

## CURRICULUM VITAE

### STEPHEN F. DIAMOND

Associate Professor of Law  
Santa Clara University School of Law  
Santa Clara, California 95053  
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### Education

#### **Yale Law School**

J.D., 1994  
Symposium Editor, *Yale Law Journal*

#### **University of London (Birkbeck College)**

Ph.D. (1991), M.Phil. (1988) Political Science  
Dissertation: Class and Power in Revolutionary Nicaragua  
Committee: Huw Beynon, Sami Zubaida, Arthur Lipow (*ex officio*)  
SSRC/MacArthur Foundation Fellowship in International Peace and Security  
Overseas Research Student Award

#### **University of California at Berkeley**

B.A., Development Studies, Phi Beta Kappa, 1977

### Academic Appointments

#### **Santa Clara University School of Law**

Associate Professor (Tenure), 2005-Present  
Assistant Professor, 1999-2005

#### **Cornell Law School**

Assistant Professor, 2003-2004 (one year visit)

#### **Markkula Center for Applied Ethics, Santa Clara University**

Ethics Scholar, 2009-present

#### **Center for Latin American Studies, Stanford University**

Visiting Scholar, 1996-1997

#### **Center for International Affairs, Harvard University**

Visiting Scholar, 1989-1990

**Graduate School of International Relations and Pacific Studies, U.C. San Diego**

Visiting Scholar, 1990-1991

**Center for U.S.-Mexican Studies, U.C. San Diego**

Visiting Scholar/Research Associate, 1990-1991/1993

**Teaching Experience**

Business Organizations

Securities Regulation

Corporate Finance

Advanced Corporations

International Trade

International Finance

Seminar on Comparative Corporate Law

Seminar on International Labor Rights

Seminar on Globalization and the Rule of Law

Executive MBA Program, Santa Clara University School of Business

**Professional Appointments**

Advisor, CNH Capital, Menlo Park, California, 2006-present

Member, Board of Directors, OPTi, Inc., Palo Alto, California, 2003-2011

Associate, Wilson Sonsini Goodrich & Rosati, Palo Alto, California, 1995-1999

Associate, Latham & Watkins, New York, New York, 1994-1995

Assistant Director, Harvard Trade Union Program, Harvard University, 1989-1990

Director of Public Affairs, International Brotherhood of Electrical Workers, Local 1245, Walnut Creek, California, 1986-1987, 1987-1989

Program Representative, Center for Labor Research and Education, U.C. Berkeley, Berkeley, California, 1980-1986

**Books**

1. *From "Che" to China: Labor and Authoritarianism in the New Global Economy*. Vandepas Publishing, 2009.
2. *Human Rights, Labor Rights and International Trade: Law and Policy*

*Perspectives*, (co-editor with Lance A. Compa). Univ. of Penn. Press, 1996 (cloth), 2003 (paperback).

3. *Hidden History of the Equal Rights Amendment* (co-author with Hal Draper) (unpublished ms.).
4. *Rights and Revolution: The Rise and Decline of Nicaragua's Sandinista Movement* (working draft available on [ssrn.com](http://ssrn.com)).

### **Book Chapters**

5. Beyond the Berle-Means Paradigm: Private equity and the new capitalist order, In *The Embedded Firm*, Cynthia Williams and Peer Zumbansen, eds. Cambridge University Press, 2011.
6. Ringing the Bell on the NYSE: Might a Nonprofit Stock Exchange have been efficient? In *Global Stock Exchanges: The Dawn of A New Era*, Arindam Banerjee, ed., ICAI University Press, India, 2008.
7. Beyond the Core: Re-Thinking the International Labor Rights Strategy after the Battle of Seattle. In *Trade and Agriculture: Negotiating a New Agreement*, Joe McMahon, ed., Cameron May, London 2001.
8. Labor Rights in the Global Economy: A Case Study of the North American Free Trade Agreement. In *Human Rights, Labor Rights and International Trade*, Lance A. Compa and Stephen F. Diamond, eds., Univ. of Penn. Press, 1996, 2003.
9. Introduction. (with Lance A. Compa) In *Human Rights, Labor Rights and International Trade*, Lance A. Compa and Stephen F. Diamond, eds., Univ. of Penn. Press, 1996, 2003.
10. U.S. Labor and North American Economic Integration: Towards a Constructive Critique. In *The Political Economy of North American Free Trade*, edited by Ricardo Grinspun and Maxwell Cameron. St. Martin's Press, 1993.

### **Articles**

11. The Facebook Effect: Secondary Markets and Insider Trading in Today's Startup Environment. *Business Law News* (forthcoming).
12. Ringing the Bell on the NYSE: Might a Nonprofit Stock Exchange have been efficient? *Duquesne Business L. J.*, Spring, 2007 (co-author: Jennifer W.

Kuan).

13. Avoiding Debacle in the U.S. Auto Industry, *Dissent (Web only)*, Spring, 2006.
14. The Delphi “Bankruptcy,” *Dissent*, Spring, 2006.
15. The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era. *The J. of Corporation Law*, 2003.
16. The “Race to the Bottom” Returns: China’s Challenge to the International Labor Movement. *U.C. Davis J. of Int’l L. and Policy*, 2003.
17. Bridging the Divide: An Alternative Approach to International Labor Rights after the Battle of Seattle. *Pepperdine L. Rev.*, 2002.
18. No friends in labor’s court, *The Nation*. Dec. 14, 1985.
19. Plant Closings and Worker Health: A Nationwide Epidemic, Labor and Occupational Health Program *Monitor*, Volume II, #2, January-February, 1983, University of California, Berkeley.
20. Political and Occupation Hazards to Reproductive Health, *New Labor Review*, #4, Fall, 1982.

#### **Invited Papers and Presentations**

21. Destabilizing “Competition”: The Case of the New York Stock Exchange, Stanford University, November 28, 2011.
22. Institutional Design and Market Efficiency: Evidence from the NYSE IPO, International Society for New Institutional Economics, Stanford University, June 16-18, 2011.
23. Can Institutional Economics Inform the Efficient Market Hypothesis?, European Money and Finance Forum, Universitat Pompeu Fabra, Barcelona, Spain, December 10, 2010, with Jennifer Kuan.
24. Institutional Heterogeneity Among Stock Exchanges, Conference on Empirical Legal Studies, Yale Law School, November 5-6, 2010, with Jennifer Kuan.
25. Institutional Heterogeneity Among Stock Exchanges, Tulane Energy Institute, Tulane University School of Business, October 28, 2010, with Jennifer Kuan.
26. A Tale of Two Stock Exchanges: Why Governance and Institutional Design

Matters, International Atlantic Economic Society, October 12, 2010, with Jennifer Kuan.

27. Institutional Heterogeneity Among Stock Exchanges, Faculty Workshop, SCU School of Law, August 30, 2010, with Jennifer Kuan.
28. Institutional Heterogeneity Among Stock Exchanges: Implications for Market Efficiency, Law and Economics Lunch Seminar, Stanford Law School, June 11, 2010, with Jennifer Kuan.
29. Can Institutional Economics Inform the Efficient Market Hypothesis? Industry Studies Conference, University of Illinois, Chicago, May 7, 2010, with Jennifer Kuan.
30. A Tale of Two Exchanges: Why Institutional Design Matters, New School University Conference on U.S. Corporations in the Recovery and Beyond, April 22, 2010, with Jennifer Kuan.
31. Reconsidering Market Efficiency: A Tale of Two Exchanges, Institutions and Innovation Conference, Harvard Business School, 2009. (Co-author, Jennifer W. Kuan, SIEPR, Stanford University).
32. Reconsidering the IPO of the New York Stock Exchange, IOFest, Haas School of Business, U.C. Berkeley, 2009. (Co-author, Jennifer W. Kuan, SIEPR, Stanford University).
33. Rethinking Private Equity and “Financialization,” Society for Advancement of Socio-Economics, SciencesPo, Paris, France, 2009.
34. Using Hostages to Improve the Quality of Financial Disclosure and Financial Institutions, International Society for New Institutional Economics, Haas School of Business, U.C. Berkeley, 2009. (Co-author, Jennifer W. Kuan, SIEPR, Stanford University).
35. Using Hostages to Improve the Quality of Financial Disclosure and Financial Institutions, Sloan Industry Studies Conference, 2009. (Co-author, Jennifer W. Kuan, SIEPR, Stanford University).
36. Private Equity and Public Good, Capital Matters: Managing Labor’s Capital, Harvard Law School, 2008.
37. Beyond the Berle-Means Paradigm: Private Equity and the new capitalist order, Yale School of Management, 2008.

38. Beyond the Berle-Means Paradigm: Private Equity and the new capitalist order, York University Osgoode Hall School of Law, 2008.
39. Exercising the Governance Option: Labor and Legitimacy in the Modern Corporate System. Global Conference on Business Ethics – The Accountable Corporation, Santa Clara University, 2005.
40. The “Race to the Bottom” Returns: China’s Challenge to the International Labor Movement. Symposium on Workers in the Global Economy: The Role of International Economic Institutions, U.C. Davis King Hall School of Law, 2003.
41. Exercising the Governance Option: Labor and Legitimacy in the Modern Corporate System. Panel on Labor Rights, Corporations, and Capitalism, Feminism and Legal Theory Conference, Cornell Law School and University of Wisconsin School of Law, 2003.
42. The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era. Feminism and Legal Theory Workshop on the Corporation and Citizenship, York University Osgoode Hall School of Law, Cornell Law School and University of British Columbia Law School, 2002.
43. Coercion and Labor in the Global Economy: A Law and Sociology Analysis. Midwestern Sociology Association, 2002.
44. The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era. Social Justice Seminar, Boalt Hall, U.C. Berkeley, 2001.
45. The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era, Social Justice Seminar, Santa Clara University School of Law, 2001.
46. Beyond the Core: A Re-assessment of the International Labor Rights Strategy after the Battle of Seattle, International Law Association, Pepperdine Law School, 2001.
47. NAFTA, Labor and the Mexican Peso Crisis. Harvard Law School, Seminar on Law and International Relations, 1995.
48. The Impact of the Global Economy on Labor Rights: A Case Study of NAFTA. School of Business and Department of Sociology, University of Wisconsin at Madison, 1994.
49. European Legal Scholarship and the Search for a Third Way: Revisiting the

Work of Franz Neumann. Yale Law School, Seminar on European Legal Thought, 1994.

50. Exploring the Big Bank and E.C. Capital Market Reform: Alternative Approaches. Yale Law School, Seminar on Financial Market Regulation, 1993.
51. Law, Labor, and Legitimacy: Economic Restructuring in Poland and Mexico. Seminar of the Center for U.S. Mexican Studies, U.C. San Diego, 1993.
52. The Rule of Law in the East European Transition: Some Comparative Lessons. SSRC/MacArthur Foundation Research Workshop, Central European University, Prague, Czech Republic, 1992.
53. American Labor and North American Economic Integration. Conference on Critical Perspectives on North American Economic Integration, York University, 1991.
54. Democratic Institutions and Development in the Transition of a New International Order: The Role of Trade Unions. SSRC/MacArthur Foundation Research Workshop, Graduate School of International Relations and Pacific Studies, U.C. San Diego, 1991.
55. Third World Security in the Post Cold War Era: The Role of Trade Unions. Andrew Mellon Conference on Conceptual Approaches to the Third World, Center for Iberian and Latin American Studies, U.C. San Diego, 1991.
56. Labor in Revolutionary Nicaragua: One Class, One Union? Center for International Affairs, Seminar on Latin America, Harvard University, 1990.
57. The Rise and Decline of Neo-Stalinism: Comparative Lessons from the Nicaraguan Experience. SSRC/MacArthur Fellows Conference, Budapest, Hungary, 1990.
58. Trade Unionism and Democracy: A Research Proposal. SSRC/MacArthur Fellows Conference, Morelos, Mexico, 1990.
59. Revolution and Labor in Central America: Three Roads for the Trade Union Movement. Annual Meeting of the Southwest Labor Studies Association, San Francisco, California, 1989.
60. An Assessment of Nicaragua's Sandinista Revolution. Department of Chicano Studies, Graduate Seminar on Central America, U.C. Berkeley, 1989.

61. The Impact of Industrialization in the Third World. Birkbeck College, University of London, Seminar on Third World Development, 1987.
62. The Trade Unions in Sandinista Nicaragua. Department of Economics, U.C. Berkeley, 1984.

### **Other Papers and Presentations**

63. Regulating Global Capital Markets, Executive MBA Program, Santa Clara University School of Business, 2010.
64. Executive Compensation in the Wake of the AIG Scandal, Markkula Center for Applied Ethics, Santa Clara University, 2009.
65. Regulating Global Capital Markets, Executive MBA Program, Santa Clara University School of Business, 2009.
66. Labor Unrest and Digitalization in Hollywood, U.C. Berkeley School of Law, 2008.
67. Anatomy of the Financial Meltdown, Santa Clara University School of Law, 2008.
68. Will the Real Che Guevara Please Stand Up? Labor and Authoritarianism in Sandinista Nicaragua, 2008.
69. Regulating Global Capital Markets, Executive MBA Program, Santa Clara University School of Business, 2008.
70. International Labor Rights, LLM Seminar, Santa Clara University School of Law, 2008.
71. The NYSE IPO, Santa Clara University School of Law, 2007. (With Jennifer W. Kuan, SIEPR, Stanford).
72. Regulating Global Capital Markets, Executive MBA Program, Santa Clara University School of Business, 2007.
73. The VEBA Brief: Union democracy in an age of economic restructuring, 2007.
74. The Perfect Storm: Facing the challenge to America's social welfare structure after the Safeway strike, Governing Work and Welfare in the EU and US: Past, Present and Future, Cornell, Florence and Catania law schools, Erice, Sicily, 2004.

75. There is no free lunch: Why America's corporate managers should do the right thing and endorse the FASB proposal to expense options, Report to hearing on the impact of stock option expensing on small business, United States Senate Committee on Small Business and Entrepreneurship, Washington, D.C., 2004.
76. Testing Convergence Theory: A case study of China's new corporate economy. Cornell Law School, 2004.
77. The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era, NELLCO Working Paper Series, Cornell Law School, 2003.
78. The "Race to the Bottom" Returns: China's Challenge to the International Labor Movement, NELLCO Working Paper Series, Cornell Law School, 2003.
79. The Emerging Market for Corporate Control in Europe – Case Study of the Vodafone-Mannesmann Merger, Executive MBA Program, Santa Clara University School of Business, 2003.
80. The "Race to the Bottom" Returns: China's Challenge to the International Labor Movement. Santa Clara University School of Law, 2003.
81. The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era, Working Paper Series, Social Science Research Network, 2003.
82. The Emerging Market for Corporate Control in Europe – Case Study of the Vodafone-Mannesmann Merger, Executive MBA Program, Santa Clara University School of Business, 2002.
83. The Emerging Market for Corporate Control in Europe: A Case Study of the Vodafone-Mannesmann Merger, Executive MBA Program, Santa Clara University School of Business, 2001.
84. Alternative Capital Market Strategies for Pension Fund Trustees, AFL-CIO International Pension Fund Trustee Conference, San Francisco, California, 2001.
85. Using Corporate Law to Advance the International Human Rights Agenda. Grillo Public Interest Retreat, Santa Cruz, California, Santa Clara University and University of San Francisco Schools of Law, 2001.
86. Implementation of CalPERS Policy on Investments in Emerging Market

Countries, Office of Investment of the AFL-CIO, 2000.

87. The Initial Public Offering of PetroChina: Rethinking Traditional Investment Criteria in the Context of Human Rights Concerns, Office of Investment, AFL-CIO, 2000.
88. The WTO After the Battle of Seattle, Santa Clara University School of Law, 2000.
89. The Impact of Trade and Technology on American Job Loss, Ford Foundation Conference on International Labor Rights, 2000.
90. The Emerging Market for Corporate Control in Europe, Executive MBA Program, Santa Clara University School of Business, 2000.
91. The Impact of Electronic Communications Networks on U.S. Capital Markets, Presentation to DMT Media, Inc., 2000.
92. Pension Funds and the Global Capital Markets: An Alternative Investment Strategy, Santa Clara University School of Law, 1999.
93. Organized Labor's View of Free Trade with Mexico. World Affairs Council of San Diego, 1991.

### **Book Reviews**

94. *Science Mart: Privatizing American Science* by Philip Mirowski, Harvard University Press, 2011, in *Contemporary Sociology* (forthcoming).
95. *The Future of Finance: How Private Equity and Venture Capital Will Shape the Global Economy* by Dan Schwartz, Amazon.com
96. *Revolution, Revival and Religious Conflict in Sandinista Nicaragua* by Calvin Smith, *Bulletin of Latin American Research*, Vol. 29, Issue 4, October, 2010.
97. The "New Realism" and the Crisis of the Human Rights Movement. Review of *In Our Own Best Interest: How Defending Human Rights Benefits Us All* by William F. Schulz. *Santa Clara L. Rev.* 2002.
98. *The Chinese Market: An Enigma Unraveled* by Joe Studwell. *Dissent*, Summer, 2002.
99. Labor's War. Review of *Labor's War at Home: The CIO in World War II* by Nelson Lichtenstein, *Monthly Review*, May, 1984.

## **Research Notes**

100. “New Boss Same as the Old Boss”: A Look at the GM/UAW VEBA Post-IPO, Nov. 19, 2010.
101. Ford and the UAW Enter the Derivatives Market, 2009.
102. Legal Implications of Proposed GM/UAW VEBA, 2007.
103. Proposed GM/UAW VEBA: A House of Cards? 2007.
104. VEBA v. VEBA: Chrysler UAW Workers Face More Risk, 2007.

## **Op-Eds**

105. New leadership could make AFL-CIO relevant again (titles varied) 2009.
  - a. *Sacramento Bee*
  - b. *Pittsburgh Post Gazette*
  - c. *Buffalo News*
  - d. *Pittsburgh Tribune-Review*
  - e. *Bellingham Herald*
  - f. *Providence Journal-Bulletin*
  - g. *Tuscaloosa News*
106. Enron toppled by politics, law, *The Times-Union*, Albany, New York, Feb. 3, 2002.
107. Terrorism Must Be Fought Through International Law, *The Record*, Bergen County, New Jersey, Oct. 4, 2001.

## **Published Letters**

108. Fragile Pakistan a sacrifice to IMF?, Letter to the editor, *Fin. Times*, Jan. 8, 2011.
109. GM workers' healthcare fund is less secure than it seems, Letter to the editor, *Fin. Times*, Oct. 2, 2007.
110. Citizen investors deserve protection, Letter to the editor, *Fin. Times*, Mar. 26, 2007.

111. Healthy reminder of risks of stock options, Letter to the editor, *Fin. Times*, Oct. 10, 2006.
112. Everyone knew a hard rain was going to fall on Delphi, Letter to the editor, *Fin. Times*, Oct. 18, 2005.
113. SEC's first duty should be to investors, Letter to the editor, *Fin. Times*, Jun. 8, 2005.
114. When Culture and Emerging Capitalism Clash, Letter to the editor, *Wall St. J.*, Apr. 20, 2005.
115. A gaping hole in China's labour laws, Letter to the editor, *Fin. Times*, Sept. 22, 2003.
116. Chinese workers need to feel secure, Letter to the editor, *Fin. Times*, Jan. 29, 2003.
117. A Dark Day for U.S. Workers Is Dawning at Toyota-G.M. Plant, Letter to the editor, *The New York Times*, Aug. 8, 1985.

### **Other Publications**

118. Hey, the Boss Just Called Me Into the Office...The Weingarten Decision and the Right to Representation on the Job. Institute of Industrial Relations, U.C. Berkeley, 1986, 1999.
119. How to Cost a Union Contract. Co-authored with Paul Chown and Theresa Ghilarducci. Institute of Industrial Relations, U.C. Berkeley, 1986.
120. Can They Just Fire Me? Public Employees Right to Due Process. Institute of Industrial Relations, U.C. Berkeley, 1986.
121. *Plea Bargaining: Structure and Process* (contributing author). U.C. Berkeley, 1975.

### **Media**

Interviewed regularly by wide range of media on issues related to corporate governance, financial markets, labor relations and Silicon Valley. Interviews include: *Financial Times*, CBS Market Watch, CNBC, *Wall Street Journal*, *Bloomberg*, *New York Times*, *Time*, *Forbes*, *Los Angeles Times*, *Business Week*, *San Jose Mercury News*, *San Francisco Chronicle*, *San Diego Union Tribune*, ABC TV, *Investor's Business Daily*, *U.S. News and World Report*, *Hollywood Reporter*, *The Wrap.com*, *Backstage*, *Washington Post*, KTVU, KGO-TV, KLIV

Radio, *Traffic World*, *Pacific Shipper*, *Journal of Commerce*, *Detroit Free Press*, *Associated Press*, *Inside Fashion*, *Real News Network*.

### **Grants, Awards, and Fellowships**

Summer Research Grants, Santa Clara University School of Law, 2000-2002, 2004

Summer Research Grant, Cornell Law School, 2003

Workshop Grant, SSRC/MacArthur Foundation Program in International Peace and Security, 1991

SSRC/MacArthur Foundation Fellowship in International Peace and Security, 1989-1991

Overseas Research Student Award, University of London, 1988

Junior Fellow, Carnegie Endowment for International Peace, 1976

### **University Service**

Academic Affairs Committee  
High Tech Law Institute Advisory Board  
Disabilities Review Panel  
International Programs Advisory Committee  
Faculty Affairs Committee  
LARAW Appointments Committee  
Faculty Secretary  
Joint JD/MBA Program Advisor  
Technology Steering Committee  
Faculty Advisor, Start-up Law Clinic  
Faculty Advisor, Start-up Law Students Association  
Member, Advisory Board, American Association of University Professors,

### **Academic Service**

Tenure Committee for Professor Beth Van Schaack (tenure awarded)  
Mentor Committee for Professors David Yosifon and Colleen Chien  
Tenure letter for Sociology Professor, Iowa State University (tenure awarded)  
Tenure letter for Law Professor, New York Law School (tenure awarded)  
Outside referee, article on Chinese trade unions, *Asian Politics & Policy*  
Outside referee, article on private equity, *Journal of Management and Governance*

Outside referee, article on international law, *Santa Clara University Journal of International Law*

Chair, Shadow Tenure and Promotion Committee of Senior Faculty Candidate

Moot court judge, Vale Corporate Law competition.

Moot court judge, Jessup Moot court competition

Member, Faculty Organizing Committee, International Labor Studies Program, Stanford Law School

Discussant, Panel on International Labor Rights, Southwest Labor Studies Association, California State University at Pomona, 2008

Chair, Panel on Corporate Governance Reform: What Difference Has It Made or Could It Make for Workers? With Vice Chancellor Leo Strine, Capital Matters: Managing Labor's Capital, Harvard Law School, 2008

Organizer and Host, Visit of Jan Kavan, Former President of United Nations, Santa Clara University School of Law, 2007

Outside Referee, Casebook on International Business Transactions, Aspen Publishers, Summer, 2004

Organizer and Panel Chair, "Beyond a Boundary": Technology's Challenge to Legal Thinking, Santa Clara University, 2003

Chair, Panel on New developments in Broadband, Broadband Institute, Santa Clara University School of Law, 2002

Chair, Panel on Death Penalty in Comparative Perspective, Symposium, *Santa Clara Law Review*, 2002

Chair of Free Trade Debate between Douglas Irwin and Lori Wallach, Institute on Globalization, Santa Clara University, 2002

Organizer (with Professor William B. Gould IV and Professor Robert Flanagan), Conference on International Labor Standards, Stanford Law School, 2002

Chair, Panel on labor standards and the global economy, Conference on International Labor Standards, Stanford Law School, June, 2002

Chair, Panel on codes of conduct, Conference on International Labor Standards, Stanford Law School, 2002

Chair, Panel on Crime and Tort on the Internet, *High Tech Law Journal* Symposium on Internet Privacy, Santa Clara University School of Law, 2001

Moderated presentation by Don Bradley, General Counsel, Wilson Sonsini Goodrich & Rosati, Ethics Week, Santa Clara University, 2001

Organized and moderated presentation by John Heileman, author of *Pride Before the Fall: The Trials of Bill Gates and the End of the Microsoft Era*, Commonwealth Club of Silicon Valley, Palo Alto, California, 2001

Chair, Panel on New Developments in International Law, National ILSA Conference, Santa Clara University, 2000

Chair, Panel on Crime and Tort on the Internet, High Tech Law Journal on Symposium on Internet Privacy, 2000

Invited and chaired presentation by Robert Major, Principal, Major, Hagen and Africa, to Law School faculty, 2000

Invited and chaired presentation of Eamonn Fingleton, author of *In Praise of Hard Industries*, Center for Science, Technology and Society, Santa Clara University, 1999

Organizer (with an editorial committee): *The Informal Economy*. A symposium sponsored by the *Yale Law Journal*, 1994

Organizer (with Lance A. Compa), *Human Rights and Labor Rights: A New Look at Workers in the Global Economy*. A conference hosted by the Orville H. Schell Center for International Human Rights, Yale Law School, 1992

Organizer and Chair, *Democratic Institutions and Development in the Transition to a New International Order: The Role of Trade Unions*. A research workshop sponsored by the MacArthur Foundation Program in International Peace and Security under the auspices of the Social Science Research Council. U.C. San Diego, Graduate School of International Relations and Pacific Studies, 1991

Organizer, *Revolution and Labor in Central America*, Panel, Annual meeting of the Southwest Labor Studies Association, San Francisco, California, 1989

### **Community Service**

Expert Witness, *Quest v. Centrifly*

Expert Witness, *STMicro v. SanDisk and Eli Harari*

Expert Witness, *XT v. XET*

Testimony on Expensing Stock Options, U.S. Senate Committee on Small Business and Entrepreneurship

Member, Board of Directors, OPTi, Inc., Palo Alto, California

Advisor, CNH Capital, Menlo Park, California

Advisor, Office of Investment, AFL-CIO, Washington, D.C. Projects included:

- Legal issues related to IPO of Blackstone
- Boards of directors elections at Lockheed and Motorola
- Proposed agenda for corporate reform
- Draft speeches for AFL-CIO President and Secretary Treasurer on corporate reform
- Analysis of Powers Report on Enron crisis
- Prepared report on Google IPO
- Advised AFL-CIO and United Food and Commercial Workers on corporate governance proposals for Safeway
- Assisted Communications Workers of America, AFL-CIO and Chunghwa Telecom Workers Union of Taiwan during public listing of Chunghwa Telecom stock on New York Stock Exchange
- “Drug Wars” – The Global Pharmaceutical Industry and The African HIV/AIDS Epidemic, Analysis for institutional investors, presented to the Capital Markets Strategy Group, International Confederation of Free Trade Unions, Brussels, Belgium

- Assessed national security concerns related to proposed \$1 billion bond offering by People's Republic of China
- Advised President John Sweeney's staff on the impact of vote to grant Permanent Normal Trade Relations to China
- Prepared questions to be raised by representatives of New York City Retirement System, CalPERS and State of Connecticut Retirement System to Goldman Sachs representatives at meeting of Council of Institutional Investors, Washington, D.C.
- Prepared draft of guidelines for investing in emerging markets for presentation to and adoption by CalPERS Board of Trustees, 2000.
- Prepared speech delivered by John Sweeney, President, AFL-CIO, to meeting of the International Corporate Governance Network, New York
- Author of assessment of the \$3 billion IPO of PetroChina, the state-owned oil company of the People's Republic of China. Assessment was distributed to investment banks, fund managers and pension fund trustees. Presented results of assessment to Wall Street analysts. Interviewed by wide range of financial and oil press, including *Business Week*, the *Financial Times*, *Wall Street Journal*, *Washington Post*, *Los Angeles Times*, *Investor's Business Daily*, *Platt's Oilgram*. As a result of this analysis, funds with more than \$1 trillion in assets committed to not buy stock in the PetroChina IPO
- Advised State Treasurer's Office, State of Connecticut, on pension fund strategy during PetroChina IPO
- Prepared strategic overview for international conference on worker capital strategy in Brussels, Belgium sponsored by International Confederation of Free Trade Unions
- Prepared speech delivered by John Monks, General Secretary, British Trades Union Congress at ICFTU Conference in Brussels on worker capital strategy
- Prepared Analysis of Vodafone/AirTouch plc \$150 billion hostile takeover bid for Mannesmann AG (reported widely in major newspapers including the *Wall Street Journal*, *Financial Times* and the German press.)
- Presented analysis of Vodafone takeover to numerous Wall Street fund managers and pension fund trustees, including those representing the New York City Retirement System and the State of Ohio Retirement System
- Advised labor members of Supervisory Board of Mannesmann on mergers and acquisitions issues related to Vodafone takeover

Advised East San Jose Community Law Center on small business advisory activities

Advised George Perlegos, founder of Atmel, on contested proxy campaign  
 Regularly advise entrepreneurs on start-up company issues

## **Selected Transactional Experience**

### **Mergers and Acquisitions**

- Micron Technology's acquisition of global DRAM operations of Texas Instruments.
- Standard Microsystems Corporation's sale of Enterprise Networks business unit to Cabletron Systems, Inc.
- OPTi, Inc.'s sale of NetMedia business unit to Creative Technology, Ltd.
- State of the Art, Inc.'s cash tender offer by The Sage Group plc.
- Novell's sale of its WordPerfect division to Corel.
- StrataCom's acquisition by Cisco Systems.

### **Financings**

- Cypress Semiconductor's secondary offering of 7.6 million shares of common stock by Warburg Dillon Read.
- Atmel's \$150 million note offering led by Credit Suisse First Boston.
- eMachines' private placement by America Online and Technology Crossover Ventures.
- eMachines' Initial Public Offering led by Credit Suisse First Boston.
- Goldman, Sachs & Co.'s \$500 million Medium Term Note Offering of Albertson's.

### **Other**

- Negotiated semiconductor foundry agreement for OPTi, Inc.
- Negotiated employment agreements with CEO and CFO, OPTi Inc.

### **Personal**

Admitted to practice law in New York and California

Proficient in Spanish and German

Dual citizen of European Union and United States

Enjoy running, squash, golf, tennis, and erg