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PROFESSIONAL EMPLOYMENT

SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NJ
Interim Associate Dean for Finance and Administration.....July 2015 to Present

SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NJ
Director, Peter W. Rodino, Jr. Law Library.....July 2008 to 2015

SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NJ
Andrea J. Catania Endowed Professor of Law.....September 2011 to Present

SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NJ
Professor of Law.....September 1978 to Present

SETON HALL UNIVERSITY SCHOOL OF LAW, NEWARK, NJ
Associate Dean and Professor of Law..... January 1994 to July 2000

UNIVERSITY OF ARKANSAS SCHOOL OF LAW, FAYETTEVILLE, AR
Associate Professor.....September 1975 to June 1978

UNIVERSITY OF SOUTH CAROLINA LAW SCHOOL, COLUMBIA, SC
Assistant Professor.....September 1971 to June 1975

NEW YORK UNIVERSITY, NEW YORK, NY
Teaching Associate.....September 1970 to June 1971

OLWINE, CONNOLLY, CHASE, O'DONNELL & WEYHER, NEW YORK, NY
Associate..... September 1968 to August 1970

EDUCATION

NEW YORK UNIVERSITY, NEW YORK, NY
LL.M. 1973

HARVARD LAW SCHOOL, CAMBRIDGE, MA
LL.B., *cum laude*.....1968

SIENA COLLEGE, LOUDONVILLE, NY
B.A., *cum laude*.....1965

PUBLICATIONS

BOOKS

CASES & MATERIALS ON EMPLOYMENT DISCRIMINATION
In its Eighth Edition (Aspen 2013) (with Michael J. Zimmer & Rebecca Hanner White).

EMPLOYMENT DISCRIMINATION: LAW & PRACTICE
In its Fourth Edition (Aspen 2008) (with Lauren Kavanagh Walter).

EMPLOYMENT LAW: PRIVATE ORDERING AND ITS LIMITATIONS
In its Third Edition (Aspen 2015) (with Timothy Glynn and Rachel Arnow-Richman).

CASES & MATERIALS ON EMPLOYMENT LAW
(Little, Brown/Aspen 1993) (with Deborah Calloway & Michael J. Zimmer)

ARTICLES & CHAPTERS

Restating Employment Remedies, 100 CORNELL L. REV. *** (2015)

The FAA Triumphal: A Modest Opinion,
19 EMPL. RTS & EMPL. POL'Y J. (2015) (with Timothy Glynn)

Is There a Method to the Madness?: Torts and Other Influences on Employment Discrimination Law, 75 OHIO ST. L. J. 1079 (2014)

Horton Hatches the Egg: Concerted Action Includes Concerted Dispute Resolution,
64 ALA. L. REV. 1013 (2013) (with Timothy Glynn)

Tortifying Employment Discrimination,
92 B.U. L. REV. 1431 (2012)

The Curious Incident of Gross *and the Significance of Dogs that Don't Bark,*
90 TEXAS L. REV. SEE ALSO 157 (2012)

Mastering the Faithless Servant?: Reconciling Employment Law, Contract Law, and Fiduciary Duty,
2011 WIS. L. REV. 777

Plausibly Pleading Employment Discrimination
52 WILL. & MARY L. REV. 1613 (2011)

Ricci v. DeStefano*: End of the Line or Just Another Turn on the Disparate Impact Road?,*

104 NW. U. L. REV. 411 (2010)
(reprinted from 104 NW. U. L. REV. COLLOQUY 201 (2009))

Raising the Dead?: The Lilly Ledbetter Fair Pay Act,
84 TULANE L. REV. 499 (2010)

The Puzzling Persistence of Unenforceable Contract Terms,
70 OHIO ST. L. REV. 1127 (2009)

The Phoenix from the Ash: Proving Discrimination by Comparators
60 ALA. L. REV. 191 (2009)

On Vacation, 43 HOUS. L. REV. 1143 (2006)

Disparate Impact: Looking Past the Desert Palace *Mirage,*
47 WM. & MARY L. REV. 911 (2006).

Gilmer*ing Antidiscrimination Law,* in
EMPLOYMENT DISCRIMINATION STORIES**, (**2006 Foundation Press)

The Under-Theorized Asterisk Footnote,
93 GEO. L. J. 1093 (2005).

Circling Back to the Obvious: The Convergence of Traditional and Reverse Discrimination in Title VII Proof,
46 WM. & MARY L. REV. 1031 (2004).

The Law and Genetics of Racial Profiling in Medicine,
39 HARV. C. R.-C.L. L. REV. 391 (2004) (with Lillquist).

The World Turned Upside Down?: Disparate Impact Claims by White Males,
98 NW. U. L. REV. 215 (2004)

Accounting for Price Waterhouse: *Proving Disparate Treatment Under Title VII*,
56 BROOKLYN L.. REV. 1107 (1991).

Judging Judgments: The 1991 Civil Rights Act and the Lingering Ghost of Martin v. Wilks,
57 BROOKLYN L. REV. 995 (1992) (with Andrea J. Catania).

The Structure of Title VII Individual Disparate Treatment Litigation:
Anderson v. City of Bessemer City, *Inferences of Discrimination and Burdens of Proof*, 9 HARV. WOMEN'S L. J. 25 (1983) (with Michael J. Zimmer).

The Herfindahl-Hirschman Index and the New Antitrust Merger Guidelines: Concentrating on Concentration,
62 TEX. L. REV. 453 (1983) (with Neil B. Cohen).

Breaking Up the Treble Play: Attacks on the Private Treble Damage Antitrust Action,
14 SETON HALL L. REV. 17 (1983).

The Equal Pay Act of 1963: Making and Breaking a Prima Facie Case,
31 ARK. L. REV. 545 (1978).

Revisiting the "Neglected Stepchild": Antitrust Treatment of Postemployment Restraints of Trade,
1977 U. ILL. L.F. 621.

The Enforcement of Title VII: Meshing Public and Private Efforts,
71 NW. U.L. REV. 480 (1976).

Consent Decree Settlements by Administrative Agencies: Optimizing Public and Private Interests in Antitrust and Employment Discrimination Enforcement,
1976 DUKE L.J. 163 (with Michael J. Zimmer).

Private Enforcement of Government Antitrust Decrees: Third Party Beneficiary Rights and Intervenor Status,
123 U. PA. L. REV. 822 (1975).

The South Carolina Human Affairs Law: Two Steps Forward, One Step Back? (I, II),
26 S.C.L. REV. 1 (1974), 27 S.C. L. REV. 1 (1975) (with Michael J. Zimmer).

WEB ACTIVITIES

Blog Editor, WORKPLACE PROF BLOG,
http://lawprofessors.typepad.com/laborprof_blog/
Contributing Editor, WORKLAW SECTION, JOTWELL,
http://worklaw.jotwell.com/

COURSES TAUGHT

Employment Discrimination	Contracts	Remedies
Employment Law	Civil Procedure	Antitrust

PROFESSIONAL ACTIVITIES

Member of the American Law Institute