

STEPHEN F. DIAMOND

Curriculum Vitae

March 2, 2024

Santa Clara University School of Law
Santa Clara, CA 95053
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EDUCATION

- 1994 J.D. Yale Law School.
Symposium Editor, *Yale Law Journal*.
- 1991 Ph.D. Political Science, Birkbeck College, University of London.
SSRC/MacArthur Fellowship in International Peace and Security
- 1989 M.Phil. Political Science, Birkbeck College, University of London.
Overseas Student Research Award
- 1977 B.A. Development Studies, University of California at Berkeley.
Phi Beta Kappa

ACADEMIC APPOINTMENTS

- 2005-present Associate Professor of Law (with tenure), School of Law, Santa Clara University.
- 1999-2005 Assistant Professor of Law, School of Law, Santa Clara University.
- 2009-2013 Ethics Scholar, Markkula Center for Applied Ethics, Santa Clara University.
- 2003-2004 Assistant Professor of Law (one year visit), Cornell Law School.
- 1996-1997 Visiting Scholar, Center for Latin American Studies, Stanford University.
- 1993 Visiting Scholar, Center for U.S.-Mexican Studies, U.C. San Diego.
- 1990-1991 SSRC/MacArthur Foundation Fellow in International Peace and Security, Graduate School of International Relations and Pacific Studies and Center for U.S.-Mexican Studies, U.C. San Diego.
- 1989-1991 SSRC/MacArthur Foundation Fellow in International Peace and Security, Center for International Affairs, Harvard University.

PUBLICATIONS

Books

- 2013 *The Hidden History of the Equal Rights Amendment*. Berkeley: Center for Socialist History. (Co-author with Hal Draper)
- 2013 *Rights and Revolution: The Rise and Decline of Nicaragua's Sandinista Movement*. Lake Mary, FL: Vandeplas.
- 2009 *From "Che" to China: Labor and Authoritarianism in the New Global Economy*. Lake Mary, FL: Vandeplas.
- 2003 (paperback); 1996 (cloth) *Human Rights, Labor Rights, and International Trade: Law and Policy Perspectives*. University of Pennsylvania Press. (Co-editor with Lance Compa) (peer review); reviewed in *Foreign Affairs*, *American Journal of International Law*, and *Texas Law Review*.

Articles

- 2024 The spot market for carbon offsets: Insights from U.S. stock exchanges, *Review of World Economics*, forthcoming. (peer review) (with J. Kuan)
- 2022 The "corporate governance" myth. *Socialist Register 2023*, Vol. 59, November.
- 2020 Insider Trading: A clash between law and economics. *Oxford Research Encyclopedia of Economics and Finance*. January. (peer review)
- 2021 Legal Education During the COVID-19 Pandemic, Put Health, Safety, and Equity First. 61 *Santa Clara L. Rev.* 367. (with Sandoval Et. al)
- 2019 Exercising the "governance option": labour's push to reshape financial capitalism, *Cambridge Journal of Economics*, 43 (4), July, 891-916. (peer review)
- 2018 Are the stock markets "rigged"? An empirical analysis of regulatory change, *International Review of Law and Economics*, 55, September, 33-40. (peer review) (with J. Kuan)
- 2012 Facebook's Failed IPO: A Fall Worthy of Icarus. *Dissent Magazine*, May 29.
- Occupy Santa Clara! Corporate Personhood Reconsidered. *Dissent Magazine*, April 4.
- 2007 Ringing the Bell on the NYSE: Might a Nonprofit Stock Exchange have been efficient? 9 *Duquesne Business L. J.* 1 (with J. Kuan), also appeared in *Global Stock Exchanges: The Dawn of a New Era*, Arindam Banerjee, ed., ICFAI University Press, India. (2008).
- 2006 The Delphi "Bankruptcy," *Dissent Magazine*, Spring.

- 2003 The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era. 29 *The J. of Corporation Law* 39.
- The “Race to the Bottom” Returns: China’s Challenge to the International Labor Movement. 10 *U.C. Davis J. of Int’l L. and Policy* 39.
- 2002 Bridging the Divide: An Alternative Approach to International Labor Rights after the Battle of Seattle. 29 *Pepperdine L. Rev.* 115.
- 1985 No friends in labor’s court, *The Nation*. Dec. 14.
- 1983 Plant Closings and Worker Health: A Nationwide Epidemic, Labor and Occupational Health Program *Monitor*, Volume II, #2, January-February, University of California, Berkeley.
- 1982 Political and Occupational Hazards to Reproductive Health, *New Labor Review*, #4, Fall. (peer review)

Book chapters

- 2013 The Facebook Effect: Insider Trading and Secondary Markets in the Startup Environment, *Research Handbook on Insider Trading*, Stephen Bainbridge, ed., Cheltenham: Elgar. (peer review); also appeared in *California Business Law Practitioner*, Winter, Vol. 27, No. 1.
- 2011 Beyond the Berle-Means Paradigm: Private equity and the new capitalist order in *The Embedded Firm*, Cynthia Williams, and Peer Zumbansen, eds., Cambridge: Cambridge University Press. (peer review)
- 2001 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., London: Cameron May. (peer review)
- 1996 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., Philadelphia: Univ. of Penn. Press. (peer review)
- Introduction in *Human Rights, Labor Rights and International Trade*, Lance A. Compa and Stephen F. Diamond, eds., Philadelphia: Univ. of Penn. Press. (with L. Compa).
- 1993 U.S. Labor and North American Economic Integration: Towards a Constructive Critique. *The Political Economy of North American Free Trade*, edited by Ricardo Grinspun and Maxwell Cameron. New York: St. Martin's Press. (peer review)

Book reviews

- 2014 *Human Rights and Transnational Solidarity in Cold War Latin America* ed. by Jessica Stites Mor, University of Wisconsin Press 2013 in *Human Rights Quarterly*, 36(3), August.

2012 *Science Mart: Privatizing American Science* by Philip Mirowski, Harvard University Press, 2012 in *Contemporary Sociology*, 41(2), March.

2010 *Revolution, Revival and Religious Conflict in Sandinista Nicaragua* by Calvin Smith, *Bulletin of Latin American Research*, 29(4), October.

2002 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, 42 *Santa Clara L. Rev.* 1019.

The Chinese Market: An Enigma Unraveled by Joe Studwell, *Dissent*, Summer.

1984 Labor's War. Review of *Labor's War at Home: The CIO in World War II* by Nelson Lichtenstein, *Monthly Review*, May.

1979 Forms of capitalist control over the labor process. Review of *Contested Terrain: The Transformation of the Workplace in the Twentieth Century* by Richard Edwards, *Monthly Review*, December.

Op-eds

2020 Top CEOs should give away their 2020 pay to the coronavirus fight. *MarketWatch*, March 30. (with J. Kuan)

2019 Uber and the day the IPO Died. *BloombergLaw*. June 6. (with J. Kuan)

2010 A “modest proposal” for capital market reform: Close down Rule 144A. *HuffPost.com*. July 5. Cross posted at *NewDeal 2.0*. (with Jeff Madrick)

2009 New leadership could make AFL-CIO relevant again (titles varied). Appeared in *Sacramento Bee*, *Pittsburgh Post-Gazette*, *Buffalo News*, *Pittsburgh Tribune-Review*, *Bellingham Herald*, *Providence Journal-Bulletin*, *Tuscaloosa News*.

2002 Enron toppled by politics, law, *The Times-Union*, Albany, New York, Feb. 3.

2001 Terrorism Must Be Fought Through International Law, *The Record*, Bergen County, New Jersey, Oct. 4.

Published letters

2015 American securities law is clear on insider trading – public or private, *Fin. Times*, Jun. 7.

2011 Fragile Pakistan a sacrifice to IMF? *Fin. Times*, Jan. 8.

2007 GM workers' healthcare fund is less secure than it seems, *Fin. Times*, Oct. 2.

Citizen investors deserve protection, *Fin. Times*, Mar. 26.

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

WORKING PAPERS

- 2023 The spot market for carbon offsets: Insights from U.S. stock exchanges (with J. Kuan)
- 2020 The myth of corporate governance. (January 12).
- 2014 Manufacturing 'Orderliness' at the New York Stock Exchange. (April 5). (with J. Kuan).
- 2013 The Future of the American Law School or, How the 'Crits' Led Brian Tamanaha Astray and His *Failing Law Schools* Fails. (January 27). Santa Clara Univ. Legal Studies Research Paper No. 3-13.
- 2012 The Facebook Effect: Secondary Markets and Insider Trading in Today's Startup Environment. (March 17). Santa Clara Univ. Legal Studies Research Paper No. 2025494.
- 2011 Can institutional economics inform the efficient markets hypothesis?
Institutional heterogeneity among stock exchanges: implications for market efficiency. (March 15). (with J. Kuan)
- 2010 Institutional Heterogeneity Among Stock Exchanges: Implications for Market Efficiency. (July 15). 5th Annual Conference on Empirical Legal Studies Paper.
- 2009 Reconsidering Market Efficiency: A Tale of Two Exchanges (November 19). (with J. Kuan)
Using Hostages to Improve the Quality of Financial Disclosure (May 26). (with J. Kuan)
- 2007 Legal implications of proposed GM/UAW VEBA. (October 23).
Will the real 'Che' Guevara please stand up? Labor and authoritarianism in Sandinista Nicaragua. (October 16).
- 2006 On Restructuring the NYSE: Might a Nonprofit Stock Exchange Have Been Efficient? (October 1). Santa Clara Univ. Legal Studies Research Paper No. 06-15. (with J. Kuan)

2003 The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era, NELLCO Working Paper Series, Cornell Law School.

The “Race to the Bottom” Returns: China’s Challenge to the International Labor Movement, NELLCO Working Paper Series, Cornell Law School.

WORKS IN PROGRESS

2023 The two souls of the corporation.

Beyond the Wagner Act.

The new insider trading.

OTHER

2022 In re Tesla Motors, Inc. Stockholder Litigation, Supreme Court of the State of Delaware, *Amicus Curiae* Brief of Corporate Law Professors in Support of Appellants and Reversal.

2021 The myth of corporate governance, Columbia Law School Blue Sky Blog, January 13.

2019 *Law Professor Comment Letter to SEC on Harmonization of Private Offering Rules*, with de Fontenay, Coffee, Jr., Fox, Et. al, September 24.

Amicus Brief of Former SEC Chairman Harvey L. Pitt and Twenty Law Professors, In re: Dropbox, Inc. Securities Litigation, August 30.

2012 The Importance of Institutional Design: Evidence from the New York Stock Exchange IPO and Reg. NMS, appeared in
Securities Law eJournal, Vol. 4, No. 7, Feb. 3.
Corporate and Takeover eJournal, Vol. 4, No. 6, Feb. 2.
Market Microstructure eJournal, Vol. 4, No. 7, Jan. 26. (with J. Kuan)

1986 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.

How to Cost a Union Contract. Institute of Industrial Relations, U.C. Berkeley. (with Chown and Ghilarducci)

Can They Just Fire Me? Public Employees Right to Due Process. Institute of Industrial Relations, U.C. Berkeley.

1975 *Plea Bargaining: Structure and Process* (contributing author). U.C. Berkeley.

INVITED TALKS

- 2023 Solving for failure in carbon markets, Catalyzing Private Financial Markets For Climate Solutions, U.C. Santa Cruz and Santa Clara University, June 9. (delivered by co-author J. Kuan)
- 2022 The future of crypto regulation, Crypto Policy Symposium 2022, September 5-6, London and virtual.
- 2021 The myth of corporate governance, National Conference of Business Law Scholars, University of Tennessee College of Law, June.
- The myth of corporate governance, Society of Socioeconomics, January.
- 2018 Exercising the “Governance Option”: Labor’s Push to Reshape Capitalism, Institute for Global Law and Policy, Harvard Law School, June 2.
- Are the stock markets “rigged”? An empirical analysis of regulatory change, Section on Law and Economics, American Association of Law School, San Diego, January 3.
- 2017 Exercising the “Governance Option”: Labor’s Push to Reshape Capitalism, Labour Law Research Network 3, University of Toronto Faculty of Law, June.
- 2016 Exercising the Governance Option, 2d Annual Business and Human Rights Conference, University of Washington School of Law, September.
- “Governance Questions About the Tesla/SolarCity Merger,” Presentation to Wall Street Analysts (approx. \$1 trillion of AUM present on teleconference), Washington, D.C.
- The Tesla/SolarCity Merger: Corporate Governance Challenged, Council of Institutional Investors Fall Meeting, Chicago, IL, October.
- 2014 Manufacturing “Orderliness” on the New York Stock Exchange, Society for the Advancement of Socioeconomics, Northwestern/University of Chicago, July.
- 2013 The Surprising Consequences of Competition Between the NYSE and the Nasdaq, Department of Economics, Stanford University, October.
- Did Exchange Competition Destabilize the Stock Market? Department of Economics, Stanford, March.
- 2011 Destabilizing “Competition”: The Case of the New York Stock Exchange, Stanford University, November 28.
- Institutional Design and Market Efficiency: Evidence from the NYSE IPO, International Society for New Institutional Economics, Stanford University, June 16-18.

- 2010 A Tale of Two Exchanges: Why Institutional Design Matters, New School University Conference on U.S. Corporations in the Recovery and Beyond, April 22.
- 2009 Reconsidering the IPO of the New York Stock Exchange, IOFest, Haas School of Business, U.C. Berkeley.
- Rethinking Private Equity and “Financialization,” Society for Advancement of Socioeconomics, SciencesPo, Paris, France.
- 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.
- 2008 Beyond the Berle-Means Paradigm: Private Equity and the new capitalist order, Yale School of Management. (Keynote).
- Beyond the Berle-Means Paradigm: Private Equity and the new capitalist order, Osgoode Hall School of Law, York University.
- 2004 Testing Convergence Theory: A case study of China’s new corporate economy, Faculty Seminar, Cornell Law School.
- 2003 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.
- 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 Law School.
- 2002 The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era, Feminism and Legal Theory Workshop on the Corporation and Citizenship, Osgoode Hall School of Law (York), Cornell Law School and University of British Columbia Law School.
- 2001 The PetroChina Syndrome: Regulating Capital Markets in the Anti-Globalization Era, Social Justice Seminar, School of Law, U.C. Berkeley.
- 1995 NAFTA, Labor and the Mexican Peso Crisis, Seminar on Law and International Relations, convened by Anne Marie Slaughter and Joseph Weiler, Harvard Law School.
- 1994 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.
- 1993 Law, Labor, and Legitimacy: Economic Restructuring in Poland and Mexico, Center for U.S. Mexican Studies, U.C. San Diego.

- 1992 The Rule of Law in the East European Transition: Some Comparative Lessons, SSRC/MacArthur Foundation Research Workshop, Central European University, Prague, Czech Republic.
- 1991 American Labor and North American Economic Integration, Conference on Critical Perspectives on North American Economic Integration, York University.
- 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.
- 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.
- 1990 Labor in Revolutionary Nicaragua: One Class, One Union? Center for International Affairs, Seminar on Latin America, Harvard University.
- The Rise and Decline of Neo-Stalinism: Comparative Lessons from the Nicaraguan Experience, SSRC/MacArthur Fellows Conference, Budapest, Hungary.
- Trade Unionism and Democracy: A Research Proposal, SSRC/MacArthur Fellows Conference, Morelos, Mexico.
- 1989 Revolution and Labor in Central America: Three Roads for the Trade Union Movement, Annual Meeting of the Southwest Labor Studies Association, San Francisco, California.
- An Assessment of Nicaragua's Sandinista Revolution, Department of Chicano Studies, Graduate Seminar on Central America, U.C. Berkeley.
- 1984 The Trade Unions in Sandinista Nicaragua, Department of Economics, U.C. Berkeley.

OTHER TALKS

- 2022 Crypto regulation: from buyer beware to federal oversight, Protocol, February 9.
- 2012 Discussion of *Kiobel v. Royal Dutch Shell*, Santa Clara University.
- 2010 Institutional Heterogeneity Among Stock Exchanges, Faculty Workshop, SCU School of Law, August 30.
- 2009 Executive Compensation in the Wake of the AIG Scandal, Markkula Center for Applied Ethics, Santa Clara University.
- 2008 Labor Unrest and Digitalization in Hollywood, U.C. Berkeley School of Law.
- Anatomy of the Financial Meltdown, Santa Clara University School of Law.

- 2007 The NYSE IPO, Santa Clara University School of Law.
- 2005 Labor and Legitimacy in the Modern Corporate System, Global Conference on Business Ethics/The Accountable Corporation, Santa Clara University.
- 2004 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, Italy.
- 2001 Alternative Capital Market Strategies for Pension Fund Trustees, AFL-CIO International Pension Fund Trustee Conference, San Francisco, California.
- 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.
- 1991 Organized Labor's View of Free Trade with Mexico, World Affairs Council of San Diego.

GRANTS, AWARDS, AND FELLOWSHIPS

- 2020 Summer Research Grant, Santa Clara University School of Law
- 2014 Seminar Grant, Center for Social Justice and Public Service, Santa Clara University School of Law
- 2007 Seminar Grant, Center for Social Justice and Public Service, Santa Clara University School of Law
- 2004 Summer Research Grant, Santa Clara University School of Law
- 2003 Summer Research Grant, Santa Clara University School of Law
- 2002 Summer Research Grant, Santa Clara University School of Law
- 2001 Summer Research Grant, Santa Clara University School of Law
- 2000 Summer Research Grant, Santa Clara University School of Law
- 1992 Travel Grant, SSRC/MacArthur Foundation, Research Workshop, Central European University, Prague, Czech Republic.
- 1991 Workshop Grant, SSRC/MacArthur Foundation Program in International Peace and Security, University of California
- 1989 SSRC/MacArthur Foundation Fellowship in International Peace and Security Harvard University and University of California
- 1988 Overseas Research Student Award, University of London

1977 Phi Beta Kappa, U.C. Berkeley

1976 Junior Fellow, Carnegie Endowment for International Peace, Washington, D.C.

TEACHING

Santa Clara University School of Law

Advanced Corporations
Business Organizations
Contracts II
Corporate Finance
Globalization and the Rule of Law
Regulation of International Business Transactions (Trade, Finance, M&A)
Securities Regulation
Social Justice Workshop

Cornell Law School

Business Organizations
Securities Regulation
Seminar on Comparative Corporate Law

SERVICE

School of Law

Governance

Student Conduct Panel
Academic Affairs Committee
High Tech Law Institute Faculty 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
Moot court judge, Vale Corporate Law competition.
Moot court judge, Jessup Moot court competition
Organized and hosted visit of Lori Wallach, Global Trade Watch
Faculty Organizing Committee, International Labor Studies Program, Stanford Law School
Organizer and Host, Visit of Jan Kavan, Former President of United Nations, Santa Clara University School of Law

Academic*Hiring/promotion*

Tenure Committee for Professor Beth Van Schaack (tenure awarded)
 Mentor Committee for Professors Nicholas Serafin, Sue Guan, David Yosifon, Colleen Chien
 Tenure letter for Sociology Professor, Iowa State University (tenure awarded)
 Tenure letter for Law Professor, New York Law School (tenure awarded)
 Tenure letter for Law Professor, New York Law School (tenure awarded)
 Chair, Shadow Tenure and Promotion Committee of Senior Faculty Candidate, SCU

Conference activity

- 2021 Panel Chair, Insider Trading, National Conference of Business Law Scholars, University of Tennessee College of Law, June.
- 2017 Program Chair and Organizing Committee, 3d Annual Business and Human Rights Scholars Conference, Santa Clara University, September.
- 2016 Discussant, 2d Annual Business and Human Rights Scholars Conference, University of Washington School of Law, September.
- 2012 Distinguished Participant, Conference on Theory of the Firm, Adolph A. Berle Center, Seattle University School of Law.
- 2008 Chair, Panel on Corporate Governance Reform: What Difference Has It Made or Could It Make for Workers? With Delaware Vice Chancellor Leo Strine, Capital Matters: Managing Labor's Capital, Harvard Law School, Cambridge, MA.
 Discussant, Panel on International Labor Rights, Southwest Labor Studies Association, California State University at Pomona, California.
- 2003 Organizer and Panel Chair, "Beyond a Boundary": Technology's Challenge to Legal Thinking, Santa Clara University.
- 2002 Organizer (with Professor William B. Gould IV and Professor Robert Flanagan), Conference on International Labor Standards, Stanford Law School, June, Palo Alto, CA.
 Chair, Panel on labor standards and the global economy, Conference on International Labor Standards, Stanford Law School, June, Palo Alto, CA.
 Chair, Panel on codes of conduct, Conference on International Labor Standards, Stanford Law School, June, Palo Alto, CA.
 Chair, Panel on New developments in Broadband, Broadband Institute, Santa Clara University School of Law.
 Chair, Panel on Death Penalty in Comparative Perspective, Symposium, *Santa Clara Law Review*.
- 2000 Chair, Panel on New Developments in International Law, National ILSA Conference, Santa Clara University.
 Chair, Panel on Crime and Tort on the Internet, High Tech Law Journal on Symposium on Internet Privacy.
- 1994 Organizer (with Journal committee), The Informal Economy. A symposium sponsored by the *Yale Law Journal*.
- 1992 Organizer (with Lance A. Compa), Human Rights and Labor Rights: A New Look at Workers in the Global Economy, Orville H. Schell Center for International Human Rights, Yale Law School.

- 1991 Organizer and Chair, Democratic Institutions and Development in the Transition to a New International Order: The Role of Trade Unions, sponsored by MacArthur Foundation, SSRC, U.C. San Diego, Graduate School of International Relations and Pacific Studies.
- 1989 Organizer, Revolution and Labor in Central America, Panel, Annual meeting of the Southwest Labor Studies Association, San Francisco, California.

Other academic service

- 2014 Convener, Seminar on Law and Labor in the Fields, School of Law
- 2013 Chair, Discussion with Kenneth Feinberg, Markkula Center for Applied Ethics, Santa Clara University.
- 2002 Moderator, Debate on free trade between Douglas Irwin and Lori Wallach, Institute on Globalization, Santa Clara University.
- 2001 Moderator, Don Bradley, General Counsel, Wilson Sonsini Goodrich & Rosati, Ethics Week, Santa Clara University School of Law.
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.
- 2000 Invited and chaired presentation by Robert Major, Principal, Major, Hagen and Africa, to Law School faculty.
- 1999 Invited and chaired presentation of Eamonn Fingleton, author of *In Praise of Hard Industries*, Center for Science, Technology and Society, Santa Clara University.

Journal referee

International Review of Law and Economics
 Yale Law Journal
 Cambridge Journal of Economics
 Journal of Empirical Legal Studies
 Law and Social Inquiry
 Asian Politics & Policy
 Bulletin of Latin American Research
 Journal of Management and Governance
 Santa Clara University Journal of International Law
 Routledge Law Publishers
 Aspen Publishers
 Utrecht Journal of International and European Law

University

Governance

Parking and Transportation Advisory Committee, 2023-25
 At-large representative of tenure track faculty, Faculty Senate Council, 2020-2022
 Visiting Lecturer, SCU Leavey School of Business
 Advisory Board, SCU Chapter, AAUP
 SCU Chapter Vice President, AAUP, 2016-2018

Community

Selected expert testimony/reports

Testimony on proposal to expense options, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, D.C.

Mavericks Capital LLC v. Cesca Therapeutics. Superior Court, County of Santa Clara.

Pacific Cycle Racing, LLC v. Anschutz Entertainment Group, Inc. Arbitration, Los Angeles, CA.

Loritz v. Exide. Central District of California.

Quest v. Centrifly. District of Utah.

STMico v. SanDisk and Eli Harari. Superior Court, County of Alameda.

XET, LLC v. XS Holding B.V. Superior Court, County of Santa Clara.

Selected media appearances

Interviews and other appearances in New York Times, Wall Street Journal, Financial Times, CNBC, MarketWatch, Protocol, Fortune, Time, Los Angeles Times, Bloomberg, Yahoo Finance, US News & World Report, Reuters, Associated Press, San Francisco Chronicle, San Jose Mercury News, Wired, The Verge, The Daily Wire, Lawyerist, Business Insider, Car Magazine, Toronto Globe and Mail, Protocol.

Pro bono and other service

Represented nonprofit organization effort to secure release from Afghanistan of political refugees

Advise nonprofit serving low income and underrepresented communities on wide range of governance and legal issues.

Advised CSR/ESG programs at AFL-CIO and Change to Win including:

- Represented and spoke for large institutional investors at Tesla AGM on board of directors' election
- Advised large institutional investors on Tesla/SolarCity merger
- Advised Council of Institutional Investors on Tesla/SolarCity merger
- Analysis of IPO of Blackstone
- Boards of directors' elections at Lockheed and Motorola
- Draft speeches for AFL-CIO President and Secretary Treasurer on corporate reform
- Powers Report on Enron crisis
- Report on Google IPO
- Advised AFL-CIO and United Food and Commercial Workers on corporate governance proposals for Safeway
- Public listing of Chunghwa Telecom stock on New York Stock Exchange
- Report on "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 AFL-CIO 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.
- Prepared draft of speech delivered by John Sweeny, President, AFL-CIO, to meeting of the International Corporate Governance Network, New York
- Report, IPO of PetroChina, the state-owned oil company of the People's Republic of China. Report distributed to investment banks, fund managers and pension fund trustees. Presented report 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*. In part because of this report, 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 draft of 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 for AFL-CIO (AFL-CIO views 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

PROFESSIONAL EMPLOYMENT

1999-present	Principal, Office of Stephen F. Diamond.
2003-2011	Member, Board of Directors; Chair, Compensation Committee; Member, Audit Committee, OPTi, Inc., Palo Alto, CA.
2006	General Counsel (Interim), nComputing, Redwood City, CA.
1995-1999	Associate, Wilson Sonsini Goodrich & Rosati, P.C., Palo Alto, CA.
1994-1995	Associate, Latham & Watkins, LLP, New York, NY.
1993	Summer Associate, Latham & Watkins, LLP, New York, NY.
1992	Summer Associate, Donovan Leisure Rogovin Huge and Schiller, Washington, D.C.
1989-1990	Assistant Director, Harvard University Trade Union Program, Cambridge, MA.
1986-1989	Director of Public Affairs, IBEW Local 1245, Walnut Creek, CA.
1980-1986	Program Representative, U.C. Berkeley, Center for Labor Research and Education.

BAR ADMISSIONS

1997 California.

1997 New York.