

WILLIAM A. BIRDTHISTLE

Associate Professor of Law
Chicago-Kent College of Law
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EMPLOYMENT

CHICAGO-KENT COLLEGE OF LAW , Chicago, Illinois <i>Associate Professor of Law</i> (with tenure) (2011 - present) <i>Assistant Professor of Law</i> (2006 - 2011) Excellence in Teaching Award (2010) Searle-Kauffman Fellow on Law, Innovation & Growth (2009 - 2010)	2006 - present
UNIVERSITY OF IOWA COLLEGE OF LAW , Iowa City, Iowa <i>Visiting Professor of Law</i>	Fall 2011
ROPES & GRAY LLP , Boston, Massachusetts <i>Corporate Associate, Investment Management Practice</i>	2001 - 2006
THE HONORABLE DIARMUID F. O'SCANNLAIN United States Court of Appeals for the Ninth Circuit, Portland, Oregon <i>Judicial Clerk</i>	1999 - 2000
WILLIAMS & CONNOLLY , Washington, D.C. <i>Summer Associate</i>	Summer 1998
CRAVATH, SWAINE & MOORE , New York, New York <i>Summer Associate</i>	Summer 1998

EDUCATION

HARVARD LAW SCHOOL
J.D., *cum laude*, 1999
Managing Editor, *Harvard Law Review*

DUKE UNIVERSITY
B.A., English and Psychology, *summa cum laude*, 1995
Phi Beta Kappa

PUBLICATIONS

ACADEMIC PUBLICATIONS

Breaking Bucks in Money Market Funds, 2010 WISCONSIN LAW REVIEW 1155 (2010)

Investment Indiscipline: A Behavioral Approach to Mutual Fund Jurisprudence, 2010 UNIVERSITY OF ILLINOIS LAW REVIEW 61 (2010)

One Hat Too Many?: Investment Desegregation in Private Equity, 76 UNIVERSITY OF CHICAGO LAW REVIEW 45 (2009) (with M. Todd Henderson)

The Fortunes & Foibles of Exchange-Traded Funds: A Positive Market Response to the Problems of Mutual Funds, 33 DELAWARE JOURNAL OF CORPORATE LAW 69 (2008)
anthologized in SECURITIES LAW REVIEW (Donald C. Langevoort, ed., West 2009)

Football Most Foul, 10 GREEN BAG 2d 159 (2007)

Compensating Power: An Analysis of Rents and Rewards in the Mutual Fund Industry,
80 TULANE LAW REVIEW 1401 (2006)

A Contested Ascendancy: Problems with Personal Managers Acting as Producers, 20 LOYOLA
OF LOS ANGELES ENTERTAINMENT LAW REVIEW 493 (2000)

Recent Case: Jenkins v. Medford, 119 F.3d 1156 (4th Cir. 1997) (*en banc*), 111 HARVARD LAW
REVIEW 1596 (1998) (student case comment)

AMICUS BRIEFS

Counsel of Record, *Brief of Law Professors as Amici Curiae in Support of Respondent*
(November 2, 2010), *Janus, et al. v. First Derivative Traders*, No. 09-525 (U.S. 2010)

Counsel of Record, *Brief of Amici Curiae Law Professors in Support of Petitioners* (June 15,
2009), *Jones v. Harris Associates L.P.*, 129 S. Ct. 1579 (U.S. 2009)

Counsel of Record, *Brief of Amici Curiae Law Professors in Support of the Petition for*
Rehearing En Banc (March 18, 2009), *Hecker v. Deere & Co.*, 556 F.3d 575 (7th Cir. 2009)

Counsel of Record, *Brief of Amici Curiae Law Professors in Support of the Issuance of a Writ of*
Certiorari (December 3, 2008), in *Jones v. Harris Associates, Inc.*, 527 F.3d 627 (7th Cir.
2008), *certiorari granted*, 77 U.S.L.W. 3281 (U.S. March 9, 2009)

OTHER PUBLICATIONS

Portfolio of Eloquence, WALL STREET JOURNAL, June 22, 2009, at A13 (reviewing Frank
O'Connor, *The Best of Frank O'Connor* (2009) (Julian Barnes ed.))

In Search of the Classic Irish Pub, WALL STREET JOURNAL, March 14, 2009, at W9 (reviewing
Bill Barich, *A Pint of Plain* (2009))

Behind the Green Veil, WALL STREET JOURNAL, January 2, 2009, at W6 (reviewing Richard
Tillinghast, *Finding Ireland* (2008))

A Postmodern St. Patrick's Day, CHICAGO TRIBUNE, March 9, 2008, at 2/5

Burning Bright: How the Celtic Tiger Proved the Begrudgers Wrong, WALL STREET JOURNAL,
February 23, 2008, at W8 (reviewing R.F. Foster, *Luck and the Irish* (2008))

A Gentleman's Day Out in London Town, FORBESTRAVELER.COM, August 22, 2006

An Irish Freshman Adapts to Dorm Life, CHICAGO TRIBUNE, March 16, 2007, at 27

Bookmarks, WALL STREET JOURNAL, March 16, 2007, at W6 (reviewing Hisham Matar, *In the*
Country of Men (2006))

Relegating the Twelfth Man, CHICAGO TRIBUNE, July 12, 2006, at 19

Writer's Block, WALL STREET JOURNAL, June 3, 2006, at P8 (reviewing Alan Furst, *The Foreign Correspondent* (2006))

Go, Azertyuiop! Racing Season Among the Irish, WALL STREET JOURNAL, March 11, 2006, at P11 (reviewing Bill Barich, *A Fine Place to Daydream* (2006))

A Ward-Heeler's Bruising Path, WALL STREET JOURNAL, July 20, 2005, at D10 (reviewing Thomas Fleming, *Mysteries of My Father* (2005))

Immigration Process Leaves a Harsh Imprint, CHRISTIAN SCIENCE MONITOR, December 29, 2004, at 9

Memories of Erin, WALL STREET JOURNAL, March 12, 2004, at W6 (reviewing Benedict Kiely, *The Collected Stories of Benedict Kiely* (2003))

The Bejaysus Factory, WALL STREET JOURNAL, Dec. 13, 2002, at W1

TEACHING

Business Organizations
Securities Regulation
Corporate Finance
International Business Transactions
Investment Funds

AWARDS, FELLOWSHIPS, LECTURES & REFEREEING

Chicago-Kent College of Law Excellence in Teaching Award, 2010

Searle-Kauffman Fellow on Law, Innovation, and Growth, 2009 - 2010

Lecturer, *Themis Bar Review: Corporations, Agency & Partnerships* (Illinois & MEE), 2009 - present

Lecturer, Shanghai Bar Association, China, *U.S. Business Organizations*, March 11-21, 2007

Referee, *Journal of Legal Studies*

COMMENTARY

The Conglomerate
Concurring Opinions
PrawfsBlawg
The Volokh Conspiracy

SELECTED PRESENTATIONS & CONFERENCES

University of Iowa College of Law, September 2011

"The Supreme Court's Theory of the Fund"

AALS Annual Meeting (San Francisco), Section on Securities Regulation, January 2011

"Breaking Bucks in Money Market Funds"

AALS Annual Meeting (San Francisco), Section on Financial Institutions, January 2011
"Breaking Bucks in Money Market Funds"

Mutual Fund Roundtable, Boston University School of Law, *organizer*, December 2010

Notre Dame Law School, November 2010
"Breaking Bucks in Money Market Funds"

University of North Carolina Law School, October 2010
"Breaking Bucks in Money Market Funds"

Canadian Law & Economics Association Annual Meeting (Toronto), October 2010
"Breaking Bucks in Money Market Funds"

Northwestern University Law School, September 2010
"Breaking Bucks in Money Market Funds"

American Constitution Society (Illinois), August 2010
"Implications of Citizens United"

University of Chicago Law School Summit, *participant*, May 2010

Law & Society Association Annual Meeting (Chicago), May 2010
"Investment Indiscipline: A Behavioral Approach to Mutual Fund Jurisprudence"

University of Chicago Law School Federalist Society, April 2010
Debate with Professor M. Todd Henderson regarding *Jones v. Harris*

Morningstar webinar, April 2010
Debate with Professor John C. Coates IV regarding *Jones v. Harris*

Institute for Law & Economic Policy (Turks & Caicos Islands), *commentator*, April 2010

Chicago-Kent College of Law, April 2010
"Breaking Bucks in Money Market Funds"

Institute for Law & Economics, University of Pennsylvania Law School, *participant*, April 2010
Corporate Roundtable on Mutual Funds

American Constitution Society (Chicago), April 2010
"The Supreme Court's Response to the Financial Crisis"

Searle-Kauffman Institute (Orange, California), *fellow & presenter*, March 2010

Chicago Bar Association, Securities Law Committee, February 2010
"The Supreme Court's Response to the Financial Crisis"

Searle-Kauffman Institute (Captiva, Florida), *fellow*, January 2010

AALS Annual Meeting (New Orleans), Section on Securities Regulation, January 2010
"Investment Indiscipline: A Behavioral Approach to Mutual Fund Jurisprudence"

Mutual Fund Roundtable, Boston University School of Law, *organizer*, December 2009

Chicago Bar Association, Futures & Derivatives Law Committee, November 2010
“Investment Indiscipline: A Behavioral Approach to Mutual Fund Jurisprudence”

Canadian Law and Economics Association Annual Meeting (Toronto), October 2009
“Investment Indiscipline: A Behavioral Approach to Mutual Fund Jurisprudence” (accepted)

Searle-Kauffman Institute (Chicago, Illinois), *fellow*, September 2009

University of Illinois College of Law, September 2009
“Investment Indiscipline: A Behavioral Approach to Mutual Fund Jurisprudence”

Chicago Bar Association, Securities Law Committee, May 2009
“Mutual Fund Litigation in the Supreme Court”

Searle Center Corporate Governance Roundtable, Northwestern Law School, *participant*, April 2009

Case Western Reserve University School of Law, April 2009
“Mutual Fund Litigation in the Supreme Court”

Morningstar Fund Research (Chicago), March 2009
“Mutual Fund Litigation in the Supreme Court”

Chicago-Kent College of Law, December 2008
“Mutual Fund Litigation in the Supreme Court”

Mutual Fund Roundtable, Chicago-Kent College of Law, *organizer*, November 2008

University of Chicago Law School, June 2008
“Investment Desegregation in Private Equity Funds” (with M. Todd Henderson)

Boston College Law School, March 2008
“Exchange-Traded Funds”

University of Illinois College of Law, February 2008
“Exchange-Traded Funds”

Southern Methodist University Dedman School of Law, February 2008
“Exchange-Traded Funds”

Chicago-Kent College of Law, *faculty workshops*, February 2008 & May 2007

AFFILIATIONS

Bar of the Supreme Court of the United States, 2008
Bar of the United States Court of Appeals for the Seventh Circuit, 2009
Bar of the Commonwealth of Massachusetts, 2000
American Constitution Society, Chicago Chapter, Board of Advisors, Member 2012 - present