

BYRON G. STIER

Associate Dean for Strategic Initiatives and Professor of Law
Southwestern Law School
3050 Wilshire Boulevard, Los Angeles, California 90010
(213) 738-6809, bstier@swlaw.edu

EDUCATION

HARVARD LAW SCHOOL, Cambridge, Massachusetts

J.D., June 1996.

Senior Editor, *Harvard Journal of Law and Public Policy*

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Philadelphia, Pennsylvania

LL.M., in Legal Education, May 2005.

Abraham L. Freedman Teaching Fellowship Program

UNIVERSITY OF PENNSYLVANIA, Philadelphia, Pennsylvania

B.A., in English, with minors in History and Music, May 1993.

Honors: *summa cum laude*; Phi Beta Kappa; Dean's Scholar (awarded to 20 students selected for outstanding scholarly achievement and intellectual promise from nearly 10,000 undergraduate and graduate students in the School of Arts and Sciences); Benjamin Franklin Scholar; H.L. Jayne English Composition Prize; President, John Marshall Pre-Law Honor Society

ACADEMIC EMPLOYMENT

SOUTHWESTERN LAW SCHOOL, Los Angeles, California

Associate Dean for Strategic Initiatives, 2016 to present

Professor of Law, with tenure, 2009 to present

Associate Dean for Research, 2015 to 2016

Co-Director of the Summer Law Program in Vancouver, 2013 to 2014 (in collaboration with the International Centre for Criminal Law Reform and Criminal Justice Policy, University of British Columbia Faculty of Law at Allard Hall; served on program faculty, summer 2011, summer 2014)

Associate Professor of Law, 2005 to 2009

Honors:

- 2009 *Irving D. and Florence Rosenberg Professor of Law*, in recognition of outstanding teaching, professional accomplishments, and service
- Nominee, 2020 Southwestern Student Bar Association Excellence in Teaching Award, First Year Professor (three nominees selected out of over 60 full-time faculty by Student Bar Association, based on nominations by students)
- Nominee, 2011 Southwestern Student Bar Association Excellence in Teaching Award, Upper Division Professor (three nominees selected out of over 50 full-time faculty by Student Bar Association, based on nominations by students)
- Sabbatical (Faculty Research) Leave, fall 2011

Strategic contributions and undertakings:

- Creation of curricular programs, concentrations, courses, and assessment, including the following:
 - Panish Civil Justice Program
 - Technology Law and Entrepreneurship Program
 - J.D. Concentrations in Civil Litigation and Advocacy; Criminal Law and Advocacy; Entertainment and Media Law; Public Interest Law; and Technology Law and Entrepreneurship
 - Performance Criteria for J.D. Learning Outcomes and Outcomes Assessment Plan, and development of institutional expertise and staffing for outcomes and assessment
 - First Capstone course, integrating study of oral advocacy, persuasive writing, and doctrinal analysis
 - First-Year Legal Profession Elective, and Pre-Week First-Year Academic Program, focused on legal research and analysis
- Institutional consideration, preparation, and relations regarding accreditation by WASC Senior College and University Commission
- Institutional consideration and outreach regarding hosting of Claremont Graduate University Center for Business & Management of the Arts and Museum Leadership Institute, and creation of Joint Certificate in Art Business and Law
- Oversight of J.D./M.B.A. program with Drucker School of Management, Claremont Graduate University; Joint Certificate in Bioscience Industry Law and Practice, Keck Graduate Institute; and opportunities for interdisciplinary study, Pardee RAND Graduate School
- Fundraising and donor cultivation and relations for programs; scholarly activities; multi-year full-time visiting professor position; multi-year semester-long, part-time research fellowships; student book groups; summer student fellowship; and speaker events

Courses taught: Torts; Legal Profession; Mass Tort Litigation (capstone course); Global Tort Litigation (writing seminar & summer abroad course); Products Liability; Civil Procedure II.

TEMPLE UNIVERSITY BEASLEY SCHOOL OF LAW, Philadelphia, Pennsylvania
Lecturer in Law and Abraham L. Freedman Teaching Fellow, 2003 to 2005

Courses taught: Civil Procedure II; Legal Research and Writing.

Teaching-collaboration courses: Torts; Ethical Perspectives on the Practice of Law; Mass Tort Litigation.

SUFFOLK UNIVERSITY LAW SCHOOL, Boston, Massachusetts

Guest Lecturer, Professional Responsibility course, 2001 to 2004

PUBLICATIONS Books or Book Chapters

PROFESSIONAL RESPONSIBILITY SIMULATIONS (West Academic Publishing forthcoming) (West's Bridge to Practice Series forthcoming).

TEACHER'S MANUAL, PROFESSIONAL RESPONSIBILITY SIMULATIONS (West Academic Publishing forthcoming) (West's Bridge to Practice Series forthcoming).

The Promise and Peril of Media and Culture: The Gulf Coast Claims Facility and the Toyota Unintended Acceleration Litigation in the United States, in CLASS ACTIONS IN CONTEXT: HOW ECONOMICS, POLITICS AND CULTURE SHAPE COLLECTIVE LITIGATION (Deborah Hensler, Christopher Hodges & Ianika Tzankova eds., Edward Elgar Publishing 2016).

Collective Litigation in Cultural Context: A Comparative Analysis, in CLASS ACTIONS IN CONTEXT: HOW ECONOMICS, POLITICS AND CULTURE SHAPE COLLECTIVE LITIGATION (with Ianika Tzankova) (Deborah Hensler, Christopher Hodges & Ianika Tzankova eds., Edward Elgar Publishing 2016).

Film and Mass Tort Litigation in the United States: A Civil Action and Erin Brockovich, in LAW AND POPULAR CULTURE: INTERNATIONAL PERSPECTIVES (Michael Asimow, Kathryn Brown & David Papke eds., Cambridge Scholars Publishing 2014).

Articles

New Frontiers in Tort Law and the Challenges of Science, Technology & Innovation: Overview and Preview, 49 SW. L. REV. (forthcoming) (symposium issue).

Decanal Leadership in Law Schools and the Abraham L. Freedman Fellowship, 92 TEMP. L. REV. 721 (2020) (symposium issue).

The Sale and Settlement of Mass Tort Claims: Alternative Litigation Finance and a Possible Future of Mass Tort Resolution, 23 WIDENER L.J. 193 (2013) (symposium issue).

The Gulf Coast Claims Facility as Quasi-Public Fund: Transparency and Independence in Claim Administrator Compensation, 30 MISS. C. L. REV. 255 (2011) (symposium issue).

Cited in, *inter alia*, ANN. MODEL RULES OF PROF'L CONDUCT r. 2.4 (AM. BAR ASS'N 2015).

Promotion of Off-Label Drug Use: In Favor of a Regulatory Retreat, 19 ALB. L.J. SCI. & TECH. 609 (2009) (symposium issue).

Another Jackpot (In)Justice: Verdict Variability and Issue Preclusion in Mass Torts, 36 PEPP. L. REV. 715 (2009).

Cited in, *inter alia*, *City of St. Louis v. American Tobacco Co., Inc.*, slip op. at 13, n.9, 2010 WL 2917188, No. 22982-09652-01 (Mo. Cir. Ct. June 2, 2010) (denying issue preclusion from prior federal tobacco case brought by U.S. Department of Justice).

Perspectives on Asbestos Litigation: Overview and Preview, 37 SW. U. L. REV. 459 (2008) (with Alan Calnan) (symposium issue).

Cited in, *inter alia*, *O'Neil v. Crane Co.*, 266 P.3d 987, 999 n.9 (Cal. 2012) (rejecting asbestos liability for manufacturers whose products were subsequently used in conjunction with defective products or replacement parts from other manufacturers); *Rost v. Ford Motor Co.*, 151 A.3d 1032, 1062 n.12 (Pa. 2016) (Saylor, Chief Justice, dissenting).

Crimtorts, Class Actions, and the Emerging Mass Tort Method, 17 WIDENER L.J. 893 (2008) (symposium issue).

Now It's Personal: Punishment and Mass Tort Litigation After Philip Morris USA v. Williams, 2 CHARLESTON L. REV. 433 (2008) (symposium issue).

Cited in, *inter alia*, *Murphy v. Islamic Republic of Iran*, 740 F. Supp. 2d 51, 81 (D.D.C. 2010) (awarding punitive damages against Iran in connection with 1983 Beirut bombing of U.S. Marines); PRINCIPLES OF THE LAW OF AGGREGATE LITIGATION § 2.07 reporters' notes cmt. I (2018); ANNOTATED MANUAL FOR COMPLEX LITIGATION (FOURTH), INTRODUCTION, annotated law review and other commentary (2018).

Jackpot Justice: Verdict Variability and the Mass Tort Class Action, 80 TEMP. L. REV. 1013 (2007).

Phenylpropanolamine and Hemorrhagic Stroke in the Hemorrhagic Stroke Project: A Reappraisal in the Context of Science, the Food and Drug Administration, and the Law, 16 ANNALS EPIDEMIOLOGY 49 (with Charles Hennekens) (2006).

Resolving the Class Action Crisis: Mass Tort Litigation as Network, 2005 UTAH L. REV. 863.

Cited in, *inter alia*, PRINCIPLES OF THE LAW OF AGGREGATE LITIGATION §1.02 reporters' notes cmt. b(3) (2012).

Other Written Works

Founding Editor, Mass Tort Litigation Blog,
http://lawprofessors.typepad.com/mass_tort_litigation/ (August 2006 to present) (with Elizabeth Chamblee Burch, Sergio J. Campos, Howard M.

Erichson & Alexandra D. Lahav, eds.).

Received more than 845,000 page views from courts, law firms, and the public; member of the Law Professor Blogs Network.

Lawyers Are Much More Useful Than They Seem, NAT'L L. J., Oct. 26, 1998, at A25 (with Steven C. Bennett).

**PROFESSIONAL
SERVICE**

ASSOCIATION OF AMERICAN LAW SCHOOLS, Washington, D.C.

Section on Litigation

Chair, 2020 to present

Executive Committee Member, 2017 to present

Chair-Elect, 2019 to 2020

Secretary, 2018 to 2019

Treasurer, 2017 to 2018

HARVARD LAW SCHOOL ASSOCIATION OF LOS ANGELES, Los Angeles, California

Vice President, 2017 to present

Board Member, 2014 to present

Diversity and Inclusion Committee Member, 2015 to 2016

Speaker Co-Chair, 2014 to 2016

HARVARD LAW SCHOOL ASSOCIATION, Cambridge, Massachusetts

Council Member, 2019 to present

AMERICAN BAR ASSOCIATION, Chicago, Illinois

Section of International Law

*Liaison of the ABA Section of International Law to the ABA Section of
Legal Education and Admissions to the Bar*, 2017 to present

Vice Chair, International Ethics Committee, 2016 to 2018, 2019 to present

PEER REVIEW

Peer Reviewer for Publication: Washington International Law Journal (Spring 2020); Yale Law Journal (spring 2016); Oxford University Press (spring 2011 & spring 2013); Stanford Law Review (spring 2010).

Peer Reviewer for Scholarly Award: University of Windsor, Windsor, Canada, fall 2014.

Peer Reviewer for Tenure and Promotion: University of Memphis School of Law, fall 2010 & fall 2011.

**FACULTY
SERVICE**

Chair, Supervisor, or Advisor

Chair, Subcommittee on Torts Curriculum, Curriculum Committee, 2020 to present

Chair, Outcomes Assessment/WASC Accreditation Steering Committee, 2016 to 2018

Chair, Advisory Committee for Strategic Initiatives, 2016 to 2017

Chair, Tenure Candidate Subcommittee, Tenure, Promotion & Retention Committee, 2016 to 2017

Chair, Faculty Development Committee, 2015 to 2016

Chair, Curriculum Committee, 2014 to 2015

Chair, Subcommittee on Preparation and Engagement Policy, Curriculum Committee 2014 to 2015

Co-Chair, Ad Hoc 2L Committee, fall 2007 to spring 2008

Faculty Supervisor, Externships, 2006 to 2010

Faculty Advisor, Southwestern Law Tort Litigation Society, 2018 to 2019, and 2015 to 2017

Faculty Advisor, Southwestern Law Federalist Society, 2013 to 2018

Faculty Advisor, *Southwestern Law Review*, 2009 to 2016

Other Committee Service

Task Force on Diversity and Inclusion (2020 to present)

Tenure, Promotion & Retention Committee (2014 to present)

Faculty Recruitment Committee: Appointments (2019 to present)

Diversity and Inclusion Committee (2018 to present)

Curriculum Committee (2005 to 2015; 2017 to present)

Faculty Development Committee (2015 to 2016; 2018 to 2019)

Outcomes Assessment/WASC Accreditation Steering Committee (2016 to 2018)

LAWS (Legal Analysis Writing & Skills) Committee (2017 to 2018)

Advisory Committee for Strategic Initiatives (2016 to 2017)

Ad Hoc Committee on Curricular Efficiency (2016 to 2017)
Sabbatical (Faculty Research) Leave Committee (2012 to 2014; 2015 to 2016)

Placement Committee (2005 to 2006; 2014 to 2015)

SCALE (2-year J.D. Program) Committee (2006 to 2007; 2008 to 2014)

Ad Hoc J.D./M.B.A. Drucker Advisory Group (2009 to 2012)
Externships Committee (2006 to 2010)

Ad Hoc 2L Committee (2007 to 2008)

Ad Hoc Committee on Grading (2005)

ACADEMIC CONFERENCES

Institutional Representative for Academic Consortia and Accreditation

Provocative Questions, Courageous Answers, Annual Academic Resource Conference, WASC Senior College and University Commission, Garden Grove, California, April 10-12, 2019.

Future Perfect, Annual Academic Resource Conference, WASC Senior College and University Commission, Burlingame, California, April 25-27, 2018.

Educating Tomorrow's Lawyers...to Serve Tomorrow's Clients, Sixth Annual Educating Tomorrow's Lawyers Conference, Institute for the Advancement of the American Legal System, Denver, Colorado, October 5-7, 2017.

Mission Possible: Honoring the Past, Ensuring the Future, Annual Academic Resource Conference, WASC Senior College and University Commission, San Diego, California, April 19-21, 2017.

Educating Tomorrow's Lawyers: Learning Outcomes for Hire, Fifth Annual Educating Tomorrow's Lawyers Conference, Institute for the Advancement of the American Legal System, Denver, Colorado, September 22-24, 2016.

Scholarly Presentations

Moderator, Panel on The Growth of Third-Party Litigation Finance: Promise or Peril?, AALS Section on Litigation, Association of American Law Schools Annual Meeting, scheduled for January 5-9, 2021 (co-sponsored by AALS Section on Professional Responsibility).

Moderator, Panel on Litigation Finance, Symposium on New Frontiers in Tort Law: The Challenges of Science, Technology, and Innovation, Southwestern

Law Review, Southwestern Law School, Los Angeles, California, February 7, 2020.

Symposium Co-Chair, Symposium on New Frontiers in Tort Law: The Challenges of Science, Technology, and Innovation, Southwestern Law Review, Southwestern Law School, Los Angeles, California, February 7, 2020.

Presenter, Decanal Leadership in Law Schools and the Abraham L. Freedman Fellowship, Symposium on Disrupting Hierarchies in Legal Education: Commemorating the Impact of the Freedman Fellow Program, Temple Law Review, Temple University Beasley School of Law, Philadelphia, Pennsylvania, October 25, 2019.

Presenter, Lessons Learned: Mediation of Mass Claims in Natural and Man-Made Disasters, American Bar Association Section of International Law Fall 2016 Meeting, Tokyo, Japan, October 20, 2016.

Panelist, Panel on Lawyer Liability, Limitations and Insurance: The Next Storm?, American Bar Association Section of International Law Spring 2016 Meeting, New York, New York, April 14, 2016.

Panelist, Panel on Litigation Funding, Harvard Law School Association of Los Angeles, Los Angeles, California, November 19, 2015.

Panelist, Developing as a Scholar, Southern California Junior Faculty Workshop, Chapman University School of Law, Orange, California, October 24, 2015.

Moderator, Paths to the Top in Tort Litigation: Advice from Recent Southwestern Alumni at Leading Firms, Southwestern Law Tort Litigation Society, Southwestern Law School, Los Angeles, California, October 21, 2015.

Presenter, Comparing the BP Gulf Coast Claims Facility and Class Settlement After the BP Gulf Oil Spill: Claims Funds or Class Actions in Mass Claims Processing, Symposium on BP Gulf Oil Spill, Stanford Journal of Complex Litigation, Stanford Law School, Stanford, California, May 9, 2014.

Moderator, Debating First Principles: The Proper Role of Government, Southwestern Law Federalist Society, Southwestern Law School, Los Angeles, California, March 26, 2014.

Moderator, Public Interest Panel: Public Interest from a Different Perspective, Southwestern Law Federalist Society, Southwestern Law School, Los Angeles, California, March 19, 2014.

Presenter, Mass EnTORTainment: Cultural Storytellers and Mass Tort Litigation in the United States, Law and Popular Culture: International Perspectives, International Conference, Department of Culture Studies, Tilburg University, Tilburg, The Netherlands, June 6-7, 2013.

Presenter, Mass Settlement Ethics, Symposium on Perspectives on Mass Tort Litigation, Widener Law Journal, Widener University School of Law, Harrisburg, Pennsylvania, April 16, 2013 (videoconference presentation).

Presenter, An Alternative to Class Actions for Small Value Claims: Addressing Small Value Claims Through Individual Litigation, Loser Pays, and Offer of Settlement, Association of Private Enterprise Education Annual Conference, Maui, Hawaii, April 16, 2013.

Moderator, Perspectives on the Ideas of Ayn Rand, Southwestern Law Federalist Society, Southwestern Law School, Los Angeles, California, April 4, 2013.

Presenter, The Promise and Peril of Media and Culture in Global Mass Litigation, University of Windsor Faculty of Law, Windsor, Canada, February 8, 2013 (faculty research presentation, and guest lecture for course on Law and Catastrophe).

Presenter, Mass Media and Disparate Culture as Enablers and Obstacles in the Toyota and British Petroleum Litigation in the United States, 2012 International Conference on Law and Society, Honolulu, Hawaii, June 7, 2012.

Presenter, Tort Reform and Individual Justice, Association of Private Enterprise Education Annual Conference, Las Vegas, Nevada, April 2, 2012.

Presenter, Case Studies on the Gulf Coast Claim Facility and the Toyota Unintended Acceleration Litigation in the United States: An Interim Report, Fifth Annual Conference on the Globalization of Class Actions and Mass Litigation, The Hague, The Netherlands, December 9, 2011.

Presenter, The Gulf Coast Claims Facility as Quasi-Public Fund: Transparency and Independence in Claim Administrator Compensation, Symposium on BP Gulf Oil Spill, Mississippi College Law Review, Mississippi College School of Law, Jackson, Mississippi, February 18, 2011.

Presenter, Ethics in Mass Settlements, Conference on Chemical Products Liability and Environmental Litigation, American Conference Institute, Chicago, Illinois, April 28, 2010.

Presenter, Mass Torts and Bankruptcy, HB Litigation Conferences, National Teleconference, April 7, 2010.

Presenter, Examining Litigant Autonomy in Mass Torts: Insights from the Individualism of Ayn Rand, Panel on Pluralism in Tort Litigation, Annual Meeting, Association for the Study of Law, Culture & the Humanities, Brown University, Providence, Rhode Island, March 20, 2010.

Presenter, Promotion of Off-Label Use: In Favor of a Regulatory Retreat, Symposium on Regulating the Cure: Topics Arising out of the Prescription of Drugs Off-Label, Albany Law Journal of Science and Technology, Albany Law School, Albany, New York, March 27, 2009.

Presenter, Crimtorts, Class Actions, and the Emerging Mass Tort Method, Symposium on Crimtorts, Widener Law Journal, Widener University School of Law, Harrisburg, Pennsylvania, February 25, 2008.

Moderator, Panel on Public and Private Law Perspectives, Symposium on Perspectives on Asbestos Litigation, Southwestern Law Review, Southwestern Law School, Los Angeles, California, January 18, 2008.

Presenter, Background on the Asbestos Crisis, Symposium on Perspectives on Asbestos Litigation, Southwestern Law Review, Southwestern Law School, Los Angeles, California, January 18, 2008.

Symposium Co-Chair, Symposium on Perspectives on Asbestos Litigation, Southwestern Law Review, Southwestern Law School, Los Angeles, California, January 18, 2008.

Panelist, Vexing Situations: Ethics and International Practice, White & Case LLP, Los Angeles, California, November 13, 2007.

Panelist, Vexing Situations: Ethics and International Practice, State Bar of California, 80th Annual Meeting, Anaheim, California, September 29, 2007.

Moderator, Panel on The Relationship Between Punitive Damages and Class Actions, Symposium on Punitive Damages, Due Process, and Deterrence, The Debate After *Philip Morris v. Williams*, Charleston Law Review, Charleston Law School, Charleston, South Carolina, September 7, 2007.

Presenter, Advisability of Class Actions for Antitrust, Consumer Fraud, and Mass Torts, Presentation to Korean Fair Trade Commission and Korean Presidential Commission for Judicial Reform, Southwestern Law School, Los Angeles, California, November 9, 2005.

**LITIGATION
EXPERIENCE**

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP, New York, New York
Associate, Complex Mass Torts and Insurance Group, 2001 to 2003

- Responsible for assembling nationwide scientific evidence and the development and depositions of scientific expert witnesses in connection with the defense of a consumer product company.

JONES, DAY, New York, New York

Associate, Litigation Group, summer 1995, 1996 to 2001

- Lectured on class action law for members of the office Litigation Group and on legal research for first year associates.
- Served on lead counsel team for the tobacco industry in numerous cases of national import, including:
 - The first tobacco class action trial, which involved a nationwide class of flight attendants claiming injuries for secondhand smoke exposure;
 - A nationwide punitive damages class action for all smoking-related claims;
 - A nationwide class action of smokers with lung cancer;
 - Class actions of Atlantic City and Las Vegas casino workers seeking medical monitoring as a result of secondhand smoke exposure; and
 - Various statewide smoker class actions.
- Interviewer and hiring committee participant, firm recruiting from Harvard Law School.

PASSAIC COUNTY LEGAL AID SOCIETY, Paterson, New Jersey
Law Clerk, New Jersey Public Interest Program, Summer 1994

- Attended statewide presentations on public-interest law.

**EXPERT
WITNESS**

AstraZeneca Ins. Co., Ltd. v. XL Ins. (Bermuda) Ltd. et al., EWHC (Comm) 2011 Folio 1047 (Eng.) (submitted expert report regarding mass tort litigation in the United States).

MEDIA

Quoted in the *Wall Street Journal*, *Los Angeles Times*, *San Jose Mercury News*, *Houston Chronicle*, *Philadelphia Inquirer*, *Reuters*, *Forbes*, *National Law Journal*, *Los Angeles Daily News*, *Las Vegas Review-Journal*, *Legal Intelligencer*, and *Law 360*, and contacted for back story on mass torts by the *New York Times*, Associated Press, *BNA*, and *ABA Journal*.

Quoted by *All Things Considered* on National Public Radio.

Appeared in the special features section on class actions for the DVD of the first season of the FX television series, *Damages*.

BAR MEMBER State: New York

Federal: United States District Courts for the Southern and Eastern
Districts of New York

PERSONAL Avid music fan, and performed frequently throughout college in bars, restaurants, and other settings in Philadelphia. Enjoy playing guitar and singing, and occasionally perform in faculty bands for faculty gatherings or charitable fundraising events.