

Elizabeth Chamblee Burch

University of Georgia School of Law
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ACADEMIC APPOINTMENTS

University of Georgia School of Law

Charles H. Kirbo Chair of Law

Professor of Law

Associate Professor of Law

Athens, Georgia

Jan. 2016-present

Aug. 2015-Jan. 2016

May 2011-Aug. 2015

Courses: Complex Litigation, Mass Torts, Civil Procedure, Multidistrict Litigation Strategy

Honors: Fred C. Zacharias Memorial Prize for Professional Responsibility Scholarship, 2016

American Law Institute, Young Scholar's Medal, 2015

John C. O'Byrne Memorial Student-Faculty Award, 2014

Harvard Law School

Visiting Professor of Law

Courses: Civil Procedure, Emerging Issues in Mass Torts

Cambridge, Massachusetts

Aug. 2017-Dec. 2017

Florida State University College of Law

Assistant Professor of Law

Courses: Complex Litigation, Civil Procedure, Evidence

Honors: University-wide Graduate Teaching Award, 2011

Tenure awarded, 2011

Voted "Professor of the Year," 2010

Tallahassee, Florida

May 2008-May 2011

Cumberland School of Law, Samford University

Assistant Professor of Law

Courses: Complex Litigation, Civil Procedure I, Civil Procedure II, Law and Literature

Honors: Harvey S. Jackson Excellence in Teaching Award, 2008

Lightfoot, Franklin & White Faculty Scholarship Award, 2008

Birmingham, Alabama

May 2006-May 2008

PUBLICATIONS

Books:

- MASS TORT DEALS: BACKROOM BARGAINING IN MULTIDISTRICT LITIGATION (forthcoming with Cambridge University Press April, 2019)
- THE LAW OF CLASS ACTIONS AND OTHER AGGREGATE LITIGATION (Foundation Press, 2d ed. 2013) (with the late Richard Nagareda, Robert G. Bone, Charles Silver, and Patrick Woolley) (updated annually)

Articles:

- *Publicly Funded Objectors*, 19 THEORETICAL INQUIRIES IN LAW 47 (2018) (peer-reviewed symposium)

- *Repeat Players in Multidistrict Litigation: The Social Network*, 102 CORNELL LAW REVIEW 1445 (2017) (with Margaret S. Williams)
- *Monopolies in Multidistrict Litigation*, 70 VANDERBILT LAW REVIEW 67 (2017)
- *Constructing Issue Classes*, 101 VIRGINIA LAW REVIEW 1855 (2015)
- *Calibrating Participation: Reflections on Procedure versus Procedural Justice*, 65 DEPAUL LAW REVIEW 601 (2016) (Clifford symposium)
- *Judging Multidistrict Litigation*, 90 NEW YORK UNIVERSITY LAW REVIEW 71 (2015) (awarded the 2016 Fred C. Zacharias Memorial Prize for Scholarship in Professional Responsibility)
- *Remanding Multidistrict Litigation*, 75 LOUISIANA LAW REVIEW 399 (2014) (symposium)
- *Adequately Representing Groups*, 81 FORDHAM LAW REVIEW 3043 (2013) (symposium)
- *Disaggregating*, 90 WASHINGTON UNIVERSITY LAW REVIEW 667 (2013) (symposium)
- *Financiers as Monitors in Aggregate Litigation*, 87 NEW YORK UNIVERSITY LAW REVIEW 1273 (2012)
- *Optimal Lead Plaintiffs*, 64 VANDERBILT LAW REVIEW 1109 (2011), *reprinted in* 53 CORPORATE PRACTICE COMMENTATOR 893 (2012)
- *Litigating Together: Social, Moral, and Legal Obligations*, 91 BOSTON UNIVERSITY LAW REVIEW 87 (2011)
- *Group Consensus, Individual Consent*, 79 GEORGE WASHINGTON LAW REVIEW 506 (2011) (symposium)
- *Aggregation, Community, and the Line Between*, 58 KANSAS LAW REVIEW 101 (2010) (symposium)
- *Litigating Groups*, 61 ALABAMA LAW REVIEW 1 (2009)
- *Procedural Justice in Nonclass Aggregation*, 44 WAKE FOREST LAW REVIEW 1 (2009)
- *Securities Class Actions as Pragmatic Ex Post Regulation*, 43 GEORGIA LAW REVIEW 63 (2008)
- *CAFA's Impact on Litigation as a Public Good*, 29 CARDOZO LAW REVIEW 2517 (2008)
- *Reassessing Damages in Securities Fraud Class Actions*, 66 MARYLAND LAW REVIEW 348 (2007)
- L. Elizabeth Chamblee, *Unsettling Efficiency: When Non-Class Aggregation of Mass Torts Creates Second-Class Settlements*, 65 LOUISIANA LAW REVIEW 157 (2004)
- L. Elizabeth Chamblee, Comment, *Between "Merit Inquiry" and "Rigorous Analysis": Using Daubert to Navigate the Gray Areas of Federal Class Action Certification*, 31 FLORIDA STATE UNIVERSITY LAW REVIEW 1041 (2004)
- L. Elizabeth Chamblee, Comment, *Rhetoric or Rights?: When Culture and Religion Bar Girls' Right to Education*, 44 VIRGINIA JOURNAL OF INTERNATIONAL LAW 1073 (2004)
- L. Elizabeth Chamblee, Comment, *Post-War Iraq: Prosecuting Saddam Hussein*, 7 CALIFORNIA CRIMINAL LAW REVIEW 1 (2004)
- L. Elizabeth Chamblee, Comment, *Time for a Legislative Change: Florida's Stagnant Standard Governing Mental Competency for Execution*, 31 FLORIDA STATE UNIVERSITY LAW REVIEW 335 (2004)

Shorter Works:

- Op-ed, *What Duties Do Lead Lawyers Owe Plaintiffs in Multidistrict Litigation*, LAW360, OCT. 10, 2017
- *Five First-Year Survival Tips*, HARVARD LAW RECORD, Aug. 31, 2017

- Op-ed, *Congress's Judicial Mistrust*, BLOOMBERG LAW, 45 PRODUCT SAFETY & LIABILITY RPT. 340, Apr. 3, 2017 (with Myriam Gilles)
- *Financing Issue Classes: Benefits and Barriers to Third-Party Funding*, 12 NEW YORK UNIVERSITY JOURNAL OF LAW AND BUSINESS 889 (2016) (symposium)
- *On Regulatory Discord and Procedure*, 11 NEW YORK UNIVERSITY JOURNAL OF LAW AND BUSINESS 819 (2015) (symposium)
- *Revisiting Government as Plaintiff*, 5 JOURNAL OF TORT LAW 227 (2014) (symposium) (response to Adam S. Zimmerman, *The Corrective Justice State*, 5 JOURNAL OF TORT LAW 189 (2014))
- *Governing Securities Class Actions*, 80 CINCINNATI LAW REVIEW 299 (2012) (symposium)
- *Introduction: Dukes v. Wal-Mart Stores, Inc.*, 63 VANDERBILT LAW REVIEW EN BANC 91 (2010) (introduction to Vanderbilt Law Review's roundtable debate)
- *Procedural Adequacy*, 88 TEXAS LAW REVIEW *SEE ALSO* 55 (2010) (invited response to Jay Tidmarsh, *Rethinking Adequacy of Representation*, 87 TEXAS LAW REVIEW 1137 (2009))
- *There's A Pennoyer in My Foyer: Civil Procedure According to Dr. Seuss*, 13 GREEN BAG 2D 105 (2009)
- *A New Way Forward: A Response to Judge Weinstein*, 2009 CARDOZO LAW REVIEW DE NOVO 168 (invited response to Judge Jack B. Weinstein, *Preliminary Reflections on Administrations of Complex Litigations*, 2009 CARDOZO LAW REVIEW DE NOVO 1)
- *Nonjurisdictionality or Inequity*, 102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 64 (2007) (invited response to Scott Dodson, *Jurisdictionality and Bowles v. Russell*, 102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 42 (2007))
- *Superseding and Staying Judgments in Georgia*, in *SUPERSEDING AND STAYING JUDGMENTS: A NATIONAL COMPENDIUM* (ABA 2007) (written with Laurie Webb Daniel while in practice)

PRESENTATIONS AND PANELS

Civil Procedure Workshop

Senior Commentator, Fourth Annual Workshop, Stanford Law School, November 2018

Mass Tort Deals: Backroom Bargaining in Multidistrict Litigation

Panelist, Documenting and Seeking Solutions to Mass-Tort MDL Problems, Duke Law School, April 2018

Panelist, Review of Litigation Symposium, Texas Law School, April 2018

Faculty Brownbag Workshop, University of Georgia School of Law, April 2018

Honors Program Lunchbox Lectures, University of Georgia, April 2018

Faculty Presentation, Houston Law School, March 2018

Faculty Presentation, University of Texas School of Law, February 2018

Faculty Presentation, University of Connecticut School of Law, November 2017

Panelist, What's Wrong with MDLs?, 2017 Transferee Judges Conference, October 2017

Presenter, Emory School of Law/University of Georgia School of Law Workshop, July 2017

Panelist, Multidistrict Litigation Roundtable, George Washington University Law School, April 2017

Faculty Presentation, UC Hastings College of the Law, April 2017

Faculty Presentation, Elon University School of Law, April 2017

The Nuts & Bolts of Getting Published

Presenter, HLS Law Teaching Colloquium series, Harvard Law School, November 2017

Repeat Players in Multidistrict Litigation: The Social Network

Faculty Presentation, Drexel University School of Law, March 2017

Presenter, Aggregate Litigation in the 21st Century: Potential and Perils, Eastern District of Pennsylvania Federal Judicial Retreat, November 2016

Presenter, Emory School of Law/University of Georgia School of Law Workshop, July 2016

New Voices in Civil Justice

Senior Commentator, 2017 New Voices in Civil Justice Workshop, Vanderbilt Law School, May 2017

Fifty Years of Class Actions – A Global Perspective

Presenter, Tel Aviv University, January 2017

The Future of Aggregate Litigation

Introduction and Organizer, Young Scholars Medal Conference, The Future of Aggregate Litigation, American Law Institute, April 2016

Presenter, Young Scholars' Medal Address, American Law Institute Annual Meeting, May 2015

Federal Rules of Civil Procedure Advisory Committee Discussions

Moderator, Second Annual Civil Procedure Workshop, Washington Law School, July 2016

Panelist, Class Action Reforms – Discussion with the Advisory Committee on Civil Rules, AALS Annual Meeting, Section on Civil Procedure, January 2016

Monopolies in Multidistrict Litigation

Faculty Presentation, Notre Dame Law School, February 2016

Presenter, Emory School of Law/University of Georgia School of Law Workshop, July 2015

Financing Issue Classes: Benefits and Barriers to Third-Party Funding

Presenter, Litigation Funding Conference, NYU School of Law, November 2015

Constructing Issue Classes

Faculty Presentation, Vanderbilt Law School, September 2015

Presenter, The Future of Class Action Litigation: A View from the Consumer Class, NYU School of Law, November 2014

Faculty Presentation, University of Georgia School of Law, November 2014

Panelist, 18th Annual National Institute on Class Actions, American Bar Association, October 2014

Incentive Payments to Class Representatives

Presenter, Ethical Issues in Class Actions and Non-Class Aggregate Litigation, American Law Institute, May 2015

Judging Multidistrict Litigation

Presenter, Multidistrict Litigation Judicial Conference Committee, Duke Law School, October 2015

Panelist, Selecting Leadership in Multidistrict Litigation, Mass Torts Made Perfect, October 2015

Presenter, University of Georgia School of Law Faculty Workshop, March 2014

Presenter, Emory School of Law/University of Georgia School of Law Workshop, July 2013

Calibrating Participation: Reflections on Procedure versus Procedural Justice

Presenter, The Supreme Court, Business and Civil Justice, 2015 Clifford Symposium on Tort Law and Social Policy, DePaul University College of Law, April 2015

Remanding Multidistrict Litigation

Presenter, The Rest of the Story: Resolving the Cases Remanded by the MDL, Louisiana State University Law School, March 2014

Government as Plaintiff

Presenter, The Public Life of Private Law: The Logic and Experience of Mass Litigation, Vanderbilt University School of Law, September 2013

Adequately Representing Groups

Presenter, Lawyering for Groups: Civil Rights, Mass Torts, and Everything In Between, Fordham University School of Law, November 2012

Financiers as Monitors in Aggregate Litigation

Presenter, 2012 New Voices in Civil Justice Workshop, Vanderbilt University Law School, May 2012
Presenter, Pacific McGeorge School of Law Faculty Colloquium, November 2011

Disaggregating

Presenter, Civil Justice Symposium 2014: Recent Developments in Tort Law and Practice, Buffalo Law School, October 2014
Presenter, The Future of Class Actions, Institute for Law and Economic Policy Symposium, April 2012

BP Oil Spill: One Year Later

Panelist, Southeastern Association of Law Schools (SEALS), July 2011

Optimal Lead Plaintiffs

Presenter, 2011 Corporate Law Symposium, The Principles and Politics of Aggregate Litigation: CAFA, PSLRA, and Beyond, University of Cincinnati College of Law, April 2011
Panelist, Fourth International Congress on Psychology and Law (joint program of the American Psychology-Law Society, European Association of Psychology and Law, and the Australian and New Zealand Association of Psychiatry, Psychology and Law), March 2011
Presenter, University of Arizona James E. Rogers College of Law, February 2011

Dukes v. Wal-Mart Stores, Inc.: Employment Discrimination and Class Certification

Panelist, American Association of Law Schools Annual Meeting, "Hot Topics," January 2011
Roundtable Chair, Law and Society Annual Meeting, May 2010

Law Professors and the Work-Life Balance

Panelist, American Association of Law Schools Annual Meeting, Section for New Law Professors, January 2011

Proposed Changes to the Federal Rules of Evidence

Panelist, Southeastern Association of Law Schools (SEALS), West Palm Beach, Florida, July 2010

Group Consensus, Individual Consent

Panelist, Aggregate Litigation: Critical Perspectives, George Washington Law School, March 2010

Rethinking Securities Regulation

Discussant, Vanderbilt University Law School, March 2010

Aggregation, Community, and the Line Between

Panelist, The Future of Aggregate Litigation 10-Years Post-*Ortiz v. Fibreboard Corp.*, Kansas University School of Law, October 2009

Litigating Together: Social, Moral, and Legal Obligations

Presenter, University of Georgia School of Law, February 2011
Presenter, University of Alabama School of Law, October 2010

Panelist, "Individual Rights, Collective Identities, Regional Policies, Global Society: The Problems and Promises of Community," Law and Society Annual Meeting, Chicago, Illinois, May 2010
Poster Presentation, AALS Annual Meeting, New Orleans, Louisiana, January 2010
Presenter, University of Florida College of Law Faculty Workshop, September 2009
Presenter, New Scholar's Panel, Southeastern Association of Law Schools (SEALS), August 2009
Presenter, Florida State University College of Law Faculty Workshop, June 2009

Litigating Class Actions Between Class Certification and Trial

Panelist, Strafford Continuing Legal Education Teleconference, August 2009

It Ain't Over Till it's Over: Litigating Class Actions After Certification and Before Trial

Panelist, American Bar Association Center for CLE Webcast/Teleconference, May 2009

Litigating Groups

Panelist, "What is Access to Justice?," Law and Society Annual Meeting, May 2009

On Law and Society from a Literary Perspective

Panelist, Law and Society Annual Meeting, May 2009

Mass Settlements via Contracts with Plaintiffs' Law Firms

Discussant, Roundtable at Vanderbilt University Law School, January 2009 (*Procedural Justice in Nonclass Aggregation* distributed as background material)

Civil Justice Reconsidered

Discussant, Conference on Stephen P. Croley's book, *Civil Justice Reconsidered*, Albany Law School, November 2008

Procedural Justice in Nonclass Aggregation

Panelist, "Frontier Issues in Civil Procedure," Southeastern Assoc. of Law Schools (SEALS), July 2008
Presenter, Florida State University College of Law Faculty Workshop, June 2008
Presenter, Cumberland School of Law Faculty Colloquium, April 2008

Communicating with Class Members

Panelist, American Bar Association Center for CLE Webcast/Teleconference, May 2008

Securities Class Actions as Pragmatic Ex Post Regulation

Presenter, Florida State University College of Law Faculty Workshop, February 2008
Presenter, John Marshall Law School Faculty Workshop, January 2008
Presenter, University of Tennessee School of Law Faculty Workshop, November 2007
Presenter, Cumberland School of Law Faculty Colloquium, September 2007

CAFA's Impact on Litigation as a Public Good

Poster presentation, American Association of Law Schools Annual Meeting, January 2008

Reassessing Damages in Securities Fraud Class Actions

Presenter, Cumberland School of Law Faculty Colloquium, February 2007

EDUCATION

Florida State University College of Law

Juris Doctor, 2004, *cum laude*

Florida State University Law Review, Writing & Research Editor; Associate Editor

Awards: Piece Editor of the Year; Meritorious Service Award

Tallahassee, Florida

Journal of Transnational Law & Policy
Journal of Land Use & Environmental Law (2002-2003)
Moot Court, Editorial Chair

Vanderbilt University

Nashville, Tennessee

Bachelor of Arts, English, 2000, *cum laude*
Minor, Political Science

SERVICE

Law School and University Committees:

University of Georgia School of Law

Member, Speaker's Committee, 2016-2018
Member, Chaffin Chair Committee, 2016
Chair, Evaluation and Standards Committee, 2015
Chair, Tenure Revocation Investigatory Committee, 2015 (University)
Member, Reexamining Post-Tenure Review Committee, 2015 (University)
Member, Dean Search Committee, 2014
Member, Appointments Committee, 2014-2015, 2013-2014
Member, Promotion and Tenure Committee, 2012-2013
Member, Committee to Evaluate New Graduate Programs, 2012-2013
Member, Law Library Committee, 2011-2013

Florida State University College of Law

Member, Appointments Committee, 2009, 2011 (calendar year)
Member, University's General Policy Committee, 2010
Coach, Moot Court Team, 2010-2011
Member, Faculty Enrichment Speaker's Committee, 2009-2010
Advisor, American Constitution Society, 2009-2010
Member, Student Placement Committee, 2008-2009
Member, New Building Committee, 2008-2009

Cumberland School of Law, Samford University

Member, Carnegie Report Committee (ad hoc), 2007-2008
Member, Academic Standards Committee, 2006-2008
Member, Career Services Committee, 2006-2007
Member, Library Committee, 2007-2008
Faculty Advisor, Georgia Student Bar Association, 2006-2008
Faculty Advisor, Florida Student Bar Association, 2007-2008
Faculty Senator, Samford University Faculty Senate, 2007-2008

Service to the Profession:

- American Law Institute, Member 2012-present
- American Association of Law Schools Section on Scholarship, Executive Board Member 2012-2016, Co-Chair 2015-2016
- Mass Torts Subcommittee Chair, ABA's Class Action and Derivative Suits Committee, 2007-present
- Co-Editor, Mass Tort Litigation Blog (part of the Law Professors Blog Network), 2007-present

Expert Testimony:

- *Ouellette v. Wal-Mart Stores, Inc.*, No. 67-01-CA-326 (Fla. Cir. Ct.) (August 17, 2009) (class-action notice expert in support of the settlement)

Media:

- Quoted on complex litigation, mass torts, and class action issues on National Public Radio's *Marketplace* and in the *New York Times*, *Wall Street Journal*, *USA Today*, *Forbes*, *L.A. Times*, *Reuters*, *Miami Herald*, *Atlanta Journal Constitution*, *Philadelphia Inquirer*, *ABA Journal*, *St. Louis Post-Dispatch*, *BNA Class Action Litigation Report*, *Florida Trend*, *Houston Chronicle*, *The Tennessean*, *Lanysers USA*, *Law360*, *Tallahassee Democrat*, *TheStreet.com*, and *Product Liability Law 360*

OTHER LEGAL EXPERIENCE

Holland & Knight LLP

Associate and Summer Associate

Practice Areas: class actions, securities litigation, complex litigation

Atlanta, Georgia

Aug. 2004-Apr. 2006