

SAMIR D. PARIKH
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APPOINTMENTS

WAKE FOREST SCHOOL OF LAW Winston-Salem, NC
Professor of Law

June 2024 - Present

LEWIS & CLARK LAW SCHOOL Portland, OR

Robert E. Jones Professor of Advocacy and Ethics

Professor of Law

Founder and Director, Center for Business Law & Innovation (CBLI)

Chair, CBLI Committee on Diversity, Equity & Inclusion

Associate Professor of Law

Assistant Professor of Law

August 2023 – June 2024

June 2017 – August 2023

July 2019 – June 2024

July 2020 – June 2024

June 2015 – June 2017

June 2010 – June 2015

BLOOMBERG LAW New York, NY

Editor-in-Chief, Bloomberg Law Bankruptcy Treatise

Vice-Chair, Innovation Board

Lead Editor and Original Contributing Author

June 2018 – Present

June 2018 – May 2022

February 2013 – June 2018

OXFORD UNIVERSITY, FACULTY OF LAW Oxford, UK

Visiting Professor and Fulbright Schuman Scholar

April 2019 – July 2019

PUBLICATIONS

Crossing the Rubicon: Assembling a Litigation Colossus in Mass Torts

124 UNIVERSITY OF MICHIGAN LAW REVIEW ONLINE (*forthcoming* 2025)

The Alchemist's Inversion

110 CORNELL LAW REVIEW (*forthcoming* 2025)

- Call-for-papers winner, Law & Economics Center's "Third Party Litigation Financing Research Roundtable"
- Featured in Bite-Sized Business Law Podcast, *Mass Tort Litigation or Asset Sale? How Litigation Funding Blurs the Lines* (June 18, 2024) (most downloaded episode of Bite-Sized Business Law with over 20,000 downloads)
- Companion Opinion Piece: *How Courts Can Filter Nonmeritorious Claims*, LAW360 (February 27, 2025)

Mass Tort's Faustian Bargain (with Suneal Bedi)

110 CORNELL LAW REVIEW (*forthcoming* 2025)

- Companion Event: "Mass Torts Inferno" (Cornell Law School, September 2024)

Financial Disequilibrium

171 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1925 (2023)

- Companion Event: “Debt Market Complexity: Shadowed Practices and Financial Injustice” (University of Pennsylvania Carey Law School, October 2022)

Opaque Capital and Mass-Tort Financing

133 YALE LAW JOURNAL FORUM 32 (2023)

- Featured in JOTWELL as one of the best works of recent scholarship relating to mass torts (selected by Nora Engstrom (Stanford Law School))
- Featured in Bloomberg Law (Roy Strom, *Private Equity Critic Sounds Alarm on Mass Tort Suit Investors*, Bloomberglaw.com (June 22, 2023))

Creditors Strike Back: The Return of the Cooperation Agreement

73 DUKE LAW JOURNAL ONLINE 1 (2023)

- Selected by Harvard Law School Bankruptcy Roundtable as one of the seven most compelling financial restructuring articles of 2023-24
- Cited by Fifth Circuit Court of Appeals in *Excluded Lenders v. Serta*, No. 23-20181 (Dec. 31, 2024)

Scarlet-Lettered Bankruptcy: A Public Benefit Proposal for Mass Tort Villains

117 NORTHWESTERN UNIVERSITY LAW REVIEW 425 (2022)

- Companion Opinion Piece: *Why Bidding Format Can Be a Problem in Section 363 Sales* LAW360 (Jan. 4, 2023)

Mass Exploitation

170 UNIVERSITY OF PENNSYLVANIA LAW REVIEW ONLINE 53 (2022)

- Companion Opinion Piece: *Mass Tort Defendants Exploit Bankruptcy Rules to Avoid MDL* LAW360 (April 14, 2021)

The New Mass Torts Bargain

91 FORDHAM LAW REVIEW 447 (2022)

- Companion Event: “Mass Torts Evolve: The Intersection of Aggregate Litigation and Bankruptcy” (Fordham Law School, February 2022)
- Companion Opinion Piece: *Bankruptcy is the Optimal Venue for Mass Tort Cases* LAW360 (Feb. 28, 2022)

Due Process Alignment in Mass Restructurings (with Sergio Campos)

91 FORDHAM LAW REVIEW 325 (2022)

- Companion Opinion Piece: *Day-In-Court Ideal Is Distracting from Victim Recovery* LAW360 (March 16, 2023)

Bankruptcy Tourism and the European Union’s Corporate Restructuring Quandary

42 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL LAW 205 (2020)

- One of eight articles selected to be part of the Oxford Business Law Workshop Series (Trinity Term))

Failing Cities and the Red Queen Phenomenon (with Zhaochen He)

58 BOSTON COLLEGE LAW REVIEW 599 (2017)

A New Fulcrum Point for City Survival

57 WILLIAM & MARY LAW REVIEW 221 (2015)

- Winner, Southeastern Association of Law Schools' 2015 Call-for-Papers Competition

Exploring the Chapter 9 Option for Oregon's Municipalities (with Oren Haker)

50 WILLAMETTE LAW REVIEW 619 (2014) (solicited symposium article)

Modern Forum Shopping in Bankruptcy

46 CONNECTICUT LAW REVIEW 159 (2013)

- Template for venue reform legislation currently pending before Congress
- Single most-cited article in the National Conference of Bankruptcy Judges' *Report on Proposal for Revision of the Venue Statute in Commercial Bankruptcy Cases* (2018))

Saving Fraudulent Transfer Law

86 AMERICAN BANKRUPTCY LAW JOURNAL 305 (2012)

- Cited in *In re Lyondell Chemical Co.*, 2016 WL 4030937 (S.D.N.Y. 2016) and Amicus Brief of National Association of Bankruptcy Trustees in *Merit Management Group, LP v. FTI Consulting, Inc.*
- Recognized as one of the seminal articles on Section 546(e) and leveraged buyout avoidance (*Bloomberg Law Bankruptcy Treatise, pt. II, ch. 74* (D. Michael Lynn et al. eds., 2016))

The Improper Application of the Clear-and-Convincing Standard of Proof

78 UNIVERSITY OF CINCINNATI LAW REVIEW 271 (2009)

HONORS / ACTIVITIES

- 2018-19 Fulbright Schuman Scholar & Visiting Professor of Law, Oxford University
- Member, American Law Institute
- Member, American College of Bankruptcy
- Member, Fulbright Commission's Peer Review Committee
- Provided in-person testimony to the Senate Committee of the Judiciary (Sept. 19, 2023)
- Provided written testimony to the Senate Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights (Feb. 8, 2022)
- Expert commentator for various news outlets, including *The Wall Street Journal*, *60 Minutes*, *The New York Times*, *Bloomberg News*, *NBC News*, *Law360*, and *The Financial Times*
- Peer Review Board Member, *Northwestern University Law Review*
- Top 10% of authors on SSRN by total new downloads (2022)
- Co-organizer, *Cornell Law Review's* 2024 Symposium, "Mass Torts Inferno"

- Co-organizer, *University of Pennsylvania Law Review*'s 2022 Symposium, "Debt Market Complexity: Shadowed Practices and Financial Injustice"
- Co-organizer, *Fordham Law Review*'s 2022 Symposium, "Mass Torts Evolve: The Intersection of Aggregate Litigation and Bankruptcy"
- Original founding member of the *Financial Restructuring Roundtable* hosted by University of Chicago Booth School of Business, Duke Law School, USC Gould School of Law, and Wake Forest School of Law
- Recipient of the National Conference of Bankruptcy Judges Fellowship (2012)
- Executive Council Member for the Commercial Law League of America

EXPERT WITNESS / POLICY ADVISOR ENGAGEMENTS

- *In re Diocese of Rochester* (bankruptcy expert)
- *HotChalk v. Concordia University* (expert for plaintiffs regarding fraudulent transfers)
- *Turnage et al. v. Mississippi Power Company* (expert for plaintiffs regarding various business law matters, including civil RICO claims)
- *In re NexxLinx* (expert for defendant regarding fiduciary duties and related business law matters)
- *Bloodworth v. Tyfone* (expert for plaintiff regarding fiduciary duties and fraudulent transfer law)
- *Htaike v. Sein* (expert for plaintiff regarding various business law matters, including civil RICO claims)
- Advisor to foreign government regarding comprehensive revision of national bankruptcy laws
- Advisor to Association of Oregon Counties regarding municipal bankruptcy legislation
- Advisor to Bankruptcy Venue Reform PAC regarding currently pending federal legislation

EXPERIENCE (PRIVATE PRACTICE)

**MILBANK, TWEED, HADLEY & McCLOY
LATHAM & WATKINS
BAKER BOTTS**

January 2008 – December 2009
November 2004 – January 2008
October 2003 – November 2004

- Primary Representations:
 - In re Lehman Brothers Holdings* (counsel to official committee of unsecured creditors)
 - In re Aloha Airlines* (counsel to The Yucaipa Companies, plan co-sponsor)
 - Virgin America (restructuring counsel)
 - In re Station Casinos* (counsel to debtors)
 - In re Kmart* (counsel to largest landlord)
 - In re Adelphia Communications* (counsel to mergers and acquisitions advisor)

EDUCATION

UNIVERSITY OF MICHIGAN LAW SCHOOL Ann Arbor, MI
Juris Doctor, December 2001

UNIVERSITY OF MIAMI Coral Gables, FL
Bachelor of Business Administration, December 1997

CLERKSHIP

UNITED STATES BANKRUPTCY COURT Los Angeles, CA January 2002 – October 2003
Law Clerk to the Honorable Alan M. Ahart

SPECIALITY AREAS AND COURSES

Bankruptcy, Business Associations, Contracts, Corporate Finance, Ethics, Financial Restructuring, Secured Transactions, and Torts

REFERENCES

- 1) Kenneth Ayotte
Robert L. Bridges Professor of Law, UC Berkeley School of Law
(510) 664-9967 / kayotte@law.berkeley.edu
- 2) Andrew Bradt
UC Berkeley School of Law
(510) 664-4984 / abradt@law.berkeley.edu
- 3) Sergio Campos
Boston College Law School
(617) 669-5397 / sergio.campos@bc.edu
- 4) Zachary Clopton
Northwestern Pritzker School of Law
(312) 503-0659 / zclopton@law.northwestern.edu
- 5) Beong-Soo Kim
Interim President, University of Southern California Gould School of Law
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- 6) Robert Rasmussen
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