

JILL I. GROSS

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TEACHING EXPERIENCE

ELISABETH HAUB SCHOOL OF LAW, Pace University White Plains, NY

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: Commercial Arbitration; Criminal Law; Interviewing, Counseling & Negotiating; Investor Rights Clinic; First-Year Legal Skills; Pretrial Civil Litigation Simulation; Professional Responsibility; Securities Litigation and Enforcement; Survey of Dispute Resolution Processes

Awards: James D. Hopkins Professor of Law (2013-2015) (rotating endowed Chair); Richard L. Ottinger Faculty Achievement Award (2014) (for outstanding service)

Law School Service:

- Chaired Self-Study Committee (2013-14)
- Chaired Curriculum Committee (2008-13; 2014-16)
- Developed and direct Litigation and Dispute Resolution Concentration (2015-present)
- Director of Legal Skills (2010-2015) (leadership and strategic planning for all experiential education curricular programs, including all clinics, externships, and simulation courses)
- Director, Investor Rights Clinic (1999-2015) (secured more than \$1 million in grant money)
- Elected by peers to Nominating Committee (2006-07; 2008-10; 2013-16)
- Honor Board Investigator (2016-present)
- Mentor students in Federal Judicial Honors Program; Guided Research, Guided Externships and Bar Exam
- Served on Academic Standing, Admissions (J.D. and L.L.M.), Appointments, Career Development, Curriculum, and Self-Study Committees
- Advised Arbitration and Mediation Competition Teams; Student Dispute Resolution Society
- Quoted in more than 35 media articles in regional and national publications such as The National Law Journal, The Wall Street Journal, The Washington Post, Law360.com, The New York Times, WSJ.com, Investment News, and Dow Jones

UNLV WILLIAM S. BOYD SCHOOL OF LAW *Adjunct Professor of Law, Securities Dispute Resolution*

Las Vegas, NV
Summer 2014

CORNELL LAW SCHOOL *Adjunct Professor of Law, Arbitration Law and Practice*

Ithaca, NY
Spring 2004

BENJAMIN N. CARDOZO SCHOOL OF LAW, Yeshiva University *Adjunct Assistant Professor of Law, Legal Writing Instructor*

New York, NY
1997 – 2001

EDUCATION

HARVARD LAW SCHOOL *J.D. Cum Laude*

Cambridge, MA
June 1990

CORNELL UNIVERSITY, College of Arts and Sciences *A.B. Magna Cum Laude, Phi Beta Kappa*

Ithaca, NY
May 1987

PUBLICATIONS

Books and Book Chapters

ARBITRATION: LAW, POLICY AND PRACTICE (Carolina Academic Press) (forthcoming 2018) (with M. Weston, K. Blankley & S. Huber)

BROKER-DEALER LAW AND REGULATION (CCH Inc.) (supp. to 4th ed. 2017 forthcoming) (with James Fanto)

Negotiating in the Shadow of Forced Arbitration, in THE NEGOTIATOR'S DESK REFERENCE, Chris Honeyman & Andrea Kupfer Schneider, eds. (DRI Press) (2017)

Teaching Students to be Problem-Solvers and Dispute Resolvers, in BUILDING ON BEST PRACTICES: TRANSFORMING LEGAL EDUCATION IN A CHANGING WORLD (D. Maranville, L. Bliss, C. Kaas & A. Sedillo Lopez eds.) (LexisNexis Law School Publishing 2015) (with Andrea Schneider and John Lande)

Law Review Articles

The Uberization of Arbitration Clauses, 9 Y.B. ON ARB. & MED. __ (forthcoming 2017) (symposium volume)

The Customer's Non-Waivable Right to Choose Arbitration in the Securities Industry, 10 BROOK. J. CORP. FIN. & COM. L. 383 (2016)

The Historical Basis of Securities Arbitration as an Investor Protection Mechanism, 2016 J. DISP. RESOL. 171 (2016) (symposium volume)

Justice Scalia's Hat Trick and the Supreme Court's Flawed Understanding of Twenty-First Century Arbitration, 81 BROOKLYN L. REV. 111 (2015)

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

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

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. L. REV. 47 (2012) (solicited)

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

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)

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.) (symposium volume)

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)

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/>)

Commercial Arbitration: Germany and the United States, DISP. RESOL. MAG. (forthcoming 2017) (with Christian Duve)

INVESTOR'S GUIDE TO SECURITIES INDUSTRY DISPUTES: HOW TO PREVENT AND RESOLVE DISPUTES WITH YOUR BROKER (2009, rev. 2013; rev. 2017) (with Elissa Germaine)

Arbitration Case Law Update, in SECURITIES ARBITRATION COURSEBOOK (Practising Law Institute) (annually 2010-2016)

FINRA Issues Regulatory Notice on Customers' and Employees' Right To Choose Securities Arbitration, 34-8 ALTERNATIVES 1 (Sept. 2016)

FINRA Dispute Resolution Task Force Releases Its Final Report, 34-2 ALTERNATIVES 19 (Feb. 2016)

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)

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)

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

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

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 AND OTHER SPEAKING ENGAGEMENTS

Discussant, *Discussions in Dispute Resolution - Arbitration*, SEALS Conference (Aug. 2, 2017)

Facilitator/Presenter, 10th Annual ABA Arbitration Training Institute, Chicago, IL (June 16, 2017)

Panelist, *The Uberization of Arbitration Clauses*, “Controversies in Arbitration” Symposium, Penn State Law School (Feb. 3, 2017)

Moderator, *Comparative Commercial Arbitration, U.S., Asia, Europe and Latin America*, AALS Annual Meeting, ADR Section Program (Jan. 6, 2017)

Panelist, *Staying Ahead of the Curve: Hot Topics and Future Trends in Securities Arbitration in 2017* SECURITIES ARBITRATION 2016 (Practising Law Institute) (Sept. 28, 2016)

Presenter, *A Qualitative Exploration of Securities Arbitration*, 10th Annual AALS ADR Works-in-Progress Conference, Marquette University School of Law (Sept. 23, 2016)

Panelist, Podcast, *The FINRA Dispute Resolution Task Force has issued its Final Report: Now what?*, SECURITIES ARBITRATION COMMENTATOR, <http://www.sacarbitration.com/blog/video-podcasts/finra-dispute-resolution-task-force-issued-final-report-now/> (May 25, 2016)

Panelist, *The Future of Business Law After Justice Scalia*, Brooklyn Law Review Program, Brooklyn Law School (Apr. 18, 2016)

Panelist, *Making A Murderer: Legal, Ethical and Practical Issues*, Pace Criminal Justice Institute, Pace Law School (Mar. 2, 2016)

Presenter, *The Customer's Non-Waivable Right to Arbitration in the Securities Industry*, 9th Annual AALS ADR Works-in-Progress Conference, Texas A&M University School of Law (Oct. 23, 2015)

Presenter, *The Customer's Non-Waivable Right to Arbitration in the Securities Industry*, 3rd Annual Corporate and Securities Litigation Workshop, Boston University School of Law (Oct. 2, 2015)

Discussant, *ADR in Faculty Governance and Change: What Works — If Anything — and What Doesn't?*, SEALS Conference (Aug. 28, 2015)

Panelist, *Small Business and Small Investors: Arbitration Considerations*, Association for Conflict Resolution, Greater New York Chapter, Annual Conference, Cardozo Law School (June 18, 2015)

Moderator, *Teaching ODR Online and Offline*, ODR 2015, Pace Law School (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)

Chair, 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)

LEGAL EXPERIENCE

Represented clients in white-collar criminal and SEC investigations and prosecutions, civil proceedings, arbitrations and trials. 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 and testifying expert witness in SEC and FINRA enforcement actions, FINRA arbitrations and other securities proceedings.

LAW OFFICES OF DIANA D. PARKER

Of Counsel

New York, NY

2001 – 2004

PARCHER, HAYES & SNYDER, P.C.

Litigation Associate

New York, NY

1996 – 1999

MORVILLO, ABRAMOWITZ, GRAND, IASON & SILBERBERG, P.C.

Litigation Associate

New York, NY

1992 – 1996

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER, LLP

Litigation Associate

New York, NY

1990 – 1992

PROFESSIONAL SERVICE AND MEMBERSHIPS

AALS Section on Alternative Dispute Resolution: Chair (2017)
AALS Section on Clinical Legal Education, Member (2001-present)
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)
Arbitrator: American Arbitration Association; FINRA Dispute Resolution; National Futures Association; Small Business Arbitration Center of New York
Above the Bar Awards (Westchester County) Judging Committee (2013-present)
FINRA National Arbitration and Mediation Committee, Member (2006-09)
President's Council of Cornell Women (2012-present); Vice Chair Mentoring Committee, 2016-18
Securities Experts Roundtable, Elected Member (2008-present)
Bar Admissions: New York; Massachusetts; Southern and Eastern Districts of New York

REFERENCES

Michelle Simon
Professor of Law and Dean Emerita
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Horace Anderson
Associate Dean of Academic Affairs
and Professor of Law
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Barbara Black
Charles Hartsock Professor of Law (retired)
University of Cincinnati College of Law
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Andrew Lund
Professor of Law and Director, John F. Scarpa
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