (Nov. 10, 2017)

### *Admissions in Public Enforcement*

- Navigating Federalism in Corporate and Securities Law, Tulane University Law School, New Orleans, LA (Apr. 1, 2017)
- Faculty Workshop, Georgetown University Law Center (Nov. 29, 2016)

### *Are the SEC's Administrative Law Judges Biased? An Empirical Investigation (also presented as *Winning and Losing Against the SEC*)*

- The Wharton School at the University of Pennsylvania (March 29, 2018)
- Stanford/Harvard/Yale Junior Faculty Forum, Stanford Law School (June 6–7, 2017)
- Faculty Workshop, University of Virginia School of Law (Feb. 10, 2017)
- Conference on Empirical Legal Studies, Duke Law School (Nov. 18–19, 2016)
- Faculty Workshop, UC Hastings Law School (Oct. 11, 2016)
- Law & Economics Seminar, UC Berkeley School of Law (Oct. 10, 2016)
- Faculty Workshop, William & Mary Law School (Sept. 15, 2016)
- Midwestern Law and Economics Annual Meeting, Emory University School of Law (Sept. 9–10, 2016)
- Junior Business Law Conference, University of Colorado School of Law (July 7–8, 2016)

### *Reporting Agency Performance: Behind the SEC's Enforcement Statistics*

- 15<sup>th</sup> Annual North American OffshoreAlert Conference, Miami, FL (May 2, 2017)
- Faculty Workshop, Tulane University Law School (Feb. 15, 2016)
- Faculty Workshop, Duke Law School (Jan. 29, 2016)

AALS Section on Securities Regulation, New York, NY (Jan. 7, 2016)  
 Faculty Workshop, The University of Chicago Law School (Nov. 5, 2015)  
 Faculty Workshop, IIT Chicago-Kent College of Law (Oct. 13, 2015)  
 Corporate & Securities Litigation Workshop, Boston University (Oct. 2, 2015)  
 Faculty Workshop, University of Illinois College of Law (Sept. 24, 2015)

*Distortion Other Than Price Distortion*

Institute for Law and Economic Policy, Scottsdale, AZ (Apr. 17, 2015)

*Waiving Disqualification: When Do Securities Violators Receive a Reprieve?*

Corporate & Securities Litigation Workshop, University of Richmond (Oct. 25, 2014)  
 UGA/Emory Faculty Workshop, Emory Law School (July 30, 2014)  
 Junior Business Law Conference, University of Colorado School of Law (July 11, 2014)

*Public Compensation for Private Harm: Evidence from the SEC's Fair Fund Distributions*

Conference on Empirical Legal Studies, UC Berkeley Law School (Nov. 8, 2014)  
 Faculty Workshop, Duke Law School (Oct. 6, 2014)  
 Law & Business Workshop, Vanderbilt Law School (Sept. 22, 2014)  
 Faculty Workshop, Emory Law School (Aug. 27, 2014)  
 Harvard/Stanford/Yale Junior Faculty Forum, Stanford Law School (June 27, 2014)  
 Eugene P. and Delia S. Murphy Conference on Corporate Law, Fordham Law School (May 13, 2014)  
 Corporate & Securities Litigation Workshop, Chicago, IL (Nov. 8, 2013)

*Team Production Theory and Securities Laws*

Sixth Annual Adolf A. Berle Jr. Symposium on Corporations, Law, and Society, Seattle University School of Law (June 24, 2014)

*The Political Economy of Board Independence*

Southeast Jr/Sr Faculty Workshop, Emory University School of Law (Nov. 16, 2013)  
 Law and Capital Market Speaker Series, Ohio State University, Moritz College of Law (Oct. 16, 2013)  
 Junior Business Law Conference, University of Colorado School of Law (July 12, 2013)

*The Cost of Securities Fraud (also presented as The Social Cost of Financial Misrepresentations)*

PCAOB Standing Advisory Group Meeting, Washington, DC (Nov. 13, 2013)  
 Faculty Workshop, Emory University School of Law (Nov. 14, 2012)  
 Midwest Law and Economics Annual Meeting, Washington University Law School (Oct. 13, 2012)  
 Southeastern Law Schools (SEALS) Annual Meeting, Amelia Island, FL (Aug. 3, 2012)  
 Law & Society Annual Meeting, Honolulu, HI (June 5, 2012)  
 Arizona State University Legal Scholars Conference (March 17, 2012)  
 Faculty Workshop, Loyola Law School, Los Angeles, CA (March 15, 2012)  
 Center for Law, Economics & Finance, George Washington University Law School (Feb. 10, 2012)  
 Faculty Workshop, Villanova University School of Law (Oct. 19, 2011)  
 Junior Faculty Workshop, University of Maryland Francis King Carey School of Law (Oct. 11, 2011)

*Leverage, Sanctions, and Deterrence of Accounting Fraud*

Junior Faculty Retreat, Arizona State University Sandra Day O'Connor College of Law (Jan. 13, 2010)  
 Faculty Workshop, Arizona State University Sandra Day O'Connor College of Law (Oct. 29, 2009)

*Making Peace and Making Money: Economic Analysis of the Market for Mediators in Private Practice*

Annual Conference of the Center for Alternative Dispute Resolution, Greenbelt, MD (June 18, 2009)

*On Translating the European Constitution*

Tenth Annual Dnevi javnega prava, Portorož, Slovenia (June 14, 2004)

## OTHER PRESENTATIONS

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Panelist, Yale Journal on Regulation Symposium, New Haven, CT (Mar. 22, 2019) [scheduled]

Panelist, Dorsey Enforcement Forum, Washington, DC (Dec. 5, 2018)

Panelist, “At His Crossroads: Reflections on the Work of France Bucar,” Slovenian Paneuropean Movement, Ljubljana, Slovenia (June 21, 2018)

Discussant on papers by James Cox & Randall Thomas and by Frank Partnoy, Institute for Law and Economic Policy, Miami Beach, FL (April 18, 2018)

Discussant on papers by Afra Afsharipour & Travis Laster and by Matthew Cain, Jill Fisch, Steven Solomon & Randall Thomas at Tulane University Law School, New Orleans, LA (Mar. 17, 2018)

Discussant on paper by Joseph Kalmenovitz, 14<sup>th</sup> Annual NYU/Penn Conference on Law and Finance, University of Pennsylvania Law School (February 23-24, 2018)

Discussant on papers by Robert E. Bishop, Robert J. Jackson, Jr. & Joshua R. Mitts and Edward B. Rock & Daniel L. Rubinfeld at “Navigating Federalism in Corporate and Securities Law,” Tulane University Law School, New Orleans, LA (Apr. 1, 2017)

Panel Moderator, “Financial Markets After the Election,” Emory Law Centennial, New York, NY (February 16, 2017)

Panelist, “The New Normal of Financial Fraud: The Role of Lawyers, Regulation and Litigation,” Institute for Investor Protection Conference, Loyola University Chicago School of Law (October 7, 2016)

Participant, Financial Stability Group Meeting, Washington, DC (March 25, 2016)

Guest lecturer, “Securities Enforcement in the United States,” FGV Direito SP, Sao Paulo, Brazil (Nov. 23, 2015)

Discussant on Stephen Choi & A.C. Pritchard, *SEC Enforcement Attorneys: Should I Stay or Should I Go?*, Conference on Empirical Legal Studies, Washington University School of Law (Oct. 30, 2015)

Poster, *Reporting Agency Performance: Behind the SEC's Enforcement Statistics*, Conference on Empirical Legal Studies, Washington University School of Law (Oct. 30, 2015)

Panelist, Investor Recovery Conference, Osgoode Hall Law School at York University, Toronto, Canada (Oct. 26, 2015)

Speaker, “Financial Regulations: Reflections and Projections,” Georgia Law Review Symposium (Mar. 20, 2015)

Discussant on Douglas Cumming, T.Y. Leung & Oliver Rui, *Gender Diversity and Securities Fraud*, Conference on Empirical Legal Studies, UC Berkeley Law School (Nov. 8, 2014)

Panelist, “Public and Private Enforcement after Halliburton, ATP, and Boilermakers,” Global Financial Markets Center, Duke University School of Law (Sept. 26, 2014)

Commentator on Samuel Buell, *Corporations as Criminals*, Conference on the Law and Social Order, Emory University (Sept. 12, 2014)

Discussant, “Does the Public/Private Divide in Federal Securities Regulation Make Sense?,” Southeastern Law Schools (SEALS) Annual Meeting, Amelia Island, FL (Aug. 6, 2014)

Commentator on Mehrsa Baradaran, *Banking and the Social Contract*, UGA/Emory Faculty Workshop, Atlanta, GA (July 30, 2014)

Commentator on Adam Badawi, *Deal Litigation, Law Firm Quality, and Firm Value*, Junior Business Law Conference, University of Colorado School of Law (July 11, 2014)

Panelist, “The Corporation: Film Screening and Panel with Author,” Emory University School of Law (Nov. 4, 2013)

Panelist, “International Law for 1Ls,” Emory University School of Law (Oct. 9, 2013)

Commentator on Aditi Bagchi, *Third-Party Losers*, Junior Business Law Conference, University of Colorado School of Law (July 11–12, 2013)

Speaker, “International Legal Practice,” Careers in International Law Speaker Series, Arizona State University Sandra Day O’Connor College of Law (Nov. 19, 2009)

## SELECTED MEDIA APPEARANCES

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ABA Journal, Above the Law, Accountingweb.com, The American Banker, Baltimore Business Journal, Bloomberg, BNA Bloomberg, Business Insider, Business Insider Italia, CFO.com, Compliance Week, Constitutional Quarterly, Corporate Crime Reporter, Courier-Journal, Dagospia, Delo, De Telegraaf, Die Zeit, The Economist, Financial Advisor, Financial Post, Financial Times, Financial Times Agenda, Forbes, The Globe and Mail, Going Concern, The Guardian, Hegnar Online, IA Watch, The Intercept, Investment News, Kleine Zeitung, Law360, Le Monde Naked Capitalism, National Law Journal, New York Times, N.Y. Times DealBook, Pensions & Investments, Politico, Portafolio, ProPublica, Reuters, Roll Call, SCOTUSBlog, TheStreet.com, ValueWalk, Vecer, The Venture Alley, Washington Post, WRAL.com, Yahoo! Finance.

## TEACHING

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Contracts, F ‘11, S ‘13, F ‘14, F ‘16, S ‘18, S ‘19  
 Corporate Finance (directed study), S ‘15  
 Corporate Governance: Seminar, S ‘10, S ‘13, S ‘14  
 International Corporate Governance: Seminar, S ‘07, S ‘08, S ‘09  
 Mergers & Acquisitions, S ‘14, S ‘16, Summer ‘16  
 Securities Enforcement: Seminar, S ‘17, S ‘18  
 Securities Regulation, S ‘12, F ‘13, F ‘14, F ‘15, S ‘17, F ‘17, F ‘18

## SERVICE

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### Georgetown University Law Center

Speech and Expression Committee, 2018–19  
 Entry-level Appointments Committee, 2017–18

### Emory University School of Law

Emory Corporate Governance and Accountability Review, Faculty Advisor, 2013–2016  
 Curriculum Committee, 2012–13, 2013–14  
 Special Initiatives Committee, 2014–15  
 Emory University School of Law, S.J.D. Dissertation Committee Member: Huwaida Elnayesh (2015), Audra Savage (2017)  
 Emory University, Senior Thesis Committee, Elizabeth Bruml (Political Science, 2014)

## OTHER EMPLOYMENT

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### UNIVERSITY OF LJUBLJANA, FACULTY OF LAW

December 2018 & January 2019

Visiting Professor

### UC BERKELEY SCHOOL OF LAW

Summer 2016

Visiting Professor (LL.M. Program)

<b>U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT</b> , Washington, D.C. Law Clerk, Judge Stephen F. Williams	2010–11
<b>ARIZONA STATE UNIVERSITY COLLEGE OF LAW</b> , Tempe, AZ O'Connor Fellow	2009–10
<b>HARVARD UNIVERSITY, DEPARTMENT OF ECONOMICS</b> , Cambridge, MA Sophomore Tutorial (Ec 970). Twice received Harvard University teaching award.	2007–09
<b>WILMER CUTLER PICKERING HALE &amp; DORR LLP</b> , Boston, MA Summer Associate	Summer 2008
<b>PROSKAUER ROSE LLP</b> , Boston, MA Summer Associate	Summers 2007 & 2008
<b>SCHÖNHERR RECHTSANWÄLTE OEG</b> , Ljubljana, Slovenia Lawyer, Banking & Finance Provided legal advice on international payment settlement systems ( <i>Single Euro Payments Area</i> ) and enforceability of collateralized and securitized instruments to the ECB, the World Bank, and the International Swap and Derivatives Association (ISDA). Worked on cross-border acquisitions with Daimler Chrysler, Nestle, and several European energy companies.	2003–06
<b>HIGH COURT OF LJUBLJANA</b> , Ljubljana, Slovenia Law Clerk	2003–04

#### PROFESSIONAL ACTIVITIES

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Chair, *University of Ljubljana Global Alumni and Associates Network* (2016–present)  
Grant proposal reviewer, National Science Foundation: Law and Social Sciences  
Reviewer, *Emory Law Journal*  
Reviewer, *Georgetown Law Journal* (2)  
Reviewer, *Journal of Law and Economics* (2)  
Reviewer, Oxford University Press  
Reviewer, *Yale Law Journal*