

ADAM S. ZIMMERMAN
USC Gould School of Law

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TEACHING EXPERIENCE

USC Gould School of Law , Los Angeles, California Robert Kingsley Professor of Law Torts, Civil Procedure, Administrative Law, Complex Litigation, Mass Torts	2023-Present
Loyola Law School, Los Angeles , Los Angeles, California Professor of Law Associate Professor of Law Professor of the Year	2015-2023 2013-2015 2021-2022
St. John's University School of Law , Queens, New York Associate Professor of Law Assistant Professor of Law Professor of the Year	2012-2013 2010-2012 2012-2013
New York University School of Law , New York, New York Assistant Professor of Lawyering	2007-2010

CLERKSHIP

Judge Jack B. Weinstein, United States District Court, E.D.N.Y. 2000-2001

PUBLICATIONS

- Ghostwriting Federalism*,
133 YALE LAW JOURNAL 1802 (2024)
- Diversity and Complexity in MDL Leadership: A Status Report from Case Management Orders*,
101 TEXAS LAW REVIEW 1679 (2023) (w/D. Noll)
- The Class Appeal*,
89 UNIVERSITY OF CHICAGO LAW REVIEW 1419 (2022)
- Inside the Agency Class Action*,
126 YALE LAW JOURNAL 1634 (2017) (w/M. Sant'Ambrogio)
- Judging Aggregate Settlement*,
94 WASHINGTON UNIVERSITY LAW REVIEW 545 (2017) (w/D. Jaros)
- Presidential Settlements*,
163 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1392 (2015)
- The Corporate Settlement Mill*,
101 VIRGINIA LAW REVIEW 129 (2015) (w/D. Remus)
- The Agency Class Action*,
112 COLUMBIA LAW REVIEW 1992 (2012) (w/M. Sant'Ambrogio)

Distributing Justice,
86 NEW YORK UNIVERSITY LAW REVIEW 500 (2011)

The Criminal Class Action,
159 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1385 (2011) (w/D. Jaros)

Funding Irrationality,
59 DUKE LAW JOURNAL 1105 (2010)

ESSAYS & SYMPOSIA

Against Bankruptcy: Public Litigation Values versus the Endless Quest for Global Peace in Mass Litigation,
133 YALE LAW JOURNAL FORUM 525 (2024)(w/E. Burch & A. Gluck)

Exhausting Government Class Actions,
UNIVERSITY OF CHICAGO LAW REVIEW ONLINE (2022)

Collective Adjudication and Administrative Justice,
OXFORD HANDBOOK OF ADMINISTRATIVE JUSTICE (2021) (w/M. Sant’Ambrogio)

Surges and Delays in Mass Litigation,
53 GEORGIA LAW REVIEW 1335 (2019)

The Bellwether Settlement,
85 FORDHAM LAW REVIEW 2275 (2017)

Global Convergence of Global Settlement,
65 KANSAS LAW REVIEW 1053 (2017)

Aggregate Litigation Goes Private,
63 EMORY LAW JOURNAL 1318 (2014) (w/D. Remus)

The Corrective Justice State,
5 JOURNAL OF TORT LAW 189 (2014)

Mass Settlement Rivals,
82 UNIVERSITY OF CINCINNATI LAW REVIEW 381 (2013)

WORKS IN PROGRESS

Federal Agencies in the Courthouse

Federal agencies write state court procedure across the spectrum—from those relating to jurisdiction, pleadings, joinder, and class actions to evidentiary privileges, protective orders in discovery, and remedies. Relying on data gathered through the National Center for State Courts, this Article shows how this unexamined form of federal regulation enlists state courts as regulatory partners in a novel form of policymaking outside the traditional constraints of our federalism and separation of powers. Agencies’ work inside state courthouses, however, is not only lawful, but can enhance access-to-justice and promote robust regulatory experimentation across state lines.

AMICUS BRIEFS

- *Principle Co-Author*, Brief of Amicus Curiae Complex Litigation Scholars in Support of Respondent (September 2015), *Tyson Foods v. Bouaphakeo*, United States Supreme Court, cited in *Tyson Foods v. Bouaphakeo*, 136 S.Ct. 1036, 1046 (2016).

- *Principle Co-Author*, Brief of Amicus Curiae Complex Litigation Scholars in Support of Respondent (May 2016), *Microsoft Corp. v. Baker*, United States Supreme Court
- *Principle Co-Author*, Amicus Brief of Administrative Law, Civil Procedure and Federal Courts Professors in Support of Appellant (November 2015), *Monk v. McDonald*, United States Court of Appeals for the Federal Circuit, *cited in sub nom.*, *Monk v. Shulkin*, 855 F.3d 1312, 1320 (Fed. Cir. 2017).
- *Principle Co-Author*, Amicus Brief of Administrative Law, Civil Procedure, and Federal Courts Professors in *Rosinski v. Shulkin* (December 2017), *Rosinski v. Shulkin*, United States Court of Appeals for Veterans Claims.
- *Principle Co-Author*, Brief of Professors Sant'Ambrogio and Zimmerman as Amicus Curiae in Support of Plaintiffs' Motion for Summary Judgment in *Bauer v. Devos* (May 2018), *Bauer v. Devos*, District Court in the District of Columbia.
- *Principle Co-Author*, Brief of Amici Curiae Administrative Law Civil Procedure, and Federal Courts Professors in Support of Petitioners-Appellees (July 2018), *B.K. v. McKay*, United States Court of Appeals for the Ninth Circuit
- *Principle Co-Author*, Brief of Amici Curiae Administrative Law Civil Procedure, and Federal Courts Professors in Support of Petitioners-Appellees (July 2018), *Rodriguez v. Robbins*, United States Court of Appeals for the Ninth Circuit
- *Principle Co-Author*, Amicus Brief of Professors Sant'Ambrogio and Zimmerman in Support of Complainants Motion to Certify a Class Action in the Federal Maritime Commission (August 2018), *In Re Vehicle Carrier Services*, Federal Maritime Commission.
- *Principle Co-Author*, Amicus Brief of Civil Procedure Professors in Support of Appellee's Petition for Panel Rehearing and Rehearing En Banc (Nov. 2018), *In Re Asacol*, United States Court of Appeals for the First Circuit
- *Principle Co-Author*, Amicus Brief of Administrative Law, Civil Procedure and Federal Courts Professors in Support of Appellant (February 2019), *Monk v. McDonald*, United States Court of Appeals for the Federal Circuit.
- *Principle Co-Author*, Amicus Brief of Administrative Law, Civil Procedure and Federal Courts Professors in Support of Appellant (October 2021), *Skaar v. McDonough*, United States Court of Appeals for the Federal Circuit, *cited in Skaar v. McDonough*, 57 F.4th 1015, 1021 (Fed. Cir. 2023).

SELECTED ONLINE ESSAYS

- *Regulating Safety After Merck v. Albrecht*, University of Pennsylvania, Regulatory Review, <https://www.theregreview.org/2019/07/18/zimmerman-after-merck-albrecht/>
- *Group Justice in Administrative Courts*, American Constitutional Society "Issue Brief" on Reforming "Regulatory Reform": A Progressive Framework for Agency Rulemaking in the Public Interest, <https://www.acslaw.org/acsblog/group-justice-in-administrative-courts/>
- *Government Class Actions After Jennings v. Rodriguez*, Harvard Law Review Blog,

<https://blog.harvardlawreview.org/government-class-actions-after-jennings-v-rodriguez/>

PrawfsBlawg Guest Blogging: Selected Essays

- *Aggregate Agency Adjudication*,
<http://prawfsblawg.blogs.com/prawfsblawg/2015/06/administrative-class-actions-and-trials-by-statistics.html>
- *Agency Class Actions and Trials By Statistics*,
<http://prawfsblawg.blogs.com/prawfsblawg/2015/06/chevron-after-king-v-burwell.html>
- *Chevron After King v. Burwell*,
<http://prawfsblawg.blogs.com/prawfsblawg/2015/06/chevron-after-king-v-burwell.html>
- *The Bellwether Settlement*,
<http://prawfsblawg.blogs.com/prawfsblawg/2015/06/the-bellwether-settlement.html>
- *Are Administrative Law Judges Unconstitutional?*,
<http://prawfsblawg.blogs.com/prawfsblawg/2015/06/are-administrative-law-judges-unconstitutional-.html>
- *Mass Compensation After September 11*,
<http://prawfsblawg.blogs.com/prawfsblawg/2015/05/mass-compensation-after-september-11.html>
- *The Convergence of Global Settlements*,
<http://prawfsblawg.blogs.com/prawfsblawg/2012/02/the-convergence-of-global-settlements.html>
- *The Privatized Attorney General*,
<http://prawfsblawg.blogs.com/prawfsblawg/2012/01/the-public-private-attorney-general.html>
- *The September 11 Victim Compensation Fund (Redux?)*,
<http://prawfsblawg.blogs.com/prawfsblawg/2012/01/the-september-11-victim-compensation-fund-redux.html>
- *The Rise of Executive (Branch) Compensation*,
<http://prawfsblawg.blogs.com/prawfsblawg/2012/01/the-rise-of-executive-branch-compensation.html>
- *Flash Mob Litigation*,
<http://prawfsblawg.blogs.com/prawfsblawg/2012/01/class-actions-v-flash-mob-litigation.html>

Inside Agency Class Actions,

University of Pennsylvania “Regulatory Review”

<https://www.theregreview.org/2016/11/07/zimmerman-santambrogio-agency-class-actions/>

Should the Education Department Hear Class Actions When Colleges Collapse, The University

of Pennsylvania “Regulatory Review”
<http://www.regblog.org/2016/10/10/zimmerman-santambrogio-education-department-hear-class-actions-when-colleges-collapse/>

Regulating the Settler-In-Chief,
University of Pennsylvania “RegBlog,” available at
<http://www.regblog.org/2014/08/13/13-zimmerman-regulating-settler-in-chief/>

Corporate Settlement Mills,
Columbia Law School “Blue Sky Blog,” available at
<http://clsbluesky.law.columbia.edu/2014/05/26/corporate-settlement-mills/>

Agencies Should Provide Enhanced Procedural Protections in Aggregate Settlements,
The University of Pennsylvania “RegBlog,” available at
<http://www.law.upenn.edu/blogs/regblog/2011/07/agencies-should-provide-enhanced-procedural-protections-in-aggregate-settlements.html>

How One State's Law May Reshape the Vioxx Litigation, New York Law Journal,
November 7, 2006.

Recent Developments in Mass Tort Litigation, ALL-ABA China Program, (June 2006) (w/ Laurie
Strauch Weiss).

Sharing Information with Auditors: Does it Waive Work Product Protection?, White-Collar Crime Issue,
New York Law Journal, July 2005.

Business Fraud: D.C. Circuit Wrestles with Intent in Securities Fraud, National Law Journal,
October 2004.

In House Counsel: Ethics and Off-Switches: What Next, Legal Times, September 2004.

The Changing Role of the General Counsel, New York Law Journal, August 2004.

Twenty-Eighth Annual Review of Criminal Procedure: Supervised Release and Restitution, 87 Geo.
L.J. 1746 (1999).

SELECTED RECENT AND FORTHCOMING PRESENTATIONS

Cornell Law School, *Searching for the Mass Tort Finale*, September 2024

University of California, San Francisco, School of Law, *Commentary on Secrecy Orders and Class Action Settlements*, June 2024

Yale Law Symposium on State and Local Governance, *Federal Agencies, State Courts, and the New "Picket Fence" Federalism*, April 2024

Sciences Po Paris, *Corporate Mass Adjudication Meets the Digital Services Act*, April 2024

Practicing Law Institute, Keynote, *The Class Action Year in Review*, December 2023

Court of Appeals for Veterans Claims, *The Government Class Action in the Courts of Appeals*, November 2023

University of California, San Francisco, School of Law, *Diversity in MDL Leadership*, Oct. 2023

University of Texas School of Law, *Complexity and Diversity in MDL Leadership*, April 2023

Georgetown University Law Center, *Exhausting Government Class Actions and The Class Appeal*

University of Texas School of Law, *Complexity and Diversity in MDL Leadership*, January 2023

Yale Law School, *Managerial Judges at 40*, November 2022

Loyola Law School, Los Angeles, *Federal Agencies in the Statehouse*, September 2022

University of California Los Angeles School of Law, *The Class Appeal*, April 2022

New York University School of Law, Center on Civil Justice, *Honoring Judge Jack B. Weinstein*, July 2021

Practicing Law Institute, *Recent Trends in Class Actions and Complex Litigation*, New York, New York, May 2021.

United States Court of Appeals for Veterans Claims, *The History of the Public Interest Class Action*, Washington D.C., January 2021

National Veterans Legal Service Prog, *The Appellate Class Action*, Washington D.C., Nov. 2020

Yale Law School, *Appellate Class Actions and the Future of Veterans Class Actions*, April 2020

Duke Law School, *Collective Adjudication and Administrative Justice*, 50th Anniversary of Administrative Law Symposium, February 2020

University College London, UK, *Collective Adjudication and Administrative Justice*, August 2019

Practicing Law Institute, *Recent Trends in Class Actions and Complex Litigation*, New York, New York, June 2019.

DePaul University School of Law, *Class Actions All the Way Up*, Twenty Fifth Annual Clifford Symposium: Rising Stars in Civil Justice, April 2019.

Court of Appeals for Veterans Claims, *Veterans Class Actions After Monk v. Shulkin*, Class Action Workshop for Judges and Practitioners, National Press Club, April 2019.

University of Georgia Law School, *Symposium on the Fiftieth Anniversary of Multidistrict Litigation Statute*, Feb. 2019

Stanford Law School, *Agencies in the Courthouse*, Fourth Annual Civil Procedure Workshop, Nov. 2018

University of Michigan Law School, *Agencies in the Statehouse*, Administrative Law Scholarship Workshop, June 2018.

Court of Appeals for Veterans Claims, *Class Actions in Non-Article III Courts*, Class Action Workshop for Judges and Practitioners, April 2018.

Rutgers Law School, *Courthouse Regulators*, Symposium on Mandatory Arbitration, April 2017

Arizona State University, *Inside the Agency Class Action*, Faculty Workshop, February 2017 Yale Law School, Author's Luncheon, *Inside the Agency Class Action*, November 2016

Fordham University School of Law, *Bellwether Settlements*, Annual Fordham Law Review Ethics Colloquium, October 2016

University of Washington, *Inside the Agency Class Action and Judging Aggregate Settlements*, Civil Procedure Workshop, July 2016

Michigan State University School of Law, *Inside the Agency Class Action*, Administrative Law New Scholarship Roundtable, June 2016

Administrative Conference of the United States, *Aggregate Administrative Adjudication*, Presentation of Final Recommendations to the Committee on Adjudication, Washington D.C., June 2016

Law & Society Conference, *Courts as Agencies*, New Orleans, Louisiana, June 2016

University of California, Irvine, *Judging Aggregate Settlements*, Federal Courts Workshop, September 2015

Notre Dame Law School, *Globalization of Global Settlements*, April 2015

NYU Law, The Center on Civil Justice: The Future of Class Action Litigation, *The Globalization of Global Settlements*, November 2014

University of Georgia School of Law, Junior Faculty Federal Courts Forum, *The Corporate Settlement Mill*, October 2014

DePaul University School of Law, *The Globalization of Global Settlements*, 20th Annual Clifford Symposium on Civil Justice, March 2014

University of Illinois College of Law, *Presidential Settlements/Corporate Settlement Mills*, March 2014

Loyola Law School, Los Angeles, *Presidential Settlements/Corporate Settlement Mills*, February 2014

Vanderbilt University School of Law, *The Corrective Justice State*, The Public Life of Private Law: The Logic and Experience of Mass Litigation, September 2013

University of Cincinnati Law, *Mass Settlement Rivals*, Corporate Law Symposium, March 2013

Columbia Law School, Author's Luncheon, *The Agency Class Action*, September 2012

Harvard Law School, Junior Faculty Forum: *The Agency Class Action*, June 2012

Cardozo Law School: *The Privatized Attorney General*, Conference on *AT&T Mobility v. Concepcion*, April 2012

Brooklyn Law School: *The Agency Class Action*, October 2011

NYU Lawyering Scholarship Colloquium: *The Agency Class Action*, July 2011 Law &

Society Association Conference: *The Agency Class Action*, June 2011

St. John's Summer Scholarship Colloquium: *The Criminal Class Action*, August 2010 NYU

Scholarship Colloquium: *The Criminal Class Action*, June 2010

NYU Scholarship Colloquium: *Distributing Justice*, July 2009 NYU

Scholarship Colloquium: *Funding Irrationality*, January 2009

PRACTICE EXPERIENCE

Orrick, Herrington & Sutcliffe LLP, 2003-2007

Associate. Legal counsel in all aspects of commercial litigation, including complex class actions, securities law, compliance and regulatory matters, international arbitration, commercial contract, and intellectual property.

United States Department of Justice

September 11th Victim Compensation Fund, 2002-2003

Deputy Special Master. Developed regulations and provided counsel for federal fund designed for victims of the World Trade Center and Pentagon attacks.

Harrison Institute for Public Law, 1999-2000

Clinical Fellow. Georgetown University Law Center. Provided housing solutions, organized and advised tenant cooperatives in Northeastern Washington D.C. Duties included advising all aspects of cooperative formation and management, coordination with non-profit ventures, tax assistance, securitization of benefits from public agencies, and private ventures.

Bingham McCutchen, Summer 1999

Summer Associate. General litigation, securities litigation, antitrust law, and asylum law. Offer extended.

Center for Law in the Public Interest, Summer 1998

Equal Justice Foundation Fellow. Researched and prepared legal memoranda regarding consumer protection, housing, environmental law. Client intake, legal research, participation in litigation strategy, discovery, and court preparation.

EDUCATION

Georgetown University Law Center, J.D., *Magna Cum Laude*, Class of 2000,

Georgetown Law Journal, Associate Editor

American Constitutional Society, co-founded the first chapter of ACS in United States

University of California, Berkeley, B.A., Class of 1995