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## **ACADEMIC EXPERIENCE**

### **Vanderbilt Law School, Nashville, TN**

*Visiting Professor, July 2022–present, Adjunct Professor, January 2022–June 2022*

Courses: Civil Procedure, Evidence, Environmental & Energy Law Federalism

### **Florida State University College of Law, Tallahassee, FL**

*Associate Professor with Tenure, July 2015–December 2016; Assistant Professor, July 2012–June 2015*

Courses: Federal Courts, Complex Litigation, Constitutional Law I (structure), Constitutional Law II (individual rights) Legislation & Regulation, Environmental Federalism (seminar)

### **The University of Toledo College of Law, Toledo, OH**

*Assistant Professor, June 2010–July 2012*

Courses: Constitutional Law, Civil Procedure I & II, Alternative Energy Law & Policy

### **The University of Texas School of Law, Austin, TX**

*Visiting Assistant Professor, Emerging Scholars Program, August 2008–May 2010*

Courses: Constitutional Law, Advanced Constitutional Structure, American Constitutional Federalism, Federalism and the Administrative State

## **PUBLICATIONS**

### **Articles, Essays and Reviews**

*Metatheory*, 47 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 1333 (2016) (invited)

*Skeletal Norms*, 18 UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW 353 (2015)

*The Campaign Finance Safeguards of Federalism*, 63 EMORY LAW JOURNAL 781 (2014) [[SSRN](#)]

*Properties in Constitutional Systems*, 92 NORTH CAROLINA LAW REVIEW 547 (2014) (reviewing ADRIAN VERMEULE, THE SYSTEM OF THE CONSTITUTION (2011)) [[SSRN](#)]

*Defeasible Federalism*, 63 ALABAMA LAW REVIEW 801 (2012) [[SSRN](#)]

*Dormancy*, 100 GEORGETOWN LAW JOURNAL 497 (2012) [[SSRN](#)]

*Federalism Compatibilists*, 89 TEXAS LAW REVIEW 1365 (2011) (reviewing ROBERT A. SCHAPIRO, POLYPHONIC FEDERALISM: TOWARD THE PROTECTION OF FUNDAMENTAL RIGHTS (Chicago, Chicago University Press 2009)) [[SSRN](#)]

*Local Energy*, 60 EMORY LAW JOURNAL 877 (2011) (with Hannah J. Wiseman) [[SSRN](#)]

*Penal Deference and other Oddities in United States v. Comstock*, 6 DUKE JOURNAL OF CONSTITUTIONAL LAW & PUBLIC POLICY 98 (2010) [[SSRN](#)]

*Preemption in Congress*, 71 OHIO STATE LAW JOURNAL 511 (2010) [[SSRN](#)]

*Avoiding Deference Questions*, 44 TULSA LAW REVIEW 557 (2009) (invited symposium contribution) [[SSRN](#)]

*The Structure of Preemption Decisions*, 85 NEBRASKA LAW REVIEW 912 (2007) [[SSRN](#)]

*Rationalizing Complete Preemption after Beneficial National Bank v. Anderson: A New Rule, A New Justification*, 54 DRAKE LAW REV. 371 (2006) (cited in 14B WRIGHT & MILLER, FEDERAL PRACTICE & PROCEDURE § 3722.2 (2009)) [[SSRN](#)]

### Short form

*Doctrine and Deep Questions*, 2014 UTAH LAW REVIEW ONLAW (2014)

*Preemption, Deference, and Constitutional Doubt*, ADMIN. & REGULATORY LAW NEWS, Vol. 35, No. 2 (Winter 2010)

### Amicus briefs

Brief of Public Law Scholars as Amicus Curiae, *Mutual Pharmaceutical Co., Inc. v. Bartlett*, No. 12-142 (U.S.), submitted February 22, 2013 (principal author—Professor Ernest Young; joined by Professors William Buzbee, Daniel Farber, Stephen Gardbaum, and David Rubenstein)

Brief of Constitutional Law Scholars as Amicus Curiae, *Kurns et al. v. Railroad Products Corp. & Viad Corp.*, No. 10-879 (U.S.), submitted August, 2011 (principal author—Professor Ernest A. Young; joined by Professors Stephen Gardbaum, Thomas McGarity, Nina Mendelson, David Rubenstein, and Wendy Wagner)

Brief of Constitutional and Administrative Law Scholars as Amicus Curiae, *Limmer et al. v. Missouri Pacific R.R. Co.*, No. 09-1255 (U.S.), submitted May, 2010 (principal author; joined by Professors Thomas McGarity, Paul McGreal, and Ernest Young)

Brief of Constitutional Law Scholars as Amicus Curiae, *Franks Inv. Co., LLC v. Union Pac. R.R. Co.*, No. 08-30236 (5th Cir.), submitted April 2009 (principal author; joined by Professors Ernest Young and Stephen Gardbaum)

### PRESENTATIONS

#### *Metatheory*

Florida State University College of Law, Faculty Workshop, Tallahassee, FL, May 2014

#### *Thinning Out Structural Theory*

Loyola University Chicago Constitutional Law Colloquium, Chicago, IL, November 2014

PrawfsFest! XI Conference, Pepperdine University Law School, Malibu, CA, December 2013

Florida State University College of Law, Faculty Workshop, Tallahassee, FL, April 2013

*The Campaign Finance Safeguards of Federalism*

Loyola University Chicago Constitutional Law Colloquium, Chicago, IL, November 2013

Florida State University College of Law, Faculty Workshop, Tallahassee, FL, November 2013

Northwestern University School of Law Searle Center on Law, Regulation, and Economic Growth, *Hydro-Fracturing, State Regulation and the Federal Role, Federalism and Energy in the United States*, Chicago, IL, panelist, March 1, 2012

*Defeasible Federalism*

Vanderbilt University Law School, Federalism Colloquium, Nashville, TN, February 20, 2012

The University of Toledo College of Law, Faculty Workshop, Toledo, OH, October 2011

*Thinning Out Structural Theory*

The University of Toledo College of Law, Faculty Roundtable, Toledo, OH, September 2011

Ohio Legal Scholarship Workshop, Cleveland State University School of Law, Cleveland, OH, June 23, 2011

*Dormancy*

Case Western Reserve University School of Law, Faculty Workshop, Cleveland, OH, October 31, 2011

University of Connecticut School of Law, Faculty Workshop, Hartford, CT, October 2011

Florida State University College of Law, Faculty Workshop, Tallahassee, FL, October 2011

Duke Law School Colloquium Series, Durham, NC, February 2011

Wayne State University Law School Faculty Workshop, Detroit, MI, March 2011

The University of Toledo College of Law, Faculty Roundtable, Toledo, OH, February 2011

Ohio Legal Scholarship Workshop, June 2010

The University of Texas School of Law Faculty Workshop, Austin, TX, May 2010

*Federalism Compatibilists*, University of Toledo College of Law Faculty Workshop, Toledo, OH, September 2010

*Preemption in Congress:*

Boston University School of Law Faculty Workshop, Boston, MA, November 2009

The University of Texas School of Law Faculty Colloquium, Austin, TX, November 2009

The University of Toledo College of Law Faculty Workshop, Toledo, OH, January 2010

*Originalism and Admiralty Law*, American Association of Law Schools Annual Meeting, Section on Admiralty and Maritime Law, New Orleans, LA, January 2010

*Some Questions About Structural Norms*, The University of Texas School of Law Faculty Drawing Board Series, Austin, TX, March 2009

## **EDUCATION**

**The University of Texas School of Law**, Austin, TX, J.D. with high honors, 2004

**The University of Texas at Austin**, Austin, TX, B.A. in Philosophy, 2001

## **OTHER PROFESSIONAL EXPERIENCE**

**Susman Godfrey LLP**, Dallas, TX.

*Associate*, 2006–08; *Summer Associate*, June–July 2003

**Baker Botts LLP**, Dallas, TX.

*Summer Associate*, July–August, 2003; June–July, 2002.

## **JUDICIAL CLERKSHIPS**

**The Honorable Timothy B. Dyk**, United States Court of Appeals for the Federal Circuit, Washington, DC, 2005–06.

**The Honorable Royce C. Lamberth**, United States District Court for the District of Columbia, Washington, DC, 2004–05.