

JILL I. GROSS

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TEACHING EXPERIENCE

PACE UNIVERSITY SCHOOL OF LAW

White Plains, NY

James D. Hopkins Professor of Law (rotating endowed Chair)

August 2013-July 2015

Professor of Law (2009 – present); *Associate Professor of Law* (2004 – 2009) (tenured in 2006); *Visiting Assistant Professor of Law* (2001 – 2004); *Adjunct Professor of Law* (1999 – 2001)

Courses Taught: Survey of Dispute Resolution Processes, Professional Responsibility, Securities Litigation and Enforcement, Interviewing, Counseling & Negotiating, Investor Rights Clinic, Criminal Law, Pretrial Civil Litigation Simulation, and Legal Writing (J.D. & L.L.M. students).

Awards: Richard L. Ottinger Faculty Achievement Award (2014)

Administrative Experience: Director of Legal Skills (2010 -2015); Chair, Self-Study Committee (2013-14); Chair, Curriculum Committee (2008-13; 2014-16); Director, Investor Rights Clinic (1999-present) (secured more than \$1 million in grant money).

Service: Elected by peers to Nominating Committee (2006-07; 2008-09; 2009-10; 2013-14; 2014-15; 2015-16). Served on Academic Standing, Admissions (J.D. and L.L.M.), Appointments, Career Development, Curriculum, and Self-Study Committees. Mentored: Junior Faculty; J.D. students in Federal Judicial Honors Program; J.D. Guided Research projects and Guided Externships. Faculty Adviser to Arbitration and Mediation Competition Teams; Student Dispute Resolution Society.

WILLIAM S. BOYD SCHOOL OF LAW, UNLV

Las Vegas, NV

Adjunct Professor of Law, Securities Dispute Resolution

Summer 2014

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CORNELL LAW SCHOOL

Ithaca, NY

Adjunct Professor of Law, Arbitration Law and Practice

Spring 2004

BENJAMIN N. CARDOZO SCHOOL OF LAW, Yeshiva University

New York, NY

Adjunct Assistant Professor of Law, Legal Writing Instructor

1997 – 2001

EDUCATION

HARVARD LAW SCHOOL

Cambridge, MA

J.D. Cum Laude

June 1990

CORNELL UNIVERSITY, College of Arts and Sciences

Ithaca, NY

A.B. Magna Cum Laude, Phi Beta Kappa

May 1987

LEGAL EXPERIENCE

Represented clients in white-collar criminal and SEC investigations and prosecutions, and civil proceedings, including arbitrations and trials. Provided legal consulting services to practitioners on securities arbitrations. Drafted pleadings, memoranda of law, arbitration submissions, discovery materials, position papers, and sentencing memos. Deposed and defended witnesses. Negotiated plea agreements and settlements. Conducted internal investigations. Retained as consulting expert and testified as expert witness in connection with SEC and FINRA enforcement matters and FINRA arbitrations.

LAW OFFICES OF DIANA D. PARKER <i>Of Counsel</i>	New York, NY 2001 – 2004
PARCHER, HAYES & SNYDER, P.C. <i>Litigation Associate</i>	New York, NY 1996 – 1999
MORVILLO, ABRAMOWITZ, GRAND, IASON & SILBERBERG, P.C. <i>Litigation Associate</i>	New York, NY 1992 – 1996
KAYE, SCHOLER, FIERMAN, HAYS & HANDLER, LLP <i>Litigation Associate</i>	New York, NY 1990 – 1992

PUBLICATIONS

Law Review Articles

The Substantive Right to a Dispute Resolution Procedure in the Securities Industry (work-in-progress)

Justice Scalia's Hat Trick and the Supreme Court's Flawed Understanding of Twenty-First Century Arbitration, 81 BROOKLYN L. REV. __ (forthcoming 2015)

The Improbable Birth and Conceivable Death of the Securities Arbitration Clinic, 15 CARDOZO J. CONFLICT RESOL. 597 (2014)

Investor Protection Meets the Federal Arbitration Act, 1 STAN. J. COMPLEX LITIG. 1 (2012) (with Barbara Black)

AT&T Mobility and the Future of Small Claims Arbitration, 42 SW. U. L. REV. 47 (2012)

AT&T Mobility and FAA Over-Preemption, 4 Y.B. ON ARB. & MED. 25 (2012)

The End of Mandatory Securities Arbitration?, 30 PACE L. REV. 1174 (2010)

Banks and Brokers and Bricks and Clicks: An Evaluation of FINRA's Proposal to Modify the Bank Broker-Dealer Rule, 73 ALB. L. REV. 465 (2010) (symposium volume) (with Edward Pekarek)

Environmental Dispute Resolution in the Law School Curriculum, 27 PACE ENVTL L. REV. 41 (2009) (with Alexandra Dapolito Dunn)

Hall Street Blues: The Uncertain Future of Manifest Disregard, 37 SEC. REG. L. J. 232 (2009) (peer-reviewed)

When Perception Changes Reality: An Empirical Study of Investors' Views of the Fairness of Securities Arbitration, 2008 J. DISP. RESOL. 349 (2008) (with Barbara Black)

McMahon Turns Twenty: The Regulation of Fairness in Securities Arbitration, 76 U. CIN. L. REV. 493 (2008) (reprinted in 2009 SEC. L. REV.)

Securities Mediation: Dispute Resolution for the Individual Investor, 21 OHIO ST. J. ON DISPUTE RESOL. 329 (2006)

The Explained Award of Damocles: Protection or Peril in Securities Arbitration, 34 SEC. REG. L. J. 17 (2006) (with Barbara Black) (peer-reviewed)

Introduction, Investor Rights Symposium, The Elusive Balance Between Investor Protection and Wealth Creation, 26 PACE L. REV. 27 (Fall 2005) (with Barbara Black)

Developing A Law/Business Collaboration through Pace's Securities Arbitration Clinic, 11 FORDHAM J. CORP. & FIN. L. 57 (2005) (with Ronald Filante, Ph.D)

Over-Preemption of State Vacatur Law: State Courts and the FAA, 3 J. OF AM. ARB. 1 (2004)

Economic Suicide: The Collision of Ethics and Risk in Securities Law, 64 U. PITT. L. REV. 483 (2003) (with Barbara Black) (re-printed in 2004 SEC. L. REV.)

Securities Analysts' Undisclosed Conflicts of Interest: Unfair Dealing or Securities Fraud?, 2002 COLUM. BUS. L. REV. 631 (2002)

Making It Up As They Go Along: The Role of Law in Securities Arbitration, 23 CARDOZO L. REV. 991 (2002) (with Barbara Black)

Other Publications

Contributing Editor, *Indisputably ADR Prof Blog*, 2009 to present (<http://www.indisputably.org/>)

Arbitration Case Law Update 2015, in SECURITIES ARBITRATION 2015 (Practising Law Institute) (forthcoming)

Teaching Students to be Problem-Solvers and Dispute Resolvers, in BUILDING ON BEST PRACTICES (forthcoming 2015) (with Andrea Schneider and John Lande)

Towards Engaged Scholarship, 33 PACE L. REV. 990 (2013) (contributing author)

Arbitration Case Law Update 2014, in SECURITIES ARBITRATION 2014 (Practising Law Institute)

Arbitration Case Law Update 2013, in SECURITIES ARBITRATION 2013 (Practising Law Institute)

INVESTOR'S GUIDE TO SECURITIES INDUSTRY DISPUTES: HOW TO PREVENT AND RESOLVE DISPUTES WITH YOUR BROKER (rev. 2013) (with Edward Pekarek and Alice Oshins)

Do Broker-Dealers Have A Green Light to Force Investors to Waive Class Actions in Court?, The CLS Blue Sky Blog, <http://clsbluesky.law.columbia.edu/2013/03/19/do-broker-dealers-have-a-green-light-to-force-investors-to-waive-class-actions-in-court/> (Mar. 19, 2013)

Arbitration Case Law Update 2012, in SECURITIES ARBITRATION 2012 (Practising Law Institute)

Arbitration Case Law Update 2011, in SECURITIES ARBITRATION 2011 (Practising Law Institute)

Arbitration Case Law Update 2010, in SECURITIES ARBITRATION 2010 (Practising Law Institute)

Wall Street Reform: What Does it Mean for ADR?, Just Resolutions eNews (ABA Section of Dispute Resolution June 2010)

Annual Arbitration Law Update, and *Grounds to Challenge FINRA Arbitrators*, in Securities Law Seminar Coursebook, PIABA 11th Annual Meeting (Oct. 2009)

A Primer on Simplified Arbitration, in SECURITIES ARBITRATION 2009 (Practising Law Institute)

Annual Arbitration Law Update, and *Vacating Arbitration Awards After Hall Street*, in Securities Law Seminar Coursebook, PIABA 10th Annual Meeting (Oct. 2008)

Securities Arbitration Ethics 2008 – The Dos and Don'ts of Retainer Agreements, PIABA 10th Annual Meeting Coursebook (Oct. 2008) (with William A. Jacobson)

“Rodriguez de Quijas v. Shearson/American Express,” Entry in ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES (2008)

Procedural Mechanics of Motions to Vacate Arbitration Awards, in SECURITIES ARBITRATION 2008 (Practising Law Institute)

Arbitration Under the New NASD Arbitration Code and Motions to Vacate Arbitration Awards: Frequently Asked Procedural Questions, Securities Law Seminar Coursebook, PIABA 9th Annual Meeting (Oct. 2007)

A Tribute to Barbara Black: From Pace to Cincinnati, PACE LAW SCHOOL ALUMNI MAGAZINE, at 13 (Winter 2007)

The Fairness of Securities Mediation, in SECURITIES ARBITRATION 2006, at 341 (Practising Law Institute) (reprinted as a feature in PLI’s “All-Star Briefing” e-Newsletter, November 2, 2006)

New York’s Over-Preemption of State Vacatur Law, NEW YORK LAW JOURNAL, May 11, 2006, p. 4

How the Global Research Analysts Case Settlement Affects Securities Arbitration, ALTERNATIVES (Nov./Dec. 2003)

Economic Suicide: A Primer for Securities Lawyers, in SECURITIES ARBITRATION 2003, at 387 (Practising Law Institute) (with Barbara Black)

Pre-Appointment Discovery: A Phase of Anarchy in NASD-DR Arbitrations, 2003/3 SECURITIES ARBITRATION COMMENTATOR 1 (June 2003)

A Roadmap To Mediation Practice, Book Review of BECOMING A MEDIATOR: AN INSIDER’S GUIDE TO EXPLORING CAREERS IN MEDIATION, by Peter Lovenheim, Jossey-Bass 2002, NALP Bulletin, Jan. 2003

PRESENTATIONS

Moderator, *Teaching ODR Online and Offline*, ODR 2015 (June 5, 2015)

Panelist, *How Being Angry Leads to Good Research*, Legal Educator’s Colloquium, ABA Section of Dispute Resolution Spring Conference (Apr. 18, 2015)

Panelist, *Teaching Arbitration Law, Policy and Skills*, Legal Educator’s Colloquium, ABA Section of Dispute Resolution Spring Conference (Apr. 18, 2015)

Commenter, *Innovation Today: The Legal Challenges of Funding Startups*, Review of Banking and Financial Law Symposium, Boston University School of Law (Feb. 27, 2015)

Moderator, *Nothing But the Truth? - Ethical Duties of Candor in ADR*, New York State Bar Association Dispute Resolution and Corporate Counsel Sections’ joint annual meeting (Jan. 29, 2015)

Presenter, *Setting the Record Straight: The Supreme Court and 21st Century Arbitration*, James D. Hopkins Memorial Lecture, Pace Law School (Nov. 12, 2014)

Discussant, *Setting the Record Straight: The Supreme Court and 21st Century Arbitration*, Discussion Group: Mandatory Arbitration and the Question of Justice, SEALS Conference (Aug. 2014)

Panelist and Moderator, SECURITIES ARBITRATION 2014 (Practising Law Institute)

Panelist and Moderator, SECURITIES ARBITRATION 2013 (Practising Law Institute)

Panelist, *Consumer Arbitration: What's New? and Defining Fairness*, ADR ExecuSummit (June 11, 2013)

Panelist, *Tips for Conducting Efficient Hearings*, FINRA Dispute Resolution Neutral Workshop (May 16, 2013)

Panelist, *What Do Ethics Have To Do With It? Perspectives on Ethical Issues*, ABA Section of Dispute Resolution Spring Conference (Apr. 5, 2013)

Guest Lecturer, *Customer-Broker Arbitration at FINRA*, Advanced Dispute Resolution Seminar, Cornell University (Apr. 10, 2013)

Presenter, *Investor Protection Meets the Federal Arbitration Act*, Touro Law School Faculty Colloquium (Feb. 7, 2013)

Panelist, *Environmental Dispute Resolution: A Report Card*, AALS Annual Meeting, ADR Section Program (Jan. 5, 2013)

Presenter, *Concepcion: How Has it Changed the Way we Practice?*, ABA Section of Dispute Resolution Teleconference (Dec. 11, 2012)

Panelist and Resource Participant, Connecticut Bar Foundation Eighth John A. Speziale ADR Symposium, Quinnipiac University School of Law (Oct. 19, 2012)

Moderator and Panelist, SECURITIES ARBITRATION 2012 (Practising Law Institute)

Presenter, *Recent Developments in Securities Arbitration*, New York State Bar Association, Securities Regulation Committee (July 18, 2012)

Presenter, *U.S. Arbitration Law in the Wake of AT&T Mobility v. Concepcion*, Symposium, Penn State Dickinson School of Law (Feb. 22, 2012)

Presenter, *The Supreme Court and the Future of Arbitration*, AALS Annual Meeting, ADR Section Program (Jan. 7, 2012)

Chairperson, Moderator and Panelist, SECURITIES ARBITRATION 2010 and 2011 (Practising Law Institute)

Panelist and Moderator, *Practically Grounded, Best Practices for Skill Building in Teaching Land Use, Environmental and Sustainable Development Law*, Pace Law School (May 5, 2011)

Panelist, *Connecting Doctrinal and Practical Problem Solving Instruction to Enhance Legal Education*, Opening Session, Legal Educators' Colloquium, ABA Section of Dispute Resolution Annual Meeting (Apr. 16, 2011)

Presenter, *Dispute Resolution in the Securities Industry*, Yale-Quinnipiac Dispute Resolution Workshop, (Feb. 24, 2011)

Presenter, *The End of Mandatory Securities Arbitration?*, FINRA Dispute Resolution, All-Staff Teleconference (Feb. 23, 2011)

Presenter, *Developments in Arbitration Law*, New York County Lawyers' Association, Arbitration and ADR Committee (Sept. 28, 2010)

Panelist, *Arbitration Ethics*, Plenary Session, PIABA 2009 Annual Meeting (Oct. 28, 2009)

Program Co-Chair and Panelist, Securities Law Seminar, PIABA 2008 and 2009 Annual Meetings (Oct. 22, 2008 and Oct. 27, 2009)

Presenter, *Innovations in Teaching ADR Through Simulations*, ABA Section of Dispute Resolution Annual Meeting (April 2009)

Panelist, *Arbitration Ethics*, Plenary Session, PIABA 2008 Annual Meeting (Oct. 23, 2008)

Presenter, *When Perception Changes Reality: An Empirical Study of Investors' Views of the Fairness of Securities Arbitration*, Albany Law School Faculty Colloquium (September 17, 2008)

Poster Session Presenter, *When Perception Changes Reality: An Empirical Study of Investors' Views of the Fairness of Securities Arbitration*, Conference on Empirical Legal Studies, Cornell Law School (September 12, 2008) (with Barbara Black)

Panelist, *Arbitration is Broken: How Can it be Fixed?*, North American Securities Administrators Association Public Forum (June 24, 2008)

Presenter, *Perceptions of Fairness of Securities Arbitration: An Empirical Study*, Report to the Securities Industry Conference on Arbitration (November 28, 2007 and January 8, 2008)

Panelist, *Arbitration Ethics*, Plenary Session, PIABA 2007 Annual Meeting (Oct. 18, 2007)

Panelist, *The New NASD Arbitration Code; Mechanics of Motions to Vacate*, Securities Law Seminar, PIABA 2007 Annual Meeting (Oct. 17, 2007)

Presenter, *The Regulation of Fairness in Securities Arbitration*, Pace Law School Faculty Colloquium (spring 2007)

Moderator and Commentator, Symposium, Twenty Years after *Shearson/American Express v. McMahon*: Assessing Investors' Remedies, University of Cincinnati College of Law (March 30, 2007)

Presenter, Failed Student Collaborations, Concurrent Session, AALS Conference on Clinical Legal Education, New York, NY (May 2006)

Moderator, Mutual Fund Reform Panel and Closing Remarks, Investor Rights Symposium, Pace Law School, White Plains, N.Y. (April 1, 2005)

Presenter, Securities Mediation: Dispute Resolution for the Individual Investor, Fordham Law School New York Junior Faculty Colloquium, New York, N.Y. (January 28, 2005)

Presenter, Interdisciplinary Teaching Models: Law/Business Clinics: Pace Law School's Securities Arbitration Clinic and Pace's Lubin School of Business (with Ronald Filante, Ph.D), Concurrent Session, AALS Conference on Clinical Legal Education, San Diego, CA (May 2004)

Presenter, Liability of the Broker-Dealer to the Customer: The Customer's Perspective, UBS Financial Services Litigators' Training Workshop, Weehawken, N.J. (Nov. 12, 2003)

Quoted In:

- "Investor's case gives Pitt law students a chance to make a case to the nation's highest court," Pittsburgh Post-Gazette, Mar. 30, 2014
- Yin Wilczek, "FINRA to Pursue Dual-Track Course on Expungement of Broker Records," Bloomberg BNA Securities Law Daily, Aug. 6, 2013
- Max Stendahl, "Schwab Wins One for the Broker, Threatening Class Actions," Law360.com, Feb. 22, 2013

- John Golden, "Law school gives investors their day out of court," Westchester County Business Journal, Oct. 26, 2012
- Jessica Toonkel and Suzanne Barlyn, "FINRA Fines Four Brokerages \$9.1 million over ETF Sales," Reuters.com, May 1, 2012
- Joe Light, "A New Class-Action Battle," The Wall Street Journal, Mar. 16, 2012
- Edward Wyatt, "For S.E.C., Court Ruling on Penalties Ties a Hand," The New York Times, Nov. 29, 2011
- James Vicini, "Halliburton Securities Fraud Lawsuit Reinstated" (Reuters), June 6, 2011
- Tony Mauro, "Investors Win Again at the High Court," The National Law Journal, June 6, 2011
- Beagan Wilcox Volz, "SEC Green-Lights 'Historic' Arbitration Rule," Insights (Financial Times), Feb. 2, 2011
- Dow Jones, "Cracking Down on Arbitration-Award Evaders," FA Magazine, Apr. 28, 2010
- Suzanne Barlyn, "Compliance Watch: Penalties Often Don't Deter Bad Conduct," WSJ.com, July 22, 2009
- Suzanne Barlyn, "Compliance Watch: Why Brookstreet Investors Were in the Dark," WSJ.com, June 1, 2009
- Marcia Coyle, "Credit Crisis Spawns Arbitration Claims," New York Law Journal, Apr. 2, 2009
- Marcia Coyle, "FINRA faces blitz of claims," The National Law Journal, Mar. 30, 2009
- Russ Bleemer & Jean Loh, "Arbitration Back At The Supreme Court, Again, On Nonsignatories' Rights," Alternatives to the High Cost of Litigation, Jan. 2009
- Bradley Keoun and David Scheer, "Lehman Good-for-Retirement Notes Worth Pennies for UBS Clients," Bloomberg.com, Nov. 3, 2008
- Michael Maiello, "Don't Cry for Justice," Forbes.com, Oct. 31, 2008
- Jaime Levy Pessin, "Compliance Watch: Study Shows Bad Views of Arb," Dow Jones Newswires, Feb. 6, 2008
- Dan Jamieson, "NASD expands broker, firm disciplinary information," Investment News, May 7, 2007
- Justin Kelly, "SEC Advisors to Survey Fairness of Securities Arbitrations," ADRWorld.com, Nov. 29, 2006
- Jaime Levy Pessin, "Know What Your Bank Branch Is Pitching," Sunday Wall St. J., Nov. 12, 2006
- Justin Kelly, "New York Settlement to Fund Securities Arbitration Clinics," ADRWorld.com, Aug. 3, 2006
- "NASD Drops 'Controversial' Approach to Arbitration Motions," ADRWorld.com, July 27, 2006
- Jaime Levy Pessin, "Compliance Watch: NASD backs off revealing old complaints," Dow Jones Newswires, July 18, 2006
- Dan Jamieson, "NASD softens 'bad boy' disclosure rule," Investment News, July 17, 2006
- Dan Jamieson, "PIABA cries foul over arbitration proposal," Investment News, July 10, 2006
- Gail Marks Jarvis, "Age exception to \$15,000 limit on 401(k) giving," Chicago Tribune, May 28, 2006
- Dean Starkman, "ISO: An Adviser to Trust," The Washington Post, Sept. 18, 2005, p. F01
- Brooke Masters, "Investors v. Brokers: Meting Out Quick Justice in Murky World of Arbitration," The Washington Post, July 15, 2003, p. E01
- Matthew Goldstein, "The Art of Arbitration," TheStreet.Com, Apr. 3, 2003
- Jerry Gleeson, "Arbitration Preparation," The Westchester Journal News, Mar. 9, 2003, p. D1
- Leonard Post, "Law Schools' Securities Arbitration Clinics Help the 'Churned and Burned,'" The National Law Journal, Feb. 10, 2003, reprinted in New York Law Journal, Feb. 21, 2003, p. 16
- David Andelman, "Places to turn when at a loss," The Daily News, Aug. 6, 2001, p. 25

PROFESSIONAL AFFILIATIONS

Arbitrator: American Arbitration Association; FINRA Dispute Resolution; National Futures Association Elected Member, Securities Experts Roundtable

Member, AALS Section on Clinical Legal Education; Clinical Legal Education Association
Executive Committee, AALS Section on Alternative Dispute Resolution
ABA Section of Dispute Resolution: Chair, Securities ADR Committee (2011-2013); Vice-Chair, ADR in
Law Schools Committee (2010-11); LEAPS Task Force Executive Committee (2010-present)
Public Member, FINRA National Arbitration and Mediation Committee (2006-09)
President's Council of Cornell Women (competitively selected)
Westchester County Bar Association
Westchester Women's Bar Association

Bar Admissions: New York; Massachusetts; Southern and Eastern Districts of New York

REFERENCES

Michelle Simon
Professor of Law (former Dean)
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Charles Hartsock Professor of Law (retired)
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Horace Anderson
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