

DAVID L. NOLL

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ACADEMIC APPOINTMENTS

Rutgers Law School, Newark NJ
Associate Dean for Faculty Research & Development, July 2021–
Professor of Law, July 2019–
Associate Professor of Law, July 2016–June 2019
Assistant Professor of Law, July 2013–June 2016
Courses: Civil Procedure, Legislation & Regulation, Advanced Civil Procedure, Complex Litigation,
New Jersey Practice, Trump and the Law
Additional areas: Administrative Law, Alternative Dispute Resolution, Constitutional Law
(government structure and separation of powers), Legislation
Awards: Faculty Commencement Speaker (December 2021 & May 2020); selected to deliver David
J. Stoffer Memorial Lecture (2020); Greg Lastowka Award for Scholarly Excellence (2019)

Columbia Law School, New York NY
Associate-in-Law, July 2011–June 2013

JUDICIAL CLERKSHIPS

Hon. Raymond J. Lohier, Jr.
U.S. Court of Appeals for the Second Circuit, Jan. 2011–July 2011

Hon. Pierre N. Leval
U.S. Court of Appeals for the Second Circuit, Dec. 2009–Dec. 2010

Hon. Richard J. Holwell
U.S. District Court for the Southern District of New York, Oct. 2008–Oct. 2009

OTHER PROFESSIONAL EXPERIENCE

Paul, Weiss, Rifkind, Wharton & Garrison LLP
Summer Associate, May 2008–Sept. 2008

U.S. Department of Justice, Civil Division
Summer Law Intern (Honors Program), May 2007–Aug. 2007

BOOKS

VIGILANTE NATION: HOW STATE-SPONSORED TERROR THREATENS OUR DEMOCRACY (2024) (with
Jon D. Michaels)

LEGISLATION & THE REGULATORY STATE (3d ed. 2022) (with Samuel Estreicher)

LEGISLATION & THE REGULATORY STATE (2d ed. 2017) (with Samuel Estreicher)

LEGISLATION & THE REGULATORY STATE (2015) (with Samuel Estreicher)

Teacher's Manual to all editions of LEGISLATION & THE REGULATORY STATE

ARTICLES & ESSAYS

Civil Contempt Against a Defiant Executive, LAWFARE RESEARCH REPORT 25-4 (2025)

Diversity and Complexity in MDL Leadership: A Status Report from Case Management Orders, 101 TEX. L. REV. 1679 (2023) (with Adam S. Zimmerman) (symposium contribution)

Federal Rules of Private Enforcement, 108 CORNELL L. REV. 1639 (2023) (with Luke P. Norris)

Vigilante Federalism, 108 CORNELL L. REV. 1187 (2023) (with Jon D. Michaels)

Administrative Sabotage, 120 MICH. L. REV. 753 (2022)

An Arbitration Agenda for the Biden Administration, 2021 ILL. L. REV. ONLINE 104 (with Zachary D. Clopton)

What Do MDL Leaders Do?: Evidence from Leadership Appointment Orders, 23 LEWIS & CLARK L. REV. 433 (2020) (symposium contribution)

MDL as Public Administration, 118 MICH. L. REV. 403 (2019)

Arbitration Conflicts, 103 MINN. L. REV. 665 (2018)

- Recognized for high distinction in the 2022 Pound Civil Justice Institute Civil Justice Scholarship Awards
- Reprinted in LABOR & EMPLOYMENT LAW INITIATIVES, PROPOSALS, AND DEVELOPMENTS DURING THE TRUMP ADMINISTRATION (Charlotte Alexander ed., 2020)

Response: Public Litigation, Private Arbitration?, 18 NEV. L.J. 477 (2018) (symposium contribution)

Ad Hoc Procedure, 92 N.Y.U. L. REV. 767 (2017) (with Pamela K. Bookman)

Deregulating Arbitration, 30 LOYOLA CONSUMER L. REV. 51 (2017) (invited essay based on keynote address delivered at 2017 Loyola Consumer Law Review symposium)

Regulating Arbitration, 105 CALIF. L. REV. 985 (2017)

The CFPB's Arbitration Rule: The Road Ahead, in PROCEEDINGS OF THE NYU 69TH ANNUAL CONFERENCE ON LABOR: MEDIATION AND ARBITRATION OF EMPLOYMENT AND CONSUMER DISPUTES (Elizabeth C. Tippet ed., 2017) (solicited essay)

The Effect of Contingent Fees and Statutory Fee-Shifting: Two Models of Alternative Attorney-Payment Devices, in BEYOND ELITE LAW: ACCESS TO CIVIL JUSTICE IN AMERICA (Samuel Estreicher & Joy Radice eds., 2016) (invited essay)

Constitutional Evasion and the Confrontation Puzzle, 56 B.C. L. REV. 1899 (2015)

A Reader's Guide to Pre-Modern Procedure, 64 J. LEGAL. EDUC. 414 (2015)

The New Conflicts Law, 2 STAN. J. COMPLEX LITIG. 41 (2014)

- Reprinted in FORUM SHOPPING AND INTERNATIONAL COMMERCIAL LAW (Franco Ferrari & Aaron Simowitz. eds., 2020)

Rethinking Anti-Aggregation Doctrine, 88 NOTRE DAME L. REV. 649 (2012)

The Indeterminacy of Iqbal, 99 GEO. L. J. 117 (2010)

OP-EDS & SHORTER WRITING

Trump's Mass Deportation Plan Has One Major Vulnerability, SLATE, Dec. 3, 2024 (with Anjum Gupta)

The Political Violence Spilling Out of Red States, AMERICAN PROSPECT, Oct. 10, 2024 (with Jon D. Michaels)

Jan. 6 Was Just a Start. Vigilantes Are Expanding, and Legalizing, Their Attacks, L.A. TIMES, Oct. 8, 2024 (with Jon D. Michaels)

The Local Version of Project 2025 Is Already Causing Devastation, SLATE, Aug. 26, 2024 (with Jon D. Michaels)

We Are Becoming a Nation of Vigilantes, N.Y. TIMES, Sept. 4, 2021 (with Jon D. Michaels)

The Executive's Role in Addressing Forced Arbitration, ContractsProf Blog, May 10, 2021 (with Zachary D. Clopton)

How States Can Step in When Trump Doesn't Enforce Laws, POLITICO, June 18, 2019 (with Zachary D. Clopton)

Trump Labor Officials Are Secretly Using Forced Arbitration to Get Corporations Off the Hook, SLATE, May 10, 2019 (with Zachary D. Clopton)

Consumers Vulnerable to Corporate Fraud After CFPB Rule Killed, CLASS ACTION REPORTER, Jan. 1, 2018

The Dangerous Consequences of Repealing the CFPB's Arbitration Rule, THE REGULATORY REVIEW, Nov. 6, 2017

Justice Scalia's Impact on Federal Arbitration Law, N.Y.L.J., May 13, 2016 (with Samuel Estreicher)

BRIEFS

Brief of Amici Curiae Administrative and Federal Regulatory Law Professors in Support of Respondents, *Loper Bright Enterprises v. Raimondo*, No. 22-451 (U.S.) (Sept. 22, 2023)

Brief of Legal Scholars in Support of Petitioner, *Whole Woman's Health v. Jackson*, No. 21-588 (U.S. Oct. 27, 2021)

Brief of Administrative Law, Constitutional Law, and Civil Procedure Scholars as Amici Curiae in Support of the Application to Vacate Stay of Preliminary Injunction, *United States v. Texas*, No. 21A85 (U.S. Oct. 19, 2021)

Brief of Professors of Jurisdiction in Support of Respondents, *Ford Motor Co. v. Montana Eighth Judicial District Court*, No. 19-368 (U.S. Apr. 6, 2020)

Brief of Professors of Administrative Law and Federal Regulation as Amici Curiae in Support of Neither Party, *Kisor v. Wilkie*, No. 18-15 (U.S. Jan. 31, 2019)

EDUCATION

New York University School of Law

J.D. *magna cum laude*, 2008

Activities: Articles Editor, *NYU Law Review*; Supreme Court Litigation Clinic

Awards: Ann Petluck Poses Memorial Prize for outstanding performance in Supreme Court Litigation Clinic; Judge Edward Weinfeld Prize for distinguished scholarship in federal courts and civil procedure; Butler Scholar; Order of the Coif

Columbia University School of General Studies

B.A. *summa cum laude* in Philosophy, 2003

PROFESSIONAL MEMBERSHIPS & ACTIVITIES

Member, New York State Bar, 2009–

Member, New Jersey Supreme Court Working Group on Electronic Documents, 2014–15

Member, AALS sections on Administrative Law, Civil Procedure, and Conflicts of Law

Academic Fellow, National Institute for Civil Justice, 2020–

Convener, New York City Area Junior Faculty Colloquium, 2015–18

Ad hoc peer referee, Cambridge University Press, *University of Chicago Law Review*, *Law & Social Inquiry*, *N.Y.U. Law Review*, *Regulation & Governance*, *Rutgers Law Review*, *Stanford Law Review*, *Yale Law Journal*