

# ADAM J. LEVITIN

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## **ACADEMIC APPOINTMENTS**

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| <b>GEORGETOWN UNIVERSITY LAW CENTER</b><br><i>Carmack Waterhouse Professor of Law and Finance (2023-present)</i><br><i>Anne Fleming Research Professor (2020-2023)</i><br><i>Agnes N. Williams Research Professor (2018-2020)</i><br><i>Professor of Law (2011-present) (tenured)</i><br><i>Associate Professor of Law (2007-2011)</i> | 2007-present |
| <b>HARVARD LAW SCHOOL</b><br><i>Bruce W. Nichols Visiting Professor of Law</i>                                                                                                                                                                                                                                                         | 2012-2013    |
| <b>AMERICAN BANKRUPTCY INSTITUTE</b><br><i>Robert Zinman Scholar in Residence</i>                                                                                                                                                                                                                                                      | Fall 2009    |
| <b>FEDERAL TRADE COMMISSION</b><br><i>Faculty, Division of Financial Practices Academy</i>                                                                                                                                                                                                                                             | Summer 2008  |

## **EDUCATION**

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| <b>HARVARD LAW SCHOOL</b> , J.D., <i>cum laude</i>                                                                                          | 2005 |
| <b>COLUMBIA UNIVERSITY</b> , M.PHIL. IN HISTORY                                                                                             | 2001 |
| <b>COLUMBIA UNIVERSITY</b> , A.M. IN HISTORY                                                                                                | 2000 |
| <b>HARVARD COLLEGE</b> , A.B. IN NEAR EASTERN LANGUAGES & CIVILIZATIONS AND HISTORY,<br><i>magna cum laude with highest honors in field</i> | 1998 |

## **OTHER PROFESSIONAL LEGAL EXPERIENCE**

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| <b>GORDIAN CRYPTO ADVISORS LLC</b><br><i>Principal</i>                                                                          | 2022-present |
| <b>DELAWARE ATTORNEY GENERAL'S OFFICE</b><br><i>Volunteer Consulting Attorney</i>                                               | 2011-2012    |
| <b>CONGRESSIONAL OVERSIGHT PANEL FOR TROUBLED ASSET RELIEF PROGRAM</b><br><i>Special Counsel</i>                                | 2008-2010    |
| <b>WEIL, GOTSHAL &amp; MANGES LLP</b> , New York, New York<br><i>Associate, Business Finance &amp; Restructuring Department</i> | 2006-2007    |
| <b>HON. JANE R. ROTH, THIRD CIRCUIT COURT OF APPEALS</b> , Wilmington, Delaware<br><i>Judicial Clerk</i>                        | 2005-2006    |

## **HONORARY PROFESSIONAL AFFILIATIONS**

- American College of Bankruptcy, Elected Fellow (2021)
- American College of Consumer Financial Services Lawyers, Elected Fellow (2021)
- American Law Institute, Elected Member (2014)

## **SCHOLARSHIP AWARDS AND GRANTS**

- Best Professional Article, American College of Consumer Financial Services Lawyers Annual Writing Competition (2025)
- Grant Gilmore Award, American College of Commercial Finance Lawyers (2022)
- Axiom Business Book Awards, Gold Medal for Real Estate (2021)
- LawDragon 500 Leading Global Insolvency and Restructuring Lawyers (2020)
- LawDragon 500 Leading U.S. Bankruptcy and Insolvency Lawyers (2020)
- Student Loan Law Initiative Research Grant for Understanding and Encouraging Enrollment in Income Driven Repayment Programs (with John Brooks and Brian Galle) (2020)
- Best Professional Article, American College of Consumer Financial Services Lawyers Annual Writing Competition (2014)
- American Law Institute, Young Scholar's Medal (2013)
- Pew Charitable Trusts, Grant for Strategies for Reviving the Housing Market (2012)
- George Washington University, Center for Law, Economics & Finance, Junior Faculty Scholarship Prize (2011)
- Walton H. Hamilton Prize for Outstanding Scholarship, *Yale Journal on Regulation* (2009)
- Best Professional Article, American College of Consumer Financial Services Lawyers Annual Writing Competition (2009)
- Editors' Prize, *American Bankruptcy Law Journal* (2007)

## **LEGAL PUBLICATIONS**

### **Books**

- CONSUMER FINANCE: SELECT FEDERAL LAW MATERIALS (CreateSpace, 4<sup>th</sup> ed. 2022)
- CONSUMER FINANCE: SELECT STATE LAW AND PRIVATE LAW MATERIALS (CreateSpace, 4<sup>th</sup> ed. 2022)
- THE GREAT AMERICAN HOUSING BUBBLE: WHAT WENT WRONG AND HOW WE CAN PROTECT OURSELVES IN THE FUTURE (Harvard University Press 2020) (with Susan Wachter)
  - “an impressive new book,” Robert J. Schiller, *N.Y. Times* (July 31, 2020)
  - “an indispensable analysis of the crisis and the far-reaching measures needed to prevent a recurrence.” *Kirkus Starred Review*
  - Axiom Business Book Awards, Gold Medal for Real Estate (2021)
- CONSUMER FINANCE: MARKETS AND REGULATION (Wolters Kluwer, 2018; 2<sup>nd</sup> edition, Aspen, 2023)
- BUSINESS BANKRUPTCY: FINANCIAL RESTRUCTURING AND MODERN COMMERCIAL MARKETS (Wolters Kluwer, 2015; 2<sup>nd</sup> edition, Wolters Kluwer, 2018; 3<sup>rd</sup> edition, Aspen, 2023)

- CONSUMER BANKING AND PAYMENTS LAW (Nat'l Consumer Law Center, 5<sup>th</sup> ed., 2013; 2014 supplement) (with Lauren Saunders *et al.*)

#### Articles (published or accepted for publication)

- *Death of Consumer Contract*, 68 ARIZ. L. REV. (forthcoming 2026)
- *Predatory Small Business Lending: Market and Regulatory Failures*, 42 YALE J. ON REG. 732 (2025)
- *Samson's Toupée: The Source-of-Strength Doctrine in Bankruptcy*, 41 YALE J. ON REG. 1078 (2024) (invited contribution)
- *The New Usury: The Ability-to-Repay Revolution in Consumer Finance*, 92 GEO. WASH. L. REV. 425 (2024)  
–Winner, American College of Consumer Financial Services Lawyers Annual Writing Competition
- *The Financial Inclusion Trilemma*, 41 YALE J. ON REG. 109 (2024)
- *Not Your Keys, Not Your Coins: Custodial Credit Risk in Cryptocurrency*, 101 TEX. L. REV. 877 (2023)  
–Reviewed in JOTWELL, Oct. 2022  
–Winner, Grant Gilmore Award, American College of Commercial Finance Lawyers  
–Reprinted in 65 CORP. PRACTICE COMMENTATOR 873 (2024)
- *Judge Shopping in Chapter 11 Bankruptcy*, 2023 ILL. L. REV. 351 (2023)
- *The Constitutional Problems with Nondebtor Releases in Chapter 11 Bankruptcy*, 90 FORDHAM L. REV. 429 (2022)
- *Purdue's Poison Pill: The Breakdown of Chapter 11's Checks and Balances*, 100 TEX. L. REV. 1079 (2022)  
–Response piece by Jonathan C. Lipson, *First in Time; First is Right: Comments on Levitin's Poison Pill*, 101 TEX. L. REV. ONLINE (2022)
- *The Spurious Pedigree of the "Valid-When-Made" Doctrine*, 71 DUKE L.J. ONLINE 87 (2022)
- *Rent-a-Bank: Bank Partnerships and the Evasion of Usury Laws*, 71 DUKE L.J. 329 (2021)
- *The Proceduralist Inversion—A Response to Skeel*, 130 YALE L.J. FORUM 335 (2020) (with Edward Janger)
- *Redesigning Education Finance: How Student Loans Outgrew the "Debt" Paradigm*, 109 GEO. L.J. 5 (2020) (with John R. Brooks)
- *A Tale of Two Markets: Post-Crisis Regulation and Innovation in the Mortgage and Structured Finance Markets*, 2020 ILL. L. REV. 47 (2020) (with William Bratton)
- *The Fast and the Usurious: Putting the Brakes on Auto Lending Abuses*, 108 GEO. L.J. 1257 (2020)
- *Considering Law and Macroeconomics*, 83 LAW & CONTEMP. PROB. i (2020) (with Anna Gelpern)
- *Mortgage Risk Premiums During the Housing Bubble*, 58 J. R.E. FIN. & ECON. (2019) (with Desen Lin and Susan Wachter) (peer-reviewed journal)
- *Law of the Middle Class: Consumer Finance in the Law School Curriculum*, 31 LOYOLA CONSUMER L. REV. 393 (2019)
- *One Dollar, One Vote: Mark-to-Market Governance in Bankruptcy*, 104 IOWA L. REV. 1857 (2019) (with Edward Janger)
- *Junk Cities: Insolvency Crises in Overlapping Municipalities*, 106 CAL. L. REV. 459 (2019) (with David Schleicher & Aurelia Chaudhury)
- *Badges of Opportunism: Policing Restructuring Support Agreements*, 13 BROOK. J. OF CORP., FIN. & COMM. LAW 169 (2019) (symposium issue) (with Edward Janger)

- *The Faulty Foundation Draft Restatement of Consumer Contracts*, 36 YALE J. ON REG. 447 (2019) (with Nancy Kim *et al.*) (lead author)  
–Reviewed in JOTWELL, May 15, 2019
- *Bankruptcy’s Lorelei: The Dangerous Allure of Financial Institutions Bankruptcy*, 97 N.C. L. REV. 101 (2019)  
–Reprinted in BANKRUPTCY’S UNIVERSAL PRAGMATIST (Christoph G. Paulus & John A.E. Pottow, ed.)
- *The New Bond Workouts*, 167 U. PA. L. REV. 1597 (2018) (with William Bratton)
- *Pandora’s Digital Box: The Promise and Perils of Digital Wallets*, 166 U. PA. L. REV. 305 (2018)
- *Safe Banking: Finance and Democracy*, 83 U. CHIC. L. REV. 357 (2016)
- *Prioritization and Mutualization: Clearinghouses and the Redundancy of Financial Contract Safe Harbors in Bankruptcy*, 10 BROOK. J. OF CORP., FIN. & COMM. LAW 129 (2015)
- *Second Liens and the Leverage Option*, 68 VAND. L. REV. 1243 (2015) (with Susan Wachter)
- *Bankruptcy Law and the Cost of Credit: The Impact of Cramdown on Mortgage Interest Rates*, 57:1 J.L. & ECON. 139 (2014) (with Joshua Goodman) (peer-reviewed journal)
- *The Politics of Financial Regulation and the Regulation of Financial Politics*, 127 HARV. L. REV. 1991 (2014)
- *The Paper Chase: Securitization, Foreclosure, and the Uncertainty of Mortgage Title*, 63 DUKE L.J. 637 (2013)  
–Winner, American College of Consumer Financial Services Lawyers Annual Writing Competition
- *A Transactional Genealogy of Scandal from Michael Milken to Enron to Goldman Sachs*, 86 S. CAL. L. REV. 783 (2013) (with William Bratton)  
–Discussed in TIME (“The Accounting Trick Behind Thirty Years of Scandal,” Aug. 15, 2012)  
–Reprinted in 56 CORP. PRACTICE COMMENTATOR (2014)
- *The Consumer Financial Protection Bureau: An Introduction*, 32 REV. BANKING & FIN. L. 321 (2013)
- *The Commercial Real Estate Bubble*, 2 HARV. BUS. L. REV. 801 (2013) (with Susan Wachter)
- *The Public Option in Housing Finance*, 46 U.C. DAVIS L. REV. 1111 (2013) (with Susan Wachter)
- *Skin-in-the-Game: Risk Retention Lessons from Credit Card Securitization*, 81 GEO. WASH. L. REV. 813 (2013)
- *The Tenuous Case for Derivatives Clearinghouses*, 101 GEO. L.J. 445 (2013)
- *Why Housing?* 23 HOUSING POL’Y DEBATE 5 (2013) (with Susan Wachter) (peer reviewed)
- *Bankrupt Politics and the Politics of Bankruptcy*, 97 CORNELL L. REV. 100 (2012)
- *Explaining the Housing Bubble*, 100 GEO. L.J. 1177 (2012) (with Susan Wachter)  
–Discussed in THE ECONOMIST (“Bricks and Slaughter,” Mar. 3, 2011)
- *The Dodd-Frank Act and Housing Finance: Can It Restore Private Risk-Capital to the Securitization Market?* 29 YALE J. ON REG. 101 (2012) (symposium volume) (with Andrey D. Pavlov & Susan M. Wachter)
- *Rate Jacking: Risk-Based and Opportunistic Pricing in Credit Cards*, 2011 UTAH L. REV. 339 (2011) (invited theme issue on the Credit C.A.R.D. Act)
- *Private Disordering? Payment Card Fraud Liability Rules*, 5 BROOK. J. OF CORP., FIN. & COMM. LAW 1 (2011) (symposium issue)
- *Mortgage Servicing*, 28 YALE J. ON REG. 1 (2011) (with Tara Twomey)
- *In Defense of Bailouts*, 99 GEO. L.J. 435 (2011)  
–Winner, 2011 C-LEAF Junior Faculty Scholarship Prize  
–Reviewed in JOTWELL, May 14, 2010

- *Rewriting Frankenstein Contracts: The Workout Prohibition in Residential Mortgage Backed Securities*, 82 S. CAL. L. REV. 1075 (2010) (with Anna Gelpern)  
–Accepted for the 2009 Stanford-Yale Junior Faculty Forum
- *Back to the Future with Chapter 13: A Reply to Professor Scarberry*, 37 PEPPERDINE L. REV. 1261 (2010)
- *Bankruptcy Markets: Making Sense of Claims Trading*, 4 BROOK. J. OF CORP., FIN. & COMM. LAW 64 (2010) (symposium issue)
- *The Crisis Without a Face: Emerging Narratives of the Financial Crisis*, 63 U. MIAMI L. REV. 999 (2009) (invited foreword to themed volume)
- *Resolving the Foreclosure Crisis: Modification of Mortgages in Bankruptcy*, 2009 WISC. L. REV. 565 (2009)  
–Accepted for the American Law and Economics Association Annual Convention  
–Accepted for Third Annual Conference on Empirical Legal Studies  
–Accepted for Harvard-Texas Conference on Commercial Realities
- *Hydraulic Regulation: Regulating Credit Markets Upstream*, 26 YALE J. ON REG. 143 (2009)  
–Winner, Walton H. Hamilton Prize for Outstanding Scholarship, Yale Journal on Regulation  
–Accepted for Univ. of Connecticut Workshop on Banking & Consumer Financial Services Law
- *Priceless? The Economic Costs of Credit Card Merchant Restraints*, 55 UCLA L. REV. 1321 (2008)  
–Winner, American College of Consumer Financial Services Lawyers Annual Writing Competition
- *Priceless? The Social Costs of Credit Card Merchant Restraints*, 45 HARV. J. ON LEGIS. 1 (2008)
- *Payment Wars: The Merchant-Bank Struggle for Control of Consumer Payment Systems*, 12 STAN. J. L., BUS. & FIN. 425 (2007)
- *Finding Nemo: Rediscovering the Virtues of Negotiability in the Wake of Enron*, 2007 COLUM. BUS. L. REV. 83 (2007)
- *Toward a Federal Common Law of Bankruptcy: Judicial Lawmaking in a Statutory Regime*, 80 AM. BANKR. L.J. 1 (2006) (double-blind peer-reviewed journal, published by National Conference of Bankruptcy Judges)  
–Winner of American Bankruptcy Law Journal's 2007 Editors' Prize
- *The Limits of Enron: Counterparty Risk in Bankruptcy Claims Trading*, 15 J. BANKR. L. & PRAC. 389 (2006) (peer-reviewed journal)
- *The Merchant-Bank Struggle for Control of Payment Systems*, 17 J. FIN. TRANSFORMATION 73 (2006) (peer-reviewed applied finance journal)
- *The Antitrust Super Bowl: America's Payment Systems, No-Surcharge Rules, and the Hidden Costs of Credit*, 3 BERKELEY BUS. L.J. 265 (2005)

## Book Chapters

- *Rethinking Duties to Serve in Housing Finance*, in HOMEOWNERSHIP BUILT TO LAST, Eric Belsky *et al.*, eds. (Brookings Institution Press 2014) (with Janneke Ratcliffe)
- *Deregulation and the Financial Crisis of 2008*, in REGULATORY BREAKDOWN? THE CRISIS OF CONFIDENCE IN U.S. REGULATION, Cary Coglianese, ed. (University of Pennsylvania Press 2012) (with Susan M. Wachter)
- *Fiscal Federalism and the Limits of Bankruptcy*, in WHEN STATES GO BROKE: ORIGINS, CONTEXT, AND SOLUTIONS FOR THE AMERICAN STATES IN FISCAL CRISIS, Peter Conti-Brown, ed. (Cambridge University Press 2011)

- *Information Asymmetries in the U.S. Mortgage Crisis*, in *THE AMERICAN MORTGAGE SYSTEM: RETHINK, RECOVER, REBUILD*, Susan M. Wachter & Martin M. Smith, eds. (University of Pennsylvania Press 2011) (with Susan M. Wachter)
- *Modification of Mortgages in Bankruptcy*, *LESSONS FROM THE FINANCIAL CRISIS: INSIGHTS AND ANALYSIS FROM TODAY'S LEADING MINDS*, Richard W. Kolb, ed. (Wiley 2009)

## **Edited Volumes**

- 82 LAW & CONTEMP. PROB., *Law and Macroeconomics* (2019) (with Anna Gelpern)

## **Shorter Articles, Research Papers, and Commissioned Studies**

- *Legal Accountability for Health Crises: "Unshielding" the Sackler Family*, J. AM. MED. ASS'N (2024) (with Daniel Aaron and Michael Sinha)
- *Massachusetts Auto Finance Regulation: The Usury Ceiling, Issues, and Potential Reforms*, commissioned by the Office of the Attorney General of the Commonwealth of Massachusetts, April 2024 (with Kathleen Engel)
- *Report on Legal and Institutional Differences in the European and American Securitization Markets*, commissioned by the German Council of Economic Experts (Sachverständigenrat zur Begutachtung der gesamtwirtschaftlichen Entwicklung), Sept. 2023
- "No More Bailouts: A Blueprint for a Standing Emergency Economic Resilience and Stabilization Program," Great Democracy Initiative whitepaper (July 2020) (with Lindsay Owens and Ganesh Sitaraman)
- "Abusive Acts and Practices"—Towards a Definition? Invited Written Presentation for Consumer Financial Protection Bureau Symposium on "Abusive" (June 25, 2019)
- *Independent Review of the Empirical Studies Supporting the Draft Restatement of Consumer Contracts* (Dec. 21, 2017) (lead author)
- *The Economics of Retail Payments Security: Commentary*, in *THE PUZZLE OF PAYMENTS SECURITY: FITTING THE PIECES TOGETHER TO PROTECT THE RETAIL PAYMENTS SYSTEM* 69 (Fed. Res. Bank of K.C. 2016)
- *Pandora's Digital Box: Competitive and Business Risks of Mobile Wallets*, Merchants Advisory Group White Paper (2016) (commissioned study)
- *A Lawyer and Partner, and Also Bankrupt*, 4 J. OF LAW (4 THE POST) 93 (2014) (reprinted from blog post at [www.creditslips.org](http://www.creditslips.org))
- *An Analysis of the Proposed Interchange Fee Litigation Settlement*, Geo. L. & Econ. Research Paper, No. 12-033, at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2133361](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2133361)
- *Clearing the Mortgage Market Through Principal Reduction: A Bad Bank for Housing (RTC 2.0)*, Pew Charitable Trusts Strategies to Improve the Housing Market Research Paper (2012), available at [http://www.pewstates.org/uploadedFiles/PCS\\_Assets/2012/Clearing\\_the\\_Mortgage\\_Market.pdf](http://www.pewstates.org/uploadedFiles/PCS_Assets/2012/Clearing_the_Mortgage_Market.pdf) (commissioned study).
- *What Next for Housing Finance?* 15 WHARTON REAL ESTATE REV. (2012) (with Susan Wachter)
- *Cross-Routing: PIN and Signature Debit Interchangeability Under the Durbin Amendment*, 2 LYDIAN J. 16 (Dec. 2010)
- *Interchange Regulation: Implications for Credit Unions*, Research Brief #224, The Filene Research Institute, November 2010
- *Overdraft Regulation: A Silver Lining to the Regulatory Clouds?*, Research Brief #211, The Filene Research Institute, April 2010 (commissioned study)

- *The Credit C.A.R.D. Act: Opportunities and Challenges for Credit Unions*, Research Brief #202, The Filene Research Institute, Dec. 2009 (commissioned study)
- *Critique of Evans and Wright's Study of the Consumer Financial Protection Agency Act*, white paper, Oct. 22, 2009, available at <http://ssrn.com/abstract=1492471>
- *Bad and Good Securitization*, 13 WHARTON REAL ESTATE REV. 23 (2010) (with Andrey Pavlov and Susan Wachter), available at <http://papers.ssrn.com/abstract=1462895>
- *The Consumer Financial Protection Agency*, Policy Analysis, Pew Charitable Trusts Financial Reform Project, Research Brief #2, July 2009
  - The “best one-stop paper for understanding why CFPB needs to pass.” Baseline Scenario, at <http://baselinescenario.com/2009/08/17/a-cfpa-research-brief/>
- *Evaluation of Alternatives for Secondary Mortgage Markets*, Study for the National Association of Realtors' Presidential Advisory Group (2009) (commissioned study)
- *Remote Deposit Capture: A Legal and Transactional Overview*, 126 BANKING L.J. 115 (2009) (peer-edited journal)
- *Helping Homeowners: Modification of Mortgages in Bankruptcy*, 3 HARV. L. & POL'Y REV. (online) (Jan. 19, 2009) (invited contribution), at [http://www.hlpronline.com/Levitin\\_HLPR\\_011909.pdf](http://www.hlpronline.com/Levitin_HLPR_011909.pdf)
- *Reforming Mortgage Servicing*, Research Brief, American Association of Retired Persons, Dec. 2008 (commissioned study)
- *All But Accurate: A Critique of the American Bankers Association Study on Credit Card Regulation*, white paper, December 6, 2007, at <http://papers.ssrn.com/abstract=900444>
- *Gifting Plans and Absolute Priority*, 124 BANKING L.J. 722 (2007) (peer-edited journal)
- *The Problematic Case for Incentive Compensation in Bankruptcy*, 155 UNIV. PA. L. REV. PENNUMBRA 88 (2007)
- *Antitrust Issues in Credit Card Merchant Restraints Rules*, Tobin Project Working Paper, Risk Policy Working Paper, May 6, 2007 (with Elizabeth Warren)
- *Health Care Privacy Issues in Corporate Reorganizations*, Materials Presented Before the American Bankruptcy Institute 2007 New York City Bankruptcy Conference, May 7, 2007 (with Arthur R. Cormier & Andrew M. Troop)

## Encyclopedia Entries

- *Mortgage Market Character and Trends: USA*, in THE HOUSING ENCYCLOPEDIA, Susan Smith, ed., (Cambridge University Press 2012) (with Susan Wachter)
- *American Mortgages*, in THE HOUSING ENCYCLOPEDIA, Susan Smith, ed., (Cambridge University Press 2012) (with Susan Wachter)

## LEGISLATIVE AND REGULATORY TESTIMONY AND BRIEFINGS

- “Cryptocurrency Custody Issues,” SEC Roundtable, Apr. 25, 2025
- “Stablecoin Issuer Bankruptcy,” Senate Banking Committee Staff Briefing, Apr. 7, 2025
- “FTX Bankruptcy,” Bipartisan House Financial Services Committee Staff Briefing, Dec. 8, 2022
- Testimony Before the House Judiciary Committee Subcommittee on Regulatory Reform, Commercial and Antitrust Law, July 28, 2021 (hearing on “Oversight of the Bankruptcy Code, Part 1: Confronting Abuses of the Chapter 11 System”).

- Testimony Before the House Committee on Small Business, Sept. 9, 2020 (hearing on “Transparency in Small Business Lending”).
- Testimony Before the Senate Committee on Banking, Housing, and Urban Affairs, March 26, 2019 (hearing on Chairman’s Housing Reform Outline: Part I).
- Testimony Submitted to the Senate Judiciary Committee, Nov. 13, 2018 (hearing on the Taxpayer Protection and Responsible Resolution Act of 2018).
- Testimony Before the House Financial Services Committee, Subcommittee on Financial Institutions and Consumer Credit, Jan. 25, 2018 (hearing on “Examining Opportunities and Challenges in the Financial Technology (“Fintech”) Marketplace”).
- Testimony Before the Senate Committee on Banking, Housing, and Urban Affairs, June 8, 2017 (“Fostering Economic Growth: The Role of Financial Institutions in Local Communities”).
- Testimony Submitted to the House Financial Services Committee’s Subcommittee on Financial Institutions and Consumer Credit, Mar. 21, 2017 (hearing on “Ending the *De Novo* Drought: Examining the Application Process for *De Novo* Financial Institutions”).
- Testimony Before the House Financial Services Committee, July 9, 2016 (“Making a Financial Choice: More Capital or More Government Control?”) (hearing on the CHOICE Act).
- Testimony Before the Senate Judiciary Committee, Subcommittee on The Constitution, July 23, 2015 (“The Administrative State v. The Constitution: Dodd-Frank at Five”).
- Testimony Before the House Financial Services Committee, Mar. 15, 2015 (“Preserving Consumer Choice and Financial Independence”).
- Testimony Before the House Judiciary Committee, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, July 17, 2014 (“Guilty Until Proven Innocent? A Study of the Propriety & Legal Authority for the Justice Department’s *Operation Choke Point*”).
- Testimony Before the House Financial Services Committee, Subcommittee on Capital Markets and Government Sponsored Enterprises, Feb. 26, 2014 (“The Dodd-Frank Act’s Impact on Asset-Backed Securities”).
- Testimony Before the House Committee on Small Business, Subcommittee on Oversight, Investigations, and Regulation, Dec. 3, 2013 (“Regulatory Landscape: Burdens on Small Financial Institutions”).
- Testimony Before the Senate Banking Committee, Oct. 1, 2013 (“Housing Finance Reform: Fundamentals of a Functioning Private Label Mortgage Backed Securities Market”).
- Testimony Before the House Financial Services Committee, July 18, 2013 (“A Legislative Proposal to Protect American Taxpayers and Homeowners by Creating a Sustainable Housing Finance System”) (hearing on the PATH Act).
- Testimony Before the House Judiciary Committee, Subcommittee on Intellectual Property, Competition, and the Internet, July 10, 2012 (“The Dodd-Frank Act’s Effects on Financial Services Competition”).
- Testimony Before the House Financial Services Committee, Subcommittee on Capital Markets and Government Sponsored Institutions, June 7, 2012 (“Investor Protection: The Need to Protect Investors from Government”).
- Testimony Before the House Financial Services Committee, Subcommittee on Financial Institutions and Consumer Credit, May 9, 2012 (“Rising Regulatory Compliance Costs and Their Impact on the Health of Small Financial Institutions”).
- Testimony Before the House Financial Services Committee, Subcommittee on Financial Institutions and Consumer Credit & Subcommittee on Capital Markets and Government Sponsored Enterprises, Nov. 16, 2011 (Joint Hearing on “H.R. 1697: The Communities First Act”).



- Testimony Before the Senate Committee on Banking, Housing, and Urban Affairs, Sept. 13, 2011 (“Housing Finance Reform: Should There Be a Government Guarantee?”).
- Testimony Submitted to the House Committee on the Judiciary, Sept. 8, 2011 (H.R. 2533, the “Chapter 11 Bankruptcy Venue Reform Act of 2011”).
- Testimony Before the House Committee on Small Business, Subcommittee on Oversight, Investigations & Regulation, July 28, 2011 (“Open for Business: The Impact of the CFPB on Small Business”).
- Testimony Before the Senate Committee on Banking, Housing, and Urban Affairs, July 19, 2011 (“Enhanced Consumer Financial Protection After the Financial Crisis”).
- Testimony Before the House Government Oversight and Reform Committee, Subcommittee on TARP, Financial Institutions, and Bailouts of Public and Private Institutions, May 24, 2011 (“Who’s Watching the Watchmen? Oversight of the Consumer Financial Protection Bureau”).
- Testimony Before the House Financial Services Committee, Subcommittee on Financial Institutions and Consumer Credit, Apr. 6, 2011 (“Legislative Proposals to Improve the Structure of the Consumer Financial Protection Bureau”).
- Testimony Before the House Financial Services Committee, Subcommittee on Housing and Community Opportunity, Nov. 18, 2010 (“Robo-Signing, Chain of Title, Loss Mitigation, and Other Issues in Mortgage Servicing”).
- Testimony Before the Senate Committee on Banking, Housing, and Urban Affairs, Nov. 16, 2010 (“Problems in Mortgage Servicing from Modifications to Foreclosures”).
- Testimony Before the Financial Crisis Inquiry Commission, Oct. 28, 2010, at <http://fcic.law.stanford.edu/interviews/view/421>.
- “Future of Housing Finance,” Center for American Progress Mortgage Finance Working Group Presentation to the U.S. Department of Treasury, August 2, 2010.
- Testimony Before the House Judiciary Committee, Subcommittee on Commercial and Administrative Law, December 11, 2009 (“Home Foreclosures: Will Voluntary Mortgage Modification Help Families Save Their Homes? Part II?”).
- Testimony Before the Senate Judiciary Committee, Subcommittee on Administrative Oversight and the Courts, July 23, 2009 (“The Worsening Foreclosure Crisis: Is It Time to Reconsider Bankruptcy Reform?”).
- Testimony Before the House Judiciary Committee, Subcommittee on Commercial and Administrative Law, April 2, 2009 (re: Consumer Debt — Are Credit Cards Bankrupting Americans?).
- Testimony Before the Senate Judiciary Committee, Subcommittee on Administrative Oversight and the Courts, Mar. 24, 2009 (“Abusive Credit Card Practices and Bankruptcy,” re: Consumer Credit Fairness Act, S.257).
- Testimony Before the Senate Committee on Banking, Housing and Urban Affairs, Feb. 12, 2009 (re: Modernizing Consumer Protection in the Financial Regulatory System: Strengthening Credit Card Protections).
- Testimony Before the House Judiciary Committee, Jan. 22, 2009 (re: Helping Families Save Their Homes in Bankruptcy Act, H.R. 220, and the Emergency Homeownership and Equity Protection Act, H.R. 225).
- Testimony Before the Senate Judiciary Committee, Nov. 19, 2008 (re: Helping Families Save Their Homes in Bankruptcy Act, now S.61).
- “Bankruptcy Modification of Mortgages,” Democratic Staff Briefing, United States House of Representatives, November 14, 2008.

- Testimony Before the House Financial Services Committee, Subcommittee on Financial Institutions and Consumer Credit on March 13, 2008 (re: Credit Cardholders’ Bill of Rights).
- Testimony Submitted to the Economic Matters Committee, Maryland State House of Delegates, March 6, 2008.
- “Credit Card Regulation,” Democratic Staff Briefing, United States House of Representatives, March 5, 2008.

## **REGULATORY AND LEGISLATIVE COMMENTS FILED**

- Comments to the Consumer Financial Protection Bureau regarding Notice of Proposed Rulemaking regarding “Legal Standard Applicable to Supervisory Designation Proceedings,” Docket No. CFPB-2025-0018, Sept. 12, 2025
- Letter to the Reporters on the fourth draft of the American Law Institute Restatement of the Law of Consumer Contracts, Nov. 10, 2021
- Letter to the Permanent Editorial Board of the Uniform Commercial Code regarding proposed Commentary on Perfection of a Security Interest in Intangible Money and Related Choice-of-Law Rules, Aug. 9, 2021
- Comments to the Office of the Comptroller of the Currency regarding Notice of Proposed Rulemaking regarding “Fair Access to Financial Services,” Docket No. OCC- 2020-004, Dec. 18, 2020
- Legal Scholars Letter to Senator Elizabeth Warren Regarding the Consumer Bankruptcy Reform Act of 2020, December 14, 2020 (co-lead drafter)
- Comments to the Office of the Comptroller of the Currency regarding the Charter Application of Figure Bank, N.A., 2020-WE-Charter-317953, Dec. 7, 2020
- Letter to Chief Judge Cecilia Morris, U.S. Bankruptcy Court for the Southern District of New York, regarding Local Rule 1073-1, Nov. 24 (2020)
- Comments to the Consumer Financial Protection Bureau regarding “Qualified Mortgage Definition Under the Truth in Lending Act (Regulation Z): General QM Loan Definition”, Docket No. CFPB-2020-0020, Sept. 23, 2020
- Comments to the Office of Comptroller of the Currency regarding Notice of Proposed Rulemaking regarding “National Banks and Federal Savings Associations as Lenders,” Docket No. OCC-2020-0026, September 3, 2020
- Comments to the Consumer Financial Protection Bureau regarding Request for Information from Taskforce on Federal Consumer Financial Law, Docket No. CFPB-2020-0013, June 1, 2020
- Comments to the Federal Deposit Insurance Corporation regarding Notice of Proposed Rulemaking regarding “Federal Interest Rate Authority,” RIN 3064-AF21, Jan. 5, 2020
- Comments to the Office of Comptroller of the Currency regarding Notice of Proposed Rulemaking regarding “Permissible interest on loans that are sold, assigned, or otherwise transferred,” Docket No. OCC-2019-0027, Jan. 5, 2020
- Comments to the Securities and Exchange Commission on Request for Comments on Asset-Level Disclosure Requirements for Residential Mortgage-Backed Securities, Nov. 23, 2019
- Letter to William K. Harrington, Esq. United States Trustee, Region 2, Regarding Appointment of Examiner in the Chapter 11 Case of Purdue Pharma, Inc., No. 19-23649 (Bankr. S.D.N.Y.), Nov. 5, 2019 (co-author with Jonathan Lipson and Stephen Lubben)
- Comments to the Consumer Financial Protection Bureau on proposed rescission of Final Rule regarding Payday, Vehicle Title, and Certain High-Cost Loans, Docket No. CFPB-2019-0006, May 15, 2019

- Letter on behalf of bankruptcy and financial regulation scholars to Senators Warren and Sanders in support of the U.S. Territorial Relief Act of 2019, May 2, 2019 (drafter)
- Joint Letter of Concerned Members of the Members Consultative Group to the American Law Institute Council on Council Draft No. 5 of the Restatement of the Law of Consumer Contracts, Oct. 3, 2018 (lead drafter)
- Letter on behalf of bankruptcy and financial regulation scholars to Senators Warren and Sanders in support of the U.S. Territorial Relief Act of 2018, July 25, 2018 (drafter)
- Comments of Financial Regulation and Consumer Protection Scholars Regarding the Consumer Financial Protection Bureau's Request for Information on Regulatory Guidance, Docket No. CFPB-2018-0013, July 2, 2018 (lead drafter)
- Letter Regarding Independent Review of the Empirical Studies Supporting Council Draft No. 3 of the Restatement of the Law, Consumer Contracts, to the American Law Institute Council, Jan. 12, 2018
- Joint Letter of Empirical Legal Scholars to the American Law Institute Council, concerning the third draft of the Restatement of the Law of Consumer Contracts, Oct. 9, 2017
- Letter to the American Law Institute Council, concerning the third draft of the Restatement of the Law of Consumer Contracts, Oct. 2, 2017
- Legal Scholars Letter to Congressional Banking and Financial Services Committee Leadership Regarding H.R. 10 and the Consumer Financial Protection Bureau, May 12, 2017 (co-lead drafter)
- Joint Letter of Concerned Members of the Members Consultative Group to the Reporters on the second draft of the American Law Institute Restatement of the Law of Consumer Contracts, Oct. 19, 2016 (lead drafter)
- Consumer Finance Scholars Comment Letter to the Consumer Financial Protection Bureau regarding Proposed Rulemaking on Payday, Vehicle Title, and Certain High-Cost Loans, Sept. 13, 2016 (lead drafter)
- Joint Letter of Concerned Members of the Members Consultative Group to the Reporters on the second draft of the American Law Institute Restatement of the Law of Consumer Contracts, Dec. 31, 2015 (lead drafter)
- Corporate Finance Scholars' Letter to Congressional Leadership on Proposed Omnibus Appropriations Bill Rider to Amend the Trust Indenture Act, Dec. 8, 2015 (lead drafter)
- Letter to the Reporters on the second draft of the American Law Institute Restatement of the Law of Consumer Contracts. Nov. 15, 2015
- Letter to the Reporters on the first draft of the American Law Institute Restatement of the Law of Consumer Contracts. Mar. 27, 2015
- Comments to the Consumer Financial Protection Bureau on Amendments Relating to Small Creditors and Rural or Underserved Areas Under the Truth in Lending Act (Regulation Z), Feb. 27, 2015
- Letter to the Reporters on the first draft of the American Law Institute Restatement of the Law of Consumer Contracts, Nov. 12, 2014
- Comments to the Consumer Financial Protection Bureau on Advanced Notice of Proposed Rulemaking regarding Debt Collection, Feb. 28, 2014
- Comments to the Federal Housing Finance Agency on Proposed State-Level Guarantee Fee Increases, Nov. 29, 2012
- Comments to the Permanent Editorial Board of the Uniform Commercial Code on the Draft Report on Mortgage Notes, May 27, 2011
- Comments to the Permanent Editorial Board of the UCC on Draft Report on Enforceability of Mortgage Notes, April 2011
- Comments to the Federal Reserve Board on the Durbin Amendment Rulemaking (Reg E), Feb. 21, 2011

- Cited in *NACS v. Bd. of Governors of Fed. Reserve Sys.*, 2013 WL 3943489 (D.D.C. July 31, 2013)
- Comments to the Bankruptcy Rules Committee on Proposed Amendments to Federal Rule of Bankruptcy Procedure 2019, Feb. 15, 2010.
- Comments to the Permanent Editorial Board of the UCC on Proposed (Pre-Release) Draft Report on Enforceability of Mortgage Notes, Jan. 5, 2011

## **AMICUS BRIEFS AUTHORED (LEAD AUTHOR OR CO-AUTHOR)**

- Amicus Brief (in support of appellants), *Harrington v. Purdue Pharma L.P.*, No. 23-a-87, Supreme Court of the United States, 2023 (sole author, represented by Daniel Walfish)
- Amicus Brief (in support of respondent), *Community Financial Services Ass’n v. Consumer Financial Protection Bureau*, Supreme Court of the United States, No. 22-448 (lead co-author; represented by Greg Lipper)
- Amicus Brief (in support of appellees and affirmance), *In re Purdue Pharma, LP*, No. 22-110-bk(L) (2d Cir. 2022) (sole author, represented by Daniel Walfish)
- Amicus Brief (in support of plaintiffs), *California ex rel. Becerra v. FDIC*, No. 20-cv-5860 (N. D. Cal. 2020) (sole author, represented by Eliza Duggan and Ted Mermin)
- Amicus Brief (in support of plaintiffs), *California ex rel. Becerra v. v. Brooks*, No. 20-cv-5200 (N. D. Cal. 2020) (sole author, represented by Eliza Duggan and Ted Mermin)
- Amicus Brief (in opposition to proposed settlements between the United States Department of Justice and the Debtors and between the United States Department of Justice and the Sackler Family), *In re Purdue Pharma L.P.*, No. 19-23649 (Bankr. S.D.N.Y.) (lead co-author; co-counsel with Jonathan Lipson and Daniel Walfish)
- Amicus Brief (in support of respondent), *City of Chicago v. Fulton*, Supreme Court of the United States, No. 19-357 (co-author; represented by David Kuney)
- Amicus Brief (in support of the judgment below), *Seila Law LLC v. Consumer Financial Protection Bureau*, Supreme Court of the United States, No. 19-7 (lead co-author; co-counsel with Deepak Gupta and Patricia McCoy)
- Amicus Brief (in support of neither party), *McShannock v. JP Morgan Chase Bank N.A.*, No. 1:19-15899 (9th Cir. 2019) (sole author)
- Amicus Brief (in support of appellant), *Rent-Rite Super Kegs West, Ltd. v. World Business Lenders, LLC*, No. 1:19-cv-01552 (D. Colo. 2019) (sole author) (discussed favorably in decision reversing and remanding)
- Amicus Brief (in support of plaintiff), *Meade v. Marlette Funding, LLC*, No. 17-cv-30376 (Denver District Court, Colo. 2018) (sole author)
- Amicus Brief (in support of plaintiff), *Meade v. Avant of Colorado, LLC*, No. 17-cv-30377 (Denver District Court, Colo. 2018) (sole author)
- Amicus Brief of Scholars Consumer Finance Regulation in support of Plaintiff, *English v. Trump*, United States Court of Appeals for the District of Columbia, (2018) (co-lead author; represented by Law Offices of Courtney Weiner)
- Amicus Brief of Scholars Consumer Finance Regulation in support of Plaintiff, *Lower East Side People’s Federal Credit Union v. Trump*, United States District Court for Southern District of New York, No. 1:17-cv-09536 (S.D.N.Y. 2017) (co-lead author; represented by Law Offices of Courtney Weiner)
- Amicus Brief of Scholars Consumer Finance Regulation in support of Plaintiff, *English v. Trump*, United States District Court for District of Columbia, No. 1:17-cv-02534 (D.D.C. 2017) (co-lead author;

represented by Law Offices of Courtney Weiner)

- Amicus Brief of Scholars of Behavioral Science and Economics in support of Respondents, *Masterpiece Cakeshop, Ltd., et al., v. Colorado Civil Rights Commission et al.*, Supreme Court of the United States, No. 16-111 (co-author; represented by Allison Ehlert and Adam Hoffman)
- Amicus Brief (in support of appellant), *Expressions Hair Designs v. Schneiderman*, Supreme Court of the United States, No. 15-1391, Nov. 21, 2016 (lead author; co-counsel with Carl Cecere)
- Amicus Brief of Financial Regulation Scholars in support of petitioners at en banc rehearing, *CFPB v. PHH Corp.*, D. C. Circuit en banc, No. 15-1177, Mar. 31, 2016 (co-lead author; co-counsel with Michael Barr and Deepak Gupta)
- Amicus Brief of Scholars of Behavioral Economics (in support of certiorari petition), *Expressions Hair Designs v. Schneiderman*, Supreme Court of the United States, No. 15-1391, June 15, 2016 (lead author; represented by Allison Ehlert and Adam Hoffman)
- Amicus Brief (in support of respondents), *Bank of America v. Caulkett*, United States Supreme Court, 2015 (lead author; co-counsel with Michael Fitzgerald)
- Amicus Brief (supplemental), *Eaton v. Federal National Mortgage Association & Another*, Supreme Judicial Court of Massachusetts, No. 11041, Jan. 27, 2012 (sole author)
- Amicus Brief, *Eaton v. Federal National Mortgage Association & Another*, Supreme Judicial Court of Massachusetts, No. 11041, Sept. 22, 2011 (sole author)
- Amicus Brief, *Residential Funding Co. v. Saurman*, No. 143178, Supreme Court of Michigan, Oct. 21, 2011 (co-author with John Pottow & Rebecca Tushnet)
- Amicus Brief, *Bevilacqua v. Rodriguez*, Supreme Judicial Court of Massachusetts, No. 10880, April 21, 2011 (lead author)
- Amicus Brief on Behalf of the Texas Hotel and Lodging Ass’n, *La Villita Motor Inns, J.V., v. Orix Capital Markets, LLC, et al.*, Supreme Court of Texas, No. 10-1001, Mar. 20, 2011 (lead author)

## **Editorials and Blogging**

- “Consumers, Financial Services Win With CFPB Making Rules of Road,” BLOOMBERGLAW, May 17, 2024
- “Purdue Pharma Oral Argument Summary + Thoughts,” Harvard Bankruptcy Roundtable Blog, Dec. 13, 2023
- “Supreme threat,” FTAlphaville, August 30, 2023
- “The Justice Department was right to object to Purdue’s rotten deal,” Letter to the Editor, WASH. POST, Aug. 28, 2023
- “The Solution to Biden’s Student Loan Problems Is Right Before His Eyes,” WASH. POST, July 18, 2023 (with John Brooks and Brian Galle)
- “The Debt Ceiling Is Unconstitutional—but Not for the Reason You Think,” THE AMERICAN PROSPECT, May 22, 2023 (with Anna Gelpern and Stephen Lubben)
- “Dissecting the U.S. Public Debt Clause,” FTAlphaville, May 10, 2023 (with Anna Gelpern and Stephen Lubben)
- “The Implications of LTL’s Per-Debtor Analysis,” Harvard Bankruptcy Roundtable Blog, Feb. 14, 2023
- “Johnson & Johnson Was Abusing the Bankruptcy System,” Letter to the Editor, WALL ST. J., Feb. 9, 2023

- “The Texas Two-Step: A Different Look at Bankruptcy Code Section 548,” Harvard Bankruptcy Roundtable Blog, Nov. 1, 2022 (with Judith Fitzgerald)
- “CFPB Opponents Are Playing with Fire,” AMERICAN BANKER, Oct. 28, 2022
- “Looming Legal Issues in Cryptocurrency Bankruptcies,” THE DEAL, July 19, 2022
- “Crypto Winter Arrives,” THE DEAL, July 18, 2022
- “How Apple Locks Out the Competition with Its Digital Key,” PROMARKETS, Jan. 12, 2022
- “A Better Way to Fix the Student Loan Problem,” POLITICO, Jan. 12, 2022 (with John Brooks)
- “It’s Time for Biden to Fire the FDIC Chief,” POLITICO, Dec. 16, 2021
- “The Boy Scouts Are Abusing Bankruptcy,” BLOOMBERGLAW, Nov. 16, 2021
- “Now is the time for bankruptcy venue reform,” THE HILL, August 6, 2021 (with Joan Feeney, Steven Rhodes, and Jay Westbrook)
- “Consumers—not banks—should control access to personal financial data,” THE HILL, July 6, 2021
- “Reform Our Bankruptcy Laws Before a Tsunami of Covid Debt Comes Due,” CNBC, Jan. 11, 2021
- “Supersize the Supreme Court to Save It,” The AMERICAN PROSPECT, October 12, 2020
- “In Case of Economic Emergency: Break Glass,” BOSTON GLOBE, July 5, 2020 (with Lindsay Owens and Ganesh Sitaraman)
- “Mortgage Market Déjà vu,” THE AMERICAN PROSPECT, July 1, 2020 (with Susan Wachter)
- “How to Start Closing the Racial Wealth Gap,” THE AMERICAN PROSPECT, June 17, 2020
- “How to Get Money to Small Businesses, Fast,” N.Y. TIMES, Mar. 24, 2020 (with Satyam Khanna)
- “The Americans Joe Biden Left Behind on the Bankruptcy Bill,” THE AMERICAN PROSPECT, Jan. 9, 2019
- “Who Needs More Supreme Court Justices? Democrats and Republicans Do,” BLOOMBERGLAW, Apr. 2, 2019
- “Depoliticize the Supreme Court by Adding Two Dozen New Justices,” THE HILL, Dec. 7, 2018
- “Treasury’s Bankruptcy Plan Would Mean More, Not Fewer, Bailouts,” AMERICAN BANKER, Feb. 23, 2018
- “Toys ‘R’ Us and the Rigged Economy,” HUFFINGTON POST, Sept. 26, 2017
- “Fixing the Equifax Problem: Public Utility Regulation of Credit Reporting,” HUFFINGTON POST, Sept. 24, 2017
- “‘Madden fix’ bills are a recipe for predatory lending,” AMERICAN BANKER, Aug. 25, 2017
- “Draining the Financial Swamp,” WALL ST. JOURNAL, Mar. 21, 2017
- “What the CFPB ‘Commission’ Debate Is Really About,” AMERICAN BANKER, Dec. 29, 2016
- “Glass-Steagall’s Political Firewall,” HUFFINGTON POST, Oct. 27, 2015
- “Where’s the Proof that Durbin Failed Consumers?” AMERICAN BANKER, Oct. 22, 2015
- “Who’s Afraid of a Republican CFPB?” AMERICAN BANKER, Oct. 16, 2015
- “Recalibrate the TIA for Today’s Debt Markets,” WALL ST. J. BANKRUPTCY BEAT, Sept. 30, 2015
- “The CFPB’s Data Collection Should Be Applauded,” AMERICAN BANKER, Aug. 17, 2015
- “Discharge Private Student Loans, But Federal Loans Have Safety Net,” WALL ST. J. BANKRUPTCY BEAT, May 11, 2015
- “Eliminate Vendor Priority Claims,” WALL ST. J. BANKRUPTCY BEAT, Dec. 3, 2014
- “Argentina and Distressed Investors,” WALL ST. J. BANKRUPTCY BEAT, July 29, 2014
- “Mandatory Arbitration Offers Bargain-Basement Justice,” AMERICAN BANKER, May 13, 2014
- “Outlook for Corporate Restructuring,” WALL ST. J. BANKRUPTCY BEAT, Mar. 26, 2014
- “Postal Banking: Maybe Not So Crazy After All,” AMERICAN BANKER, Jan. 31, 2014

- Letter to the Editor, N.Y. TIMES, Nov. 1, 2013
- “Hands Off Detroit’s Final Treasures!” SALON, Aug. 20, 2013.
- “Don’t Take My Pension: The Looming Public Worker Nightmare,” SALON, Aug. 12, 2013.
- “Make the Banks Pay,” SALON, Oct. 27, 2011.
- “Fed’s Feeble Swipe Fee Rule Is an Unauthorized Sop to Big Banks,” AMERICAN BANKER, July 8, 2011.
- “More Openness on Mortgages,” N.Y. TIMES, Mar. 8, 2010.
- Letter to the Editor, WASHINGTON POST, July 6, 2010.
- Letter to the Editor, WASHINGTON TIMES, June 22, 2010.
- “Swipe Fee Reform Benefits Consumers and Businesses Large and Small,” HUFFINGTON POST, June 18, 2010.
- “Rein in the Credit Card Games,” DETROIT FREE-PRESS, Nov. 28, 2008 (reprinted as “Consumer Pay High Price for Credit Cards,” SAN DIEGO UNION-TRIBUNE, Nov. 30, 2008) (reprinted as “Credit cards on Santa’s naughty list,” ATLANTA JOURNAL CONSTITUTION, Dec. 7, 2008).
- “Bailout Bill Must Include Help for Homeowners,” WASHINGTON INDEPENDENT, Sept. 26, 2008.
- “The Card Industry Still Has a Chance to Reform,” AMERICAN BANKER, Aug. 8, 2008.
- “The Flaws in the FHA Housing Bill”, op-ed, WALL ST. JOURNAL, July 11, 2008.
- Letter to the Editor, WALL ST. JOURNAL, April 3, 2008.
- “Complex Pricing of Credit Cards Should be Simplified,” op-ed, CHICAGO TRIBUNE, Dec. 27, 2007
- “Conglomerate Master” guest blogger on The Conglomerate, 2010-2011
- Guest blogger, PrawfsBlawg, May 2008
- Guest blogger, Warren Reports at TPM Café, Jan. 2007
- Blogger, Credit Slips, [www.creditslips.org](http://www.creditslips.org), Dec. 31, 2007-present

## **PRESENTATIONS AND PANELS**

### **2026**

- “Usury, Old and New,” Yale Law School Seminar on Private Law, March 3, 2026

### **2025**

- “Chokepoints,” University of Virginia Faculty Workshop, Nov. 14, 2025
- “The Federal Corporate Law of Bankruptcy,” Corporate Restructuring & Insolvency Seminar, Oct. 1, 2025
- “What Could Go Wrong,” Symposium on Agentic AI & Consumer Payments, Consumer Bankers Association, Sept. 8, 2025
- “Economic Risk and the Social Safety Net,” Symposium on Debt in the Real World, Brooklyn Law School, Feb. 28, 2025
- “Predatory Small Business Lending,” American University Washington College of Law, Feb. 17, 2025
- “The Death of Consumer Contracts,” Symposium on the Restatement of Consumer Contracts, Harvard Law School, Jan. 25, 2025

## 2024

- “Liability Management Transactions,” Gerson Lehrman Group webinar, Dec. 17, 2024
- “Creditors Rights in Bankruptcy,” Gerson Lehrman Group webcast, Dec. 13, 2024
- “DIP Lending,” Gerson Lehrman Group webcast, April 17, 2024
- “Samson’s Toupée: The Source-of-Strength Doctrine in Bankruptcy,” Yale Journal on Regulation Symposium, Yale Law School, April 4, 2024

## 2023

- Comments on David Schleicher’s *In a Bad State: Responding to State and Local Budget Crises*, Wharton School, University of Pennsylvania, May 24, 2023 (commentator)
- The Panic of 2023,” University of Illinois Law School, Apr. 24, 2023 (guest lecturer)
- “Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, Apr. 24, 2023 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, Apr. 21, 2023 (presenter)
- “Bankruptcy 101: Creditors’ Rights and Chapter 7,” Gerson Lehrman Group webcast, Apr. 19, 2023 (presenter)
- “Russia Sanctions and Payment Card Networks,” Georgetown University Law Center, Mar. 21, 2023 (guest lecturer)
- “Cryptocurrency Regulation: Market Structure” Berkeley Law Center for Law and Business Conference, Feb. 8, 2023
- “Cryptocurrency and Bankruptcy,” Corporate Restructuring and Insolvency Seminar, January 20, 2023 (presenter)

## 2022

- “Cryptocurrency and Bankruptcy,” Fordham Law School, Nov. 14, 2022
- “The Good, the Bad, and the Ugly of Blockchain, Crypto, and Web3,” Berkeley Center for Law and Business webinar, Sept. 23, 2022
- Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, July 21, 2022 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, July 19, 2022 (presenter)
- “US Consumer Finance Regulation,” JPMorgan Chase Institute, July 18, 2022
- “Bankruptcy 101: Creditors’ Rights and Chapter 7,” Gerson Lehrman Group webcast, July 14, 2022 (presenter)
- “The Stop Wall Street Looting Act,” Harvard Law School, Apr. 18, 2022 (guest lecturer)
- Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, Mar. 23, 2022 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, Mar. 16, 2022 (presenter)
- “Bankruptcy 101: Creditors’ Rights and Chapter 7,” Gerson Lehrman Group webcast, Mar. 14, 2022 (presenter)
- “Credit Derivatives 101,” Gerson Lehrman Group webcast, Mar. 9, 2022 (presenter)



- “Russia Sanctions and Payment Card Networks,” Georgetown University Law Center, Mar. 6, 2022 (guest lecturer)
- “The Fintech Trilemma,” Federal Reserve Board conference on The Future of Financial Services | Data and Connectivity Symposium, Mar. 1, 2022 (presenter)
- “How Academia Influences Lawmaking,” American Association of Law Schools Annual Meeting, Section on Creditors’ and Debtors’ Rights, Jan. 6, 2022 (presenter)

## 2021

- “If It Walks Like a Loan and Talks Like a Loan, Is It a Loan?” Consumer Federation of America Virtual Financial Services Conference, Dec. 8, 2021 (panelist)
- “The Legislative Landscape for Consumer Bankruptcy: Chapter 10, Student Loans and Beyond,” American Bankruptcy Institute Consumer Practice Extravaganza, Nov. 3, 2021 (presenter)
- “State of the Settlements, Bellwethers, and Settlement Design Innovations,” Georgetown University O’Neill Institute for National and Global Health Law and the Pew Charitable Trusts Opioid Summit, Sept. 25, 2021 (panelist)
- “Cryptocurrency Regulation,” Capstone investor webinar, Sept. 29, 2021 (presenter)
- “Cryptocurrency Regulation,” Raymond James investor webinar, Sept. 13, 2021 (presenter)
- “The Financial Inclusion Trilemma,” Georgetown Law Faculty Workshop, July 13, 2021 (presenter)
- “Purdue’s Poison Pill: The Breakdown of Chapter 11’s Checks and Balances,” Corporate Restructuring and Insolvency Seminar, June 15, 2021 (presenter)
- “Rethinking Bankruptcy Exceptionalism,” Emerging Scholars Conference, University of Chicago, May 25, 2021 (commentator on paper by Jonathan Seymour)
- “Conglomerates, Conflicts of Interest, and Consumer Protection,” Arthur Wilmarth Celebration Conference, May 24, 2021 (panelist)
- “Addressing Poverty and Financial Distress in the Jewish Community,” Jewish Federation of Greater Washington Board Meeting, Apr. 28, 2021 (panelist)
- “Contractual Inequality,” Consumer Law Scholars Conference, UC Berkeley, Mar. 5, 2021 (commentator on paper by Manisha Padi)
- “Cryptocurrency, Blockchain, and Decentralized Finance,” National Community Reinvestment Coalition Just Economy 2021 Conference, May 12, 2021 (panelist)
- Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, Mar. 16, 2021 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, Mar. 10, 2021 (presenter)
- “Contractual Inequality,” Consumer Law Scholars Conference, UC Berkeley, Mar. 5, 2021 (commentator on paper by Manisha Padi)
- “Bankruptcy 101: Creditors’ Rights and Chapter 7,” Gerson Lehrman Group webcast, Mar. 3, 2021 (presenter)
- “The Consumer Bankruptcy Reform Act of 2020,” Brooklyn Law School, Feb. 4, 2021 (co-presenter)
- “The Great American Housing Bubble,” Wharton Club of Boston, Jan. 28, 2021 (presenter)
- “The Coming Consumer Financial Cliff,” Hebrew Free Loan Association Board Meeting, Jan. 11, 2021

## 2020

- “Attacking State Usury Law Evasions,” National Consumer Law Center Consumer Rights Litigation Conference, Nov. 14, 2020 (panelist)
- Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, Oct. 30, 2020 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, Oct. 28, 2020 (presenter)
- “Bankruptcy 101: Creditors’ Rights and Chapter 7,” Gerson Lehrman Group webcast, Oct. 26, 2020 (presenter)
- “Loan Sharks or Angel Fish? The Pros and Cons of Bank Partnerships and Interest Rate Exportation Rights,” Columbia Law and Political Economy Society, Oct. 26, 2020 (panelist)
- “The Great American Housing Bubble,” Harvard Club of New York, August 12, 2020 (presenter)
- “The New Usury: The Ability-to-Repay Revolution in Consumer Finance,” Georgetown Law Faculty Workshop, June 17, 2020 (presenter)
- Bipartisan briefing on nonbank mortgage lending and servicing, House Financial Services Committee Staff, Apr. 16, 2020 (presenter)
- “The New Usury: The Ability-to-Repay Revolution in Consumer Finance,” Consumer Law Scholars Conference, UC Berkeley, Mar. 6, 2020 (presenter)
- “Bankruptcy: Voidable Actions and Equitable Remedies,” Gerson Lehrman Group webcast, Feb. 26, 2020 (presenter)
- Bankruptcy: Chapter 11 Operations and Governance,” Gerson Lehrman Group webcast, Feb. 25, 2020 (presenter)
- Bankruptcy: Chapter 11 Plans,” Gerson Lehrman Group webcast, Feb. 19, 2020 (presenter)
- Bankruptcy: Creditors’ Rights and Chapter 7,” Gerson Lehrman Group webcast, Feb. 18, 2020 (presenter)
- “Fintech Innovations?” American Association of Law Schools Annual Meeting, Jan. 5, 2020 (roundtable participant)
- “Reflections On and Lessons From ‘Foreclosed,’ a New Book by Professor Chris Odinet,” American Association of Law Schools Annual Meeting, Jan. 4, 2020 (commentator)

## 2019

- “Debt Restructurings: Exchange Offers and Consent Solicitations,” Gerson Lehrman Group webcast, Oct. 31, 2019 (presenter)
- Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, Oct. 24, 2019 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, Oct. 17, 2019 (presenter)
- “Bankruptcy 101: Creditors’ Rights and Chapter 7,” Gerson Lehrman Group webcast, Oct. 3, 2019 (presenter)
- “Law and Macroeconomics,” Georgetown Law and Macroeconomics Conference, Sept. 27, 2019 (presenter)
- “Opioid Bankruptcies: Further Developments,” Capstone LLC, September 17, 2019 (presenter)
- “Credit Derivatives 101,” Gerson Lehrman Group webcast, Sept. 11, 2019 (presenter)
- “Securitization 101,” Gerson Lehrman Group webcast, Sept. 4, 2019 (presenter)
- “Opioid Bankruptcies,” Capstone LLC, August 13, 2019 (presenter)

- “Abusive Acts and Practices,” Consumer Financial Protection Bureau Symposium, June 25, 2019 (presenter)
- “Credit Derivatives 101,” Gerson Lehrman Group webcast, April 2, 2019 (presenter)
- “Securitization 101,” Gerson Lehrman Group webcast, March 26, 2019 (presenter)
- “Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, March 12, 2019 (presenter)
- “The Fast and the Usurious: Putting the Brakes on Auto Lending Abuses,” University of Minnesota School of Law Faculty Workshop, Mar. 7, 2019 (presenter)
- “Public-Private Risk-Sharing in Financial Regulation,” Boston College, Regulation and Markets Workshop, Feb. 19, 2019 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, March 5, 2019 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, February 26, 2019 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, February 13, 2019 (presenter)

## 2018

- “Get Rid of Multi-Member Commissions,” American Constitution Society Convening on Reimagining the Regulatory State, Dec. 13, 2018 (presenter)
- “Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, November 14, 2019 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, November 9, 2018 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, October 31, 2018 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, October 24, 2018 (presenter)
- “Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, July 18, 2019 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, July 16, 2018 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, July 12, 2018 (presenter)
- “Law, Macroeconomics, and Norms,” Georgetown University Law Center Summer Workshop, July 10, 2018 (presenter with Anna Gelpern)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, July 9, 2018 (presenter)
- “A Public Option for Bank Accounts (or Central Banking for All),” Vanderbilt Law Roundtable on Financial Transformation, June 1, 2018 (commentator)
- “Mortgage Risk Premia During the Housing Bubble,” American Finance Association 2018 Annual Meeting, Washington D.C., June 1, 2018
- “Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, March 26, 2019 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, March 19, 2018 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, March 12, 2018 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, March 5, 2018 (presenter)
- “The Fast and the Usurious: Putting the Brakes on Auto Lending Abuses,” Agnes N. Williams Research Chair Inaugural Lecture, Georgetown University Law Center, Feb. 21, 2018

- “Bankruptcy’s Lorelei: The Dangerous Allure of Financial Institutions Bankruptcy,” Jay Westbrook Celebration Symposium, University of Texas School of Law, Feb. 3, 2017 (presenter)

## 2017

- “The New Restructuring? Coercion and Opportunism in Debt Workouts,” University of Pennsylvania Law Review Symposium, Oct. 20, 2017 (presenter)
- “Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, November 1, 2017 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, October 25, 2017 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, October 18, 2017 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, October 11, 2017 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, June 15, 2017 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, June 8, 2017 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, June 1, 2017 (presenter)
- “Bankruptcy 202: Avoidance Actions and Equitable Remedies,” Gerson Lehrman Group webcast, February 7, 2017 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, January 31, 2017 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, January 24, 2017 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, January 17, 2017 (presenter)

## 2016

- “The New Restructuring? Coercion and Opportunism in Debt Workouts,” University of Pennsylvania Institute of Law and Economics Fall Corporate Roundtable, December 9, 2016 (co-presenter)
- “FinTech Charters,” U.S. PIRG/National Council of LaRaza FinTech/Big Data Conference, December 6, 2016
- Roundtable on Housing Finance Reform, Bipartisan Policy Center, December 5, 2016 (participant)
- “The New Restructuring? Coercion and Opportunism in Debt Workouts,” Georgetown University Law Center Faculty Workshop, Nov. 8, 2016 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, October 20, 2016 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, October 13, 2016 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, October 6, 2016 (presenter)
- “Pandora’s Digital Box,” Merchant Advisory Group Webinar, July 27, 2016 (presenter)
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, June 16, 2016 (presenter)
- “Bankruptcy 102: Bankruptcy Basics,” Gerson Lehrman Group webcast, Jun 9, 2016 (presenter)
- “Bankruptcy 101: Creditors’ Rights,” Gerson Lehrman Group webcast, June 2, 2016 (presenter)
- “One Dollar, One Vote,” Wharton School, University of Pennsylvania, April 21, 2016
- “Minority Creditors’ Rights under the Trust Indenture Act and Syndicated Loan Agreements”, Financial Lawyers Conference, Ojai, California (lead conference moderator), April 1-3, 2016

- “Gifting Revisited”, Financial Lawyers Conference, Ojai, California (lead conference moderator), April 1-3, 2016
- “Multi-Debtor Issues in Chapter 11”, Financial Lawyers Conference, Ojai, California (lead conference moderator), April 1-3, 2016
- “Empty and Indirect Creditor Issues in Restructuring”, Financial Lawyers Conference, Ojai, California (lead conference moderator), April 1-3, 2016
- “Developments in Fraudulent Transfer Law”, Financial Lawyers Conference, Ojai, California (lead conference moderator), April 1-3, 2016
- “State and Federal Law of Corporate Governance”, Financial Lawyers Conference, Ojai, California (lead conference moderator), April 1-3, 2016
- “Bankruptcy 201: Chapter 11 Restructuring,” Gerson Lehrman Group webcast, Feb. 18, 2016 (presenter)
- “Bankruptcy 101: Introduction to Creditors’ Rights and Bankruptcy,” Gerson Lehrman Group webcast, Feb. 11, 2016 (presenter)

## **2015**

- “Introduction to Creditors’ Rights and Bankruptcy,” Gerson Lehrman Group webcast, Aug. 17, 2015 (presenter)
- “The Puzzle of Payments Security: Fitting the Pieces Together to Protect the Retail Payments System,” Federal Reserve Bank of Kansas City, June 25-26, 2015 (presenter)
- “Foreclosure Activity: Legal Framework and the Impact on Borrowers and Lenders,” Urban Institute, June 9, 2015 (respondent)
- “Introduction to Creditors’ Rights and Bankruptcy,” Gerson Lehrman Group webcast, June 2, 2015 (presenter)
- “Mortgage Servicing: Contracts, Technology and Incentives,” Consumer Financial Protection Bureau, Enforcement Division, Washington DC, April 21, 2015 (presenter)
- “Politics of the Bailouts,” Financial Crisis Seminar, University of California, Irvine, Mar. 11, 2015 (presenter)
- “Clearinghouses and the Bankruptcy Treatment of Financial Contracts,” Brooklyn Law School, Symposium on the Treatment of Financial Contracts in Bankruptcy and Bank Resolution, Feb. 27, 2015 (presenter)
- “Second-Liens and the Leverage Option,” Georgetown University Law Center Faculty Workshop, Jan. 29, 2015 (presenter)

## **2014**

- “Safe Banking,” Duke University School of Law Faculty Workshop, Dec. 11, 2014 (presenter)
- ABI-Brooklyn Law School Junior Scholars Bankruptcy Workshop, Nov. 21-22, 2014 (commentator)
- “Safe Banking,” University of Virginia Law School Law & Economics Workshop, Nov. 13, 2014 (presenter)
- “Safe Banking,” University of Maryland School of Law Faculty Workshop, Oct. 23, 2014 (presenter)
- “Introduction to Creditors’ Rights and Bankruptcy,” Gerson Lehrman Group webcast, Oct. 16, 2014 (presenter)
- “Safe Banking,” Georgetown University Law Center Faculty Workshop, Sept. 23, 2014 (presenter)
- “Introduction to Creditors’ Rights and Bankruptcy,” Anchorage Capital, New York, Sept. 18, 2014 (presenter)

- “Introduction to Creditors’ Rights and Bankruptcy,” Gerson Lehrman Group webcast, July 29, 2014 (presenter)
- “Financial Services and the Post Office,” Pew Charitable Trusts, Washington, D.C., July 16, 2014 (panelist)
- “The \$10 Trillion Dollar Question: Reforming Housing Finance Markets,” American Law Institute Young Scholar’s Medalist Conference, Washington, DC, June 10, 2014 (convener)
- “Why Teach Consumer Finance,” American Association of Law Schools Mid-Year Meeting, Washington DC, June 9, 2014, panel on “Modern Financial Regulatory Approaches”
- “Perspectives on the CFPB,” Financial Services Roundtable’s 4<sup>th</sup> Annual Consumer Program, May 14, 2014, Washington, DC (panelist)
- “Short-Term Debt Markets,” Institute for Law and Economics Corporate Roundtable, University of Pennsylvania Law School, May 2, 2014 (panelist)
- “What Should/Shouldn’t Be in the Fine Print?,” Making The Fine Print Fair, April 4, 2014, Washington, DC (moderator)
- “Behavioral Economics: The End of the First Wave,” Georgetown University Faculty Retreat, Feb. 19, 2014 (presenter)

## 2013

- “Mortgage Servicing,” Consumer Financial Protection Bureau Legal Division Speaker Series, Dec. 11, 2013
- “The Politics of Financial Regulation and the Regulation of Financial Politics,” Georgetown University Law Center Faculty Workshop, Nov. 12, 2013
- “The Politics of Financial Regulation and the Regulation of Financial Politics,” Fordham University Law School Faculty Workshop, Nov. 7, 2013
- “The Disclosure Paradox,” Americans for Financial Reform Conference on Transparency in Financial Regulation, Washington DC, Oct. 11, 2013.
- “Financing Housing: GSE Reform and Sensible Mortgage Lending, CQ Roll Call Forum in partnership with the National Association of Home Builders, Washington, DC, Sept. 17, 2013 (panelist)
- CFPB Conference on Mobile Payments and Financial Inclusion, Sept. 12, 2013 (panelist)
- “Legal Leverage,” Law and Society Association Annual Meeting, June 1, 2013
- “Legal Leverage,” American Law Institute Annual Meeting, May 21, 2013
- “Bankruptcy Law and the Cost of Credit: The Impact of Cramdown on Mortgage Interest Rates,” Harvard Law School Law and Economics Workshop, April 9, 2013
- “Duties to Serve after the Fall,” Harvard Joint Center for Housing Studies, April 2, 2013

## 2012

- “The Paper Chase: Securitization, Foreclosures, and the Uncertainty of Mortgage Title,” Harvard Law Faculty Workshop, Nov. 12, 2012
- “Community Responses to the Foreclosure Crisis,” Harvard Law School, Nov. 9, 2012 (panelist)
- Cornell Junior Scholars Financial Regulation Workshop, Sept. 29, 2012 (commentator)
- “American Financial Regulation,” Cornell Law School Faculty Workshop, Sept. 28, 2012
- “A Transactional Genealogy of Scandal,” Georgetown University Law Center Faculty Workshop, July 19, 2012
- “RTC 2.0,” Pew Housing Conference, Washington, DC, June 20, 2012

- “Opportunities and Challenges for Businesses and Consumers.” FTC Mobile Payments Workshop, Washington, DC, April 26, 2012
- “A Theory of American Financial Regulation,” University of Minnesota School of Law, Minneapolis, MN, April 23, 2012
- “A Theory of American Financial Regulation,” Georgetown University Law Center Faculty Workshop, April 19, 2012
- Consumer and Investor Protection, George Washington University Law School C-LEAF Conference, Mar. 2, 2012 (panelist)
- “Mortgage Notes and the Uniform Commercial Code,” American Ass’n of Law Schools Annual Convention, Washington, DC, Jan. 5, 2012 (panelist)

## 2011

- “The Consumer Financial Protection Bureau,” World Bank, Washington, DC, Nov. 17, 2011 (panelist)
- “Mortgage Servicing Litigation,” AmeriCatalyst Conference, Austin Texas, Nov. 2011
- “Modification of Mortgages in Bankruptcy,” John Marshall School of Law, Chicago, IL, Oct. 20, 2011
- “Financial institutions in the new regulatory environment: Opportunities, constraints and global challenges,” Georgetown McDonough School of Business, Washington, DC, Sept. 22, 2011 (panelist)
- “The Public Option in Housing Finance,” Univ. Pennsylvania Law School Conference on Regulatory Breakdown, Sept. 2011
- “Mortgage Servicing,” National Association of Business Economists webinar, July 7, 2011
- “Servicing Litigation,” AmeriCatalyst webinar, June 23, 2011
- “State Bankruptcy,” Stanford Law School, Palo Alto, CA, May 13, 2011
- “In Defense of Bailouts,” C-LEAF Junior Scholars Workshop, April 1, 2011
- Durbin Amendment, PYMNTS Conference, Washington, DC, Mar. 29, 2011 (panel)
- “State Bankruptcy,” American College of Bankruptcy, Washington, DC, March 19, 2011
- “Behavioral Economics and the Consumer Financial Protection Bureau,” GMU National Attorneys General Education Program, Arlington, VA, March 11, 2011
- “The Dodd-Frank Act and the Financial Crisis Inquiry Commission Report,” GMU National Attorneys General Education Program, Arlington, VA, March 10, 2011
- The Big-Bankruptcy Empirical Research Agenda, Conference, UCLA Law School, Los Angeles, California, February, 11 2011 (presenter)
- Treatment of Derivatives and Other Financial Contracts in Insolvency, World Bank Insolvency and Debtor/Creditor Regime Task Force Meeting, January 11, 2011 (presenter)
- Asset Sales in Bankruptcy, American Association of Law Schools Annual Convention, San Francisco, California, January 7, 2011 (moderator)
- Credit Cards and College Students, American Association of Law Schools Annual Convention, San Francisco, California, January 7, 2011 (panelist)
- “Explaining the Housing Bubble,” American Association of Law Schools Annual Convention, San Francisco, California, January 6, 2011

## 2010

- “Explaining the Housing Bubble,” Tel Aviv University Law School, Law and Economics Workshop, Tel Aviv, Israel, Nov. 29, 2010

- “Modification of Mortgages in Bankruptcy,” American University Washington College of Law, Washington, D.C., Nov. 11, 2010
- “The Uncertain Value Proposition in Mobile Commerce,” Mobile Commerce Conference, University of Washington Law School, Seattle, October 29, 2010
- “Robosigning, Putbacks, and Failed Loan Modification Programs,” Federal Reserve System & Federal Deposit Insurance Corporation Conference on Mortgages and the Future of Housing Finance, Arlington, VA, Oct. 25, 2010
- “Why We Need Bankruptcy More Than Ever,” American College of Bankruptcy, Washington, D.C., Oct. 22, 2010 (moderator)
- “Explaining the Housing Bubble,” Georgetown University Law School Legal Scholarship Workshop, Washington, D.C., Oct. 20, 2010
- “In Defense of Bailouts,” University of Pennsylvania School of Law, Philadelphia, Pennsylvania, Oct. 18, 2010
- “What Have They Done?” American Enterprise Institute, Washington, D.C. Oct. 14, 2010 (panelist)
- AmeriCatalyst, Inside Out: Rebuilding the U.S. Housing Finance System, Austin, Texas, Sept. 14, 2010 (moderator)
- AmeriCatalyst, Inside Out: Rebuilding the U.S. Housing Finance System, Austin, Texas, Sept. 13, 2010 (panelist)
- “Financial Data Privacy in the United States,” U.S. State Department Foreign Press Center, Washington, D.C., June 21, 2010
- “Information Failures in the U.S. Mortgage Crisis,” Tobin Project Workshop, Washington, D.C., June 8, 2010
- “Information Failures in the U.S. Mortgage Crisis,” Federal Reserve Bank of Philadelphia, May 14, 2010
- “Too Big to Fail,” American Bankruptcy Institute Great Debates, ABI Annual Convention, Washington, D.C., April 30, 2010
- “In Defense of Bailouts,” Georgetown University Law Center Faculty Workshop, Washington, D.C., April 14, 2010
- Practicing Law Institute, Consumer Financial Services Institute, Chicago, Apr. 8, 2010 (panelist)
- “Private Disorder? Payment Card Fraud Liability Rules,” Symposium on Data Security and Data Privacy in the Payment System, Brooklyn Law School, Mar. 19, 2010
- The New Regulatory Landscape, Filene Research Institute, National Credit Union Executive Conference, Feb. 23, 2010 (keynote)
- “Private Label Securitization,” University of Pennsylvania Wharton School, Philadelphia, Pennsylvania, Feb. 22, 2010
- Practicing Law Institute, Consumer Financial Services Institute, New York, Feb. 18, 2010 (panelist)

## 2009

- The Consumer Financial Protection Agency, Consumer Federation of America Financial Services Conference, Washington, D.C., Dec. 3, 2009 (panelist)
- “Conceptual Challenges in Access to Credit versus Regulation” Conference on Consumer Finance Post-Apartheid: The South African Experience, University of Connecticut School of Law, Nov. 21 (moderator)
- “The Disclosure Paradox,” University of Connecticut School of Law, Nov. 21, 2009



- The Consumer Financial Protection Agency, American Enterprise Institute, Washington, D.C., Nov. 18, 2009 (panelist)
- “Mortgage Workouts,” University of Pennsylvania Law School, Philadelphia, Pennsylvania, Nov. 17, 2009
- “Too Big to Fail,” American Bankruptcy Institute Legislative Symposium, Washington, D.C., Nov. 17, 2009 (panelist)
- “Role of Central Banks in Payment System Regulation,” Federal Reserve Bank of Kansas City, November, 2009
- Workshop on Behavioral and Institutional Research and Financial Services Regulatory Reform, Penn Law School, Philadelphia, Pennsylvania, Nov. 6, 2009 (moderator)
- “The Consumer Financial Protection Agency,” Women in Housing Finance, Washington, D.C., Oct. 29, 2009 (panelist)
- The Consumer Financial Protection Agency, Symposium: Regulatory Reform at the Crossroads: What Is the Right Response to the Financial Crisis?, George Washington University Law School, Washington, D.C., October 23, 2009 (panelist)
- “Consumer Credit Reform Legislation,” American Bankruptcy Institute Midwest Consumer Bankruptcy Conference, Chicago, Illinois (October 2009) (keynote address)
- “DIP Financing,” American Bankruptcy Institute-University of Missouri Kansas City Bankruptcy Conference, Kansas City, Missouri (October 2009) (panelist)
- “Making Home Affordable?,” American Bankruptcy Institute-University of Missouri Kansas City Bankruptcy Conference, Kansas City, Missouri (October 2009) (keynote address)
- “Current Issues in Chapter 11,” American Bankruptcy Institute Northeast Bankruptcy Conference, Bretton Woods, New Hampshire (July 2009) (panelist)
- “Consumer Protection in Financial Transactions,” ABA Section on Antitrust, Consumer Protection Conference, Georgetown University Law Center (June 2009) (panelist)
- “Frankenstein Contracts,” Stanford-Yale Junior Faculty Forum, Palo Alto, California (May 30, 2009)
- “Who Pays for Payments,” Federal Reserve Bank of Chicago, May 15, 2009
- “The Financial Crisis and Administrative Law,” Georgetown University Law Center White Tablecloth Faculty Luncheon, May 2009
- “The Financial Crisis,” Georgetown University Law Center Board of Visitors Annual Meeting, Santa Fe, NM, April 4, 2009
- “Bankruptcy Claims Trading,” Symposium, Brooklyn Law School & Brooklyn Journal of Corporate, Financial and Commercial Law (February 27, 2009)
- “Modification of Mortgages in Bankruptcy,” International Monetary Fund, (January 23, 2009)
- “Real Estate Transactions in Troubled Times,” Joint Extended Program of the AALS Section on Real Estate Transactions and the AALS Section on Creditors’ and Debtors’ Rights, American Association of Law Schools Annual Convention (January 10, 2009)
- “Hydraulic Regulation,” AALS Section on Financial Institutions and Consumer Financial Services. American Association of Law Schools Annual Convention (January 9, 2009)

## 2008

- “Mortgage Loss Mitigation,” Pennsylvania Bar Institution Real Estate Institute, Philadelphia, PA, (Dec. 5, 2008) (panelist)
- “The Impact of the Subprime Meltdown,” Commercial Law League of America and National Conference of Bankruptcy Judges (Nov. 11, 2008) (panelist)

- “Foreclosure Externalities,” Conference on “The Public Aspects of Private Property,” Georgetown University Law Center (Nov. 7-8, 2008)
- “United States Banking Regulation,” Presentation to Great Wall Asset Management Corporation (Chinese government agency responsible for non-performing bank assets), Georgetown University, Oct. 30, 2008)
- “Equal Rights Under Law,” Response to Professor Li Xia Feng, Georgetown University-Chinese Central Party School Conference, Washington, D.C., (Oct. 21, 2008)
- “Wall Street to Main Street: Bail Out and Restructuring,” ABA 2008 Administrative Law Conference, Washington, D.C. (Oct. 17, 2008) (panelist)
- “The Subprime Mortgage Crisis: A Systemic View,” National Conference of Bankruptcy Judges Annual Convention (September 25, 2008) (panelist)
- “Lehman Brothers’ Bankruptcy,” Student Bar Association, Georgetown University Law Center (Sept. 17, 2008)
- “Hydraulic Regulation: Regulating Credit Markets Upstream,” Georgetown University Law Center Faculty Workshop (Sept. 16, 2008)
- Panel on “Mounting Household Debt, Lending Practices, and Legislative and Regulatory Responses,” Federal Reserve Bank of Cleveland 2008 Community Development Policy Summit (June 11, 2008)
- “Hydraulic Regulation: Regulating Markets Upstream” University of Connecticut School of Law Junior Workshop on Banking and Consumer Financial Services Law (May 28, 2008)
- Panel on “Credit Card Regulation” Conference on Consumer Credit Protection Sponsored by the Federalist Society, the Financial Services Roundtable, and the Consumer Bankers Association, National Press Club, Washington, D.C., (May 20, 2008)
- “Mortgage Market Sensitivity to Bankruptcy Modification,” American Law and Economics Association Annual Convention, (May 16, 2008)
- Panel on “Emerging Privacy Issues between the US and the EU - Bridging the Transatlantic Gap,” Conference at Georgetown University Law Center (April 28, 2008)
- Panel on “Bankruptcy Law in Indonesia” at *Indonesia: Current Legal Reform*, Conference sponsored by the United States-Indonesia Society, International Law Institute, and the Millennium Challenge Corporation (a United States government corporation) (April 22, 2008)
- Panel on “Subprime Mortgage Lending,” Paul Robeson Conference, Columbia Law School (April 18, 2008)
- “Mortgage Market Sensitivity to Bankruptcy Modification,” University of Virginia School of Law Faculty Workshop (April 11, 2008)
- “Mortgage Market Sensitivity to Bankruptcy Modification,” Board of Governors of the Federal Reserve, Research and Statistics Workshop (March 25, 2008)
- “Mortgage Market Sensitivity to Bankruptcy Modification,” Georgetown University Faculty Workshop (March 18, 2008)
- “Mortgage Market Sensitivity to Bankruptcy Modification,” Harvard-University of Texas Conference on Commercial Realities (Feb. 29, 2008)

## **2007 and prior**

- Commentator, Conglomerate Third Annual Junior Scholars’ Workshop (June 24, 2007)
- “Priceless? The Costs of Credit Card Merchant Restraints,” Cornell Law School (Dec. 18, 2006)
- “Priceless? The Costs of Credit Card Merchant Restraints,” Georgetown University Law Center (Dec. 4, 2006)

- “Priceless? The Costs of Credit Card Merchant Restraints,” The Ohio State University Moritz College of Law (Nov. 28, 2006)
- “Priceless? The Costs of Credit Card Merchant Restraints,” Cardozo Law School (Nov. 21, 2006)
- “Priceless? The Costs of Credit Card Merchant Restraints,” Washington University in St. Louis Law School (Nov. 20, 2006)
- “Priceless? The Costs of Credit Card Merchant Restraints,” Northwestern University Law School (Nov. 14, 2006)
- “Priceless? The Costs of Credit Card Merchant Restraints,” American University Washington College of Law (Nov. 9, 2006)
- “Priceless? The Costs of Credit Card Merchant Restraints,” Brooklyn Law School (Nov. 1, 2006)
- “Priceless? The Costs of Credit Card Merchant Restraints,” Emory Law School (Oct. 18, 2006)
- “Finding Nemo: Rediscovering the Virtues of Negotiability in the Wake of Enron,” New York Law School (Sept. 8, 2006)
- “Finding Nemo: Rediscovering the Virtues of Negotiability in the Wake of Enron,” Conglomerate Second Annual Junior Scholars’ Workshop (July 10, 2006), *at* [http://www.theconglomerate.org/junior\\_scholars\\_workshop/index.html](http://www.theconglomerate.org/junior_scholars_workshop/index.html)

## **COURSES TAUGHT**

**Bankruptcy:** 2008(s); 2008(sum); 2008(f); 2009 (sum); 2010(s)

**Contracts:** 2009(f); 2011(f); 2012(f-Harvard Law School), 2024(f)

**Commercial Finance/Secured Credit:** 2009(s); 2013(f); 2026(s)

**Consumer Finance:** 2011(s); 2012(s); 2013(s-Harvard Law School); 2014(s), 2017(s); 2018(s); 2019(s), 2021(s), 2023(f)

**Corporate Debt Transactions:** 2026(s)

**Financial Restructuring:** 2011(s); 2012(s); 2013(s-Harvard Law School); 2014(s); 2016(s), 2016(f); 2017(f); 2019(s), 2020(s), 2020(f), 2021(f); 2023(s), 2024(s), 2025(s)

**Law of Money Seminar:** 2016(s), 2021(s)

**Payment Systems and Financial Transactions:** 2008(sum—FTC); 2008(f); 2023(s)

**Payment Systems: Law, Technology, and Policy:** 2023(f), 2025(s)

**Regulation of Financial Institutions:** 2018(f)

**Sales and Leases:** 2017(s); 2018(s)

**Structured Finance (Securitization & Derivatives):** 2010(s)

## **SCHOOL SERVICE**

- Academic Standards Committee (2021(f))
- Admissions Committee (2022-23)
- Appointments Committee (2018-19; 2013-14; 2011-12, chair; 2009-10)
- Appointments: Legal Practice (2025-26)
- Faculty Workshop Committee (2016(s), chair; 2017(f), chair)
- Fellows and Teaching Careers Committee (2019-20)

- Finance Committee (2010-11)
- Financial Aid Committee (2013-2014)
- Legal Profession Committee (2008-2009; 2007-2008)
- Professors from Practice Committee (2023-24, 2024-25)
- Rank and Tenure Committee (2020-21)
- Tax Appointments Committee (2013-14; chair, 2010-11)
- Technology Committee (2016-17)
- University Faculty Senate (2025-26)

## **PROFESSIONAL SERVICE AND ACTIVITIES**

- DC Bar Pro Bono Center, Bankruptcy Clinic trainer (2021)
- Jewish Federation of Greater Washington Anti-Poverty Initiative (2021)
- Biden for President, Policy Volunteer Coordinator—Consumer Protection and Consumer Credit (2020)
- Warren for President, Policy Volunteer Coordinator—Financial Regulation, Consumer Protection, and Bankruptcy (2019-2020)
- Federal Reserve Bank of Philadelphia, Supervisory Research Forum (2019-2020)
- Supreme Court Fellows Program, Academic Advisory Board (2018-19)
- Member, Mortgage Servicing Collaborative (convened by the Urban Institute) (2018)
- Federal Reserve Secure Payments Task Force (2015)
- Federal Reserve Faster Payments Task Force (2015)
- Consumer Financial Protection Bureau, statutory Consumer Advisory Board (2012-2015)
- Member, American Law Institute Advisory Group on UCC and Holder-in-Due-Course Policy.
- Member, American Law Institute Member's Consultative Group, Restatement on Law of Consumer Contracts
- Urban Institute, Housing Finance Policy Center, Academic Research Council
- Center for American Progress, Mortgage Finance Working Group
- Reporter, Advisory Committee on Multiple Debtor Cases, American Bankruptcy Institute Commission to Study the Reform of Chapter 11
- World Bank Insolvency and Debtor/Creditor Regime Task Force
- Fellow, Center for Law, Economics and Finance (C-LEAF) at George Washington University Law School
- Editorial Board, AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW
- Manuscript reviewer for AMERICAN BANKRUPTCY LAW JOURNAL; Cambridge University Press; CITYSCAPE; Conference on Empirical Legal Studies; COLUMBIA LAW REVIEW; Cornell University Press; GEORGETOWN LAW JOURNAL; HOUSING POLICY DEBATE; JOURNAL OF EMPIRICAL LEGAL STUDIES; LAW & SOCIETY REVIEW; Netherlands Organization for Scientific Research; Oxford University Press; STANFORD LAW REVIEW, University of Chicago Press; YALE LAW JOURNAL; Yale University Press
- Area Organizer for Bankruptcy, American Law and Economics Association (2009)
- Executive Committee Member, AALS Section on Fin. Institutions & Consumer Fin. Services (2009)

## **COURT ADMISSIONS**

- Supreme Court of the United States (2015) (Bar # 294231)
- United States Court of Appeals for the Third Circuit (2006)
- United States District Court for the Southern District of New York (2006)
- United States District Court for the Eastern District of New York (2006)
- New York State Courts (2006)