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Professor of Law  
Emory University School of Law  
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### **PROFESSIONAL HISTORY**

Professor of Law, Emory University, 1981-Present  
Associate Professor, 1980-81  
Assistant Professor, 1975-80

Of Counsel, Paul, Hastings, Janofsky & Walker, 1990-97 (Part-time)

General Counsel, U. S. Equal Employment Opportunity Commission, 1987-90

Associate Dean, Emory University School of Law, 1981-84

Visiting Associate Professor of Law, University of Washington 1980

Associate, Sutherland, Asbill & Brennan, Atlanta, GA, 1973-75

Law Clerk, Hon. Elbert P. Tuttle, U.S. Court of Appeals for the Fifth Circuit, 1972-73

### **EDUCATION**

University of Virginia, J.D. 1973 (*in absentia*)  
Editorial Board, *Virginia Law Review*

Oxford University, B.A. 1972; M.A., 1977  
Rhodes Scholar

Rice University, B.A. 1968 (*cum laude*)  
President, Student Association  
Rice University Service Award

### **PUBLICATIONS**

#### **BOOKS**

COUNTERTERRORISM LAW: CASES AND MATERIALS (Foundation Press, 2011) with  
Teacher's Manual

AMERICAN CONSTITUTIONAL LAW: STRUCTURE AND RECONSTRUCTION (West, 2009); 4th  
ed. with Teacher's Manual (previous editions and annual supplements 2001-2009)

EEOC LITIGATION AND CHARGE RESOLUTION (BNA, 2005) (Senior Consulting Editor on book edited by Donald R. Livingston)

NATIONAL SECURITY AND MILITARY LAW IN A NUTSHELL (Thomson/West, 2003 (with L. Hogue)

MILITARY LAW IN A NUTSHELL (2d Ed., West 1996 with L. Hogue); (1st Ed. 1980 with T. Terrell)

#### **SELECTED ARTICLES AND BOOK CHAPTERS**

*Terrorism, Historical Analogies, and Modern Choices*, EMORY INTERNATIONAL LAW REVIEW, 24 Emory Int'l L. Rev 591 (2010).

*Three Campaigns in the Disparate Impact/Equal Protection War*, ABA LABOR AND EMPLOYMENT LAW, Summer, 2009.

*Employment Cases from the 2007-2008 Supreme Court Term*, 24 THE LABOR LAWYER 147 (Fall, 2008)

*Pardon Us: Systematic Presidential Pardons*, 13 FEDERAL SENTENCING REPORTER 139 (2001) (with M. Miller)

*Bringing the Rule of Law to Employment Discrimination Class Actions*, CLASS ACTIONS & DERIVATIVE SUITS, Vol. 8, No. 3, p. 8 (1998)

*EEOC Litigation*, Chapter in EMPLOYMENT DISCRIMINATION LAW by B. Lindemann and P. Grossman (BNA 1995; Third Edition) and Cumulative Supplement Updates

*Third Party Claims*, Chapter in SEXUAL HARASSMENT IN EMPLOYMENT LAW by B. Lindemann and D. Kadue (BNA 1992) (with Kelly Koelker)

*Some Observations on Broadly Construing Civil Rights Laws*, 14 HARV. J. LAW & PUBL. POLICY 8 (1991)

*Battleground for a Divided Court: Employment Discrimination in the Supreme Court, 1988-89*, 6 THE LABOR LAWYER 145 (1990) (with S. Marcossou)

*Affirmative Action in EEOC Litigation*, 21 GEORGIA L. REV. 1059 (1987)

*Partnership as Employment and Association: An Introduction to the Hishon Case*, THE ATLANTA LAWYER (Summer 1983)

*Race and Color*, Chapter in EMPLOYMENT DISCRIMINATION LAW by B. Schlei & P. Grossman, (BNA 1983; Second Edition)

*County of Washington v. Gunther: A Legal and Economic Analysis*, 1982 SUPREME COURT ECONOMIC REVIEW 185 (with M. Lindsay)

*Employment Discrimination*, 32 MERCER L. REV. 1119 (1982), 33 MERCER L. REV. 1273 (1983) (with G. Shanor)

*Veterans' Preferences in Public Employment: Unconstitutional Gender Discrimination?* 26 EMORY L. J. 13 (1977) (with J. Fleming)

#### **SELECTED UNIVERSITY AND CIVIC ACTIVITIES**

Member, Atlanta Pension Review Panel, 2010-11

Secretary, American Bar Association Labor and Employment Section, 2008-09

Fellow, The College of Labor and Employment Lawyers, 2008- present

President's Advisory Committee, Emory University, 2005- present

Emory University Faculty Senate, 2000-2002; Faculty Council 2003-2004

Trinity School Board of Trustees 2000-2002

Chair, Numerous Emory Law School Faculty Committees

Faculty Recruitment Committee, 2004-2006

Faculty Promotion and Tenure, 2006-2010

Curriculum Committee, 2010-

Chair, Civil Rights and Employment Discrimination Committee of the Administrative Law and Regulatory Practice Section, American Bar Association, 1990-91

Advisory Boards

National Center for Educational Testing, 1979-87

National Center for Paralegal Training, 1976-87, 1993-99

Emory law Humanitarian Law Clinic, 2009-

Board of Trustees, Institute of Continuing Legal Education in Georgia, 1977-79, 1982-85

Mayor Andrew Young's Task Force on the Great Park, 1982

Steering Committee, Carter Center, 1982-84

#### **MISCELLANEOUS**

Testimony before United States Senate and House Committees:

Future Direction of the Equal Employment Opportunity Commission

Older Workers Benefits Protection Act

Age Discrimination Claims Assistance Act  
Budget Hearings for United States Equal Employment Opportunity Commission  
Equal Rights Amendment

Consultant, Supreme Court Confirmation Hearings for Clarence Thomas

Occasional Op-eds (Washington Post, American Lawyer, Atlanta Journal-Constitution)

Frequent CLE Lecturer

Regular Media Commentator

Appellate Advocate (US Courts of Appeals and Supreme Court)

Consultant and Expert Witness on Employment Discrimination Matters