

DAVID ADAM FRIEDMAN
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ACADEMIC APPOINTMENTS

Willamette University College of Law	Salem, Oregon
<i>Associate Dean for Academic Affairs</i>	2024-
<i>Associate Dean for Strategic Initiatives</i>	2021-2024
Professor of Law	2017-present
<i>Associate Professor of Law</i>	2013-2017
<i>Assistant Professor of Law</i>	2008-2013
<i>Visiting Assistant Professor of Clinical Legal Studies</i>	2006-2008

Director: Certificate Program in Law and Business 2012-2014; 2017-2018

Courses: Torts, Sales, Business Organizations, Consumer Law, Advanced Torts, Introduction to Business Law, Contracts I & II, Negotiation, Introduction to Law program.

Member: Executive Committee, AALS Section on Commercial and Consumer Law, 2018-19

EDUCATION

Yale Law School	New Haven, Connecticut
<i>Juris Doctor, 1999</i>	<i>John M. Olin Fellow, Law & Economics</i>

Yale College	New Haven, Connecticut
<i>Bachelor of Arts, Economics, 1994, cum laude with distinction in major.</i>	

PUBLICATIONS

Do We Need A Bar Exam... for Experienced Lawyers?, 23 U.C. IRVINE L. REV. 1161 (2022).

Impostor Scams, 54 U. MICH. J.L. REF. 611 (2021).

Regulating Drip Pricing, 31 STANFORD L. & POL'Y REV. 56 (2020).

Bringing Candor to Charitable Solicitations, 78 MD. L. REV. 709 (2019).

"Dishonest Search Disruption": Taking Deceptive-Pricing Tactics Seriously, 51 U.C. DAVIS L. REV. ONLINE 121 (2018).

Do We Need Help Using Yelp?: Regulating Advertising on Mediated Reputation Systems, 51 U. MICH. J.L. REF. 97 (2017).

Addressing the Commercialization of Business Reputation, 80 LAW & CONTEMP. PROB. 73 (2017) (invited symposium essay).

Refining Advertising Regulation, 49 CONN L. REV. 837 (2017).

Reconsidering Fictitious Pricing, 100 MINN. L. REV. 921 (2016).

Public Health Regulation and the Limits of Paternalism, 46 CONN. L. REV. 1687 (2014) (solicited lead commentary article).

Micropaternalism, 88 TULANE L. REV. 75 (2013).

Explaining “Bait-and-Switch” Regulation, 4 W’M.& MARY BUS. L. REV. 575 (2013).

Bringing Order to Contracts against Public Policy, 39 FLA. ST. U. L. REV. 563 (2012).

Debiasing Advertising: Balancing Risk, Hope, and Social Welfare, 19 J.L. & POL’Y 539 (2011).

Free Offers: A New Look, 38 N.M. L. REV. 49 (2008).

Reinventing Consumer Protection, 57 DEPAUL L. REV. 45 (2007).

The Administrative and Compliance Cost of Manual Highway Toll Collection: Evidence from Massachusetts and New Jersey (with Joel Waldfogel), 48 NAT’L TAX J. 217 (1995).

AWARDS

University Award: *Robert L. Misner Award for Law Faculty Scholarship* (2019).

University Award: *Jerry Hudson Award for Excellence in Teaching* (2012).

Student Award: *Outstanding Professor of the Year* (2009, 2010, 2011, 2012).

ADMINISTRATIVE SERVICE

Associate Dean for Strategic Initiatives (2021-24)

As the inaugural person in this role, was charged to help the law school’s culture drive toward increased data-driven decision-making, to serve as the primary point for the law school’s proactive and forward-thinking data-driven initiatives, and help leverage strategic partnerships across campus, the region, and nation.

- Served on senior leadership team, collaboratively working on data-driven, forward-leaning initiatives, opportunities, and challenges facing the institution, while fully participating in day-to-day management decisions. Maintained a three-course teaching load, including teaching a 60+ student first year Torts section.
- Charged with devising strategies for admissions, student retention, curriculum and learning outcomes, and student outcomes (bar passage, licensure, and employment).
- Developed strategic thinking for law school’s positioning in national conversations about attorney licensure reform, including and specifically on Oregon’s historic adoption of a new pathway to attorney licensure.
- Devised and implemented the Faculty Innovation Grant program, designed to incentivize law faculty to design experiential courses, particularly simulation-based courses, and adopt

- curriculum that addresses bias.
- Helped launch a 1L peer-to-peer student fellows mentorship program in collaboration with the inaugural Director of Academic Excellence.
- Launched and monitored separate empirical studies to assess whether the College of Law's curriculum promotes bar and employment success.
- Monitored and helped devise approaches toward managing and addressing U.S. News Rankings.
- Redesigned curriculum and approaches to the LLM and MLS degree programs and corresponding certificates.
- Led design and launch of Health Law Certificate Program, first new certificate at Willamette Law in nearly 20 years.
- Helped lead efforts to identify law school's signature strengths and drafting and adoption of mission statement.
- Currently leading the law school's participation in partnership with Atkinson Graduate School of Management to launch a professional development program for health care executives at Willamette's Portland campus.
- Currently spearheading institutional approach to understanding role of AI and LLMs in the legal profession and for short-term and long-term implications for law school pedagogy.

SELECTED PRESENTATIONS AND APPEARANCES

Reframing Consumer Law as People's Law, Oregon Consumer Justice, Portland, OR (Dec. 17, 2021).

Impostor Scams, Ipse Dixit Podcast hosted by Professor Brian Frye (Sep. 15, 2020).

The Public Policy Defense, Oregon Cannabis Institute, Oregon State Bar, Portland, OR (Sep. 8, 2020).

Scams, Yale Club of Oregon, Portland, OR (May 1, 2019).

Presentation, *Consumer Law and the Trump Administration*, American Constitution Society, Willamette Chapter, Salem, OR (March 6, 2017).

Invited Symposium, *Mediated Reputation Systems*, Journal of Law and Contemporary Problems, Duke Law School, Durham, NC (Sep. 30, 2016).

Invited Symposium, *Influencing Consumer Decision Making*, Advertising in Digital Media: Disclosures and Transparency in Social Media, Loyola University Chicago School of Law, Chicago, IL (March 18, 2016).

Workshop, *Refining Advertising Regulation*, Willamette University Faculty Colloquium, Salem, OR (March 7, 2016).

Panelist, *Refining Advertising Regulation*, International Contracts Law Conference, St. Mary's University School of Law, San Antonio, TX (February 26, 2016).

Panelist, *Reconsidering Fictitious Pricing*, International Contracts Law Conference,

Boyd School of Law, University of Nevada, Las Vegas, Las Vegas, NV (February 27, 2015).

Invited Workshop, *Reconsidering Fictitious Pricing*, Northern Kentucky University Chase College of Law, Highland Heights, KY (February 10, 2015).

Workshop, *Bringing Truth to Retail Pricing*, Willamette University Faculty Colloquium, Salem, OR (October 15, 2014).

Panel Moderator, *Under Pressure: Fiscal and Regional Difficulties Facing Local Governments*, Willamette Law Review Symposium, Salem, OR (Feb. 28, 2014).

Workshop, *Public Health Regulation and the Limits of Paternalism*, Willamette University Faculty Colloquium, Salem, OR (October 8, 2013).

Commenter, Pacific West Business Law Scholars Colloquium, Portland, OR (October 4, 2013).

Co-presenter, *Teaching Cross-Cultural Dispute Resolution Through Experiential Learning: A Case for Cross-Disciplinary Simulations*, Legal Educators Colloquium, 15th Annual Section of Dispute Resolution Conference, American Bar Association, Chicago, IL (April 6, 2013).

Presenter, *Explaining Bait-and-Switch Regulation*, 8th International Contracts Law Conference, Texas Wesleyan School of Law, Fort Worth, TX (February 22, 2013).

Panel Moderator, *The Future of Public Financing*, Campaign Finance and the 2012 Election, The Center for Constitutional Government at Willamette University (February 8, 2013).

Workshop, *Bait-and-Switch*, Willamette University Faculty Colloquium, Salem, OR (October 8, 2012).

Panelist, *Transacting Business and Controlling Finance: Between Self-Interest and the Market*, Law and Society Association Annual Meeting, Honolulu, HI (June 8, 2012).

Workshop, *Our Bait-and-Switch Society*, Southwest Junior Law Professors Workshop, Arizona State University, Sandra Day O'Connor College of Law, Tempe, AZ (March 17, 2012).

Invited Workshop, *Voiding Contracts on Public Policy Grounds*, Hofstra University School of Law, Hempstead, NY (November 30, 2011).

Workshop, *An Empirical View of the Public-Policy Defense in Contracts*, Southwest Junior Law Professors Workshop, Arizona State University, Sandra Day O'Connor College of Law, Tempe, AZ (March 14, 2011).

Panelist, *Voiding Contracts on Public Policy Grounds*, Spring International Contracts Law Conference, Boyd School of Law, University of Nevada, Las Vegas, Las Vegas, NV (February 25, 2010).

Speaker, *Is the Health Care Bill Constitutional?*, Federalist Society Panel, Willamette University College of Law, Salem, OR (November 17, 2009).

Workshop, *The Power of Peer Endorsements in Advertising*, Cumberland School of Law, Birmingham, AL (October 30, 2009).

Presenter, *New Ways to Look at Old Problems*, Center for Consumer Law, University of Houston Law Center, Houston, TX (May 24, 2008).

Workshop, *Free Offers: A New Look*, Willamette Valley Junior Law Faculty Workshop, University of Oregon School of Law, Eugene, OR (August 31, 2007).

Workshop, *Reinventing Consumer Protection*, The Third Annual Conglomerate Junior Scholars Workshop, www.theconglomerate.org (June 25-26, 2007).

Workshop, *Reinventing Consumer Protection*, Faculty Colloquium, Willamette University College of Law, Salem, OR (March 19, 2007).

Speaker, *Government-Clinical Partnerships*, Mountain West Regional Clinical Conference, Boyd School of Law, Las Vegas, NV (November, 2006).

SERVICE TO UNIVERSITY, COLLEGE OF LAW, AND CIVIC ACTIVITIES

Service to Willamette University

- Strategic Planning Distilling Group (2021-22).
- Facilitator, Strategic Planning for Willamette University (2021-22).
- Cross-University Academic Policy Committee (2021-22).
- Joint ad hoc committee to coordinate health law programs at the College of Law and the Atkinson Graduate School of Management (2021-24).
- Business Major Program Joint Committee (2020).
- Willamette University Retirement Plan Advisory Committee (2011-15).
- Willamette University Sexual Assault Working Group (2013-14).
- Willamette University Capital Review Committee (2009-11).

Service to the College of Law

- Chair, Oregon Experiential Pathway Committee (2022-23)
- Chair, Non-JD Committee (LL.M, M.L.S, Certificate Programs) (2020- 2021).
- Chair, Honor Code Committee (2020-22) (led drafting and adoption of new honor code).
- Chair, Faculty Personnel Committee (Promotion & Tenure) (2018-20).
- Chair, Learning Outcomes Committee (2015-17).
- Chair, Law and Business Committee (2012-14).
- Chair, Student Recruitment Committee (2014-15).
- Co-Chair, College of Law Curriculum Committee (2012-13).
- Grievance Officer (2018-2020).
- Service on Faculty Appointments Committee, Space Planning Task Force (Covid-19), Academic Affairs Committee, Faculty Personnel Committee, Non-JD Committee, Legal Writing Instructor Search Committee, Library Director Search Committee, First-Year Curriculum Committee, Faculty Retreat Planning Committee, Library and Technology Committee, Grievance Committee, among

others.

- Faculty Adviser, Business Law Society, Health Law and Policy Society, Alpha Phi Omega (student public service group), Jewish Law Society.
- Guest speaker about legal education to undergraduates at Univ. of Alaska, Boise State Univ., Cal. State Long Beach, Southern Oregon Univ., Univ. of Washington, Whitworth College, Willamette College of Liberal Arts.
- Bar exam mentor (2016- present)

Service: Bar

- Member, Oregon State Bar Licensing Pathway Development Committee Advisory Group (2022-)

Service: Civic Activities

- Class Secretary, Yale College Class of 1994 (2004-2009).
- Recipient, Yale Class of 1994 Award for service to class (2009) (awarded once every five years.)
- Member, Executive Committee, Yale Law School Association (2007- 2011).
- Interviewer, Yale Law School Alumni Association of Oregon, Alumni Schools Committee (2006-2014, 2020- present).

Service: Selected Media Appearances(Quoted)

New York Times, *It's a Great Deal before the Drip Pricing* (Feb. 23, 2024).

Boston Globe, Hotel resort fee controversy (July, 2019).

KGW News / Portland, Ore. NBC affiliate, Telephone scams (August, 2019).

Portland Trib., Cover Oregon – Oracle contract dispute, (Jan. 26, 2016, Jan. 28, 2016, Mar. 29, 2016, Apr. 29, 2016, May 13, 2016).

Portland Bus. J, Cover Oregon – Oracle contract dispute, (Dec. 2, 2015, Apr. 8, 2016, May 16, 2016, Jun. 3, 2016). Law firm business strategy (Jun. 8, 2016).

Los Angeles Times, Cover Oregon – Oracle contract dispute, (Mar. 29, 2014, May 23, 2014).

Baltimore Sun, Maryland health-exchange contract dispute (Oct. 17, 2014, Jul. 21, 2015).

Oregonian (Portland daily newspaper), Cover Oregon – Oracle contract dispute (Aug. 8, 2014, Sept. 16, 2014, Oct. 7, 2014, Feb. 25, 2015). State contracting ethics (Oct. 21, 2014). Portland parking meter contract scandal (Aug. 2, 2013).

Statesman Journal (Salem, Ore. daily newspaper), Cover Oregon – Oracle dispute, (Mar. 20, 2014, Sept. 2, 2014, Sept. 13, 2014, Oct. 24, 2014).

Wallethub.com Consumer Credit (Feb. 2015, Jun 21, 2016).

Willamette Week, Cover Oregon – Oracle dispute, (Feb. 25, 2015).

KATU News, (Portland, Ore. ABC-TV affiliate), Cover Oregon – Oracle contract dispute, (May 30, 2014, Nov. 21, 2014, Mar. 26, 2015).

KOIN-TV news, (Portland, Ore. CBS-TV affiliate), Portland parking meter contracting scandal (Aug. 5, 2013).

KXL-Radio (Portland, Ore.), Cover-Oregon –Oracle dispute, (Mar. 20, 2014).

Oregon State Bar Bulletin “Quote of the Month” (2009).

Service: Other / Community Publications:

It's Time to Upgrade Our Attorney Licensure Rules, LAW360 (Aug. 12, 2021).

Regulating Peer Endorsements, Willamette Lawyer (Fall 2011).

Quintin Johnstone Bridges the Ages, Willamette Lawyer (Spring 2010).

Op-Ed, *For Whom the Bridge Tolls? Hopefully, Nobody*, Oregonian (Dec.14, 2009).

Wading Through the Muck: A Roundtable Discussion with WUCL's Business Law Scholars (commentary with Peter Letsou and Mike Eisenberg), Willamette Lawyer (Spring 2009).

Op-Ed, *Don't Panic Over Beer Giant's Future*, Statesman-Journal (Salem, Ore.) (July 29, 2008).

Guest blogger, Prawfsblawg, (Nov. 2009, June-July 2010).

Expert Witness Service:

- Retained in four consumer law matters between 2019-2024, testified in two arbitrations, one of them a mass arbitration.

PROFESSIONAL EXPERIENCE

Sutton Place Insights, New York, NY, (2005-2006) *Principal, Strategy Consulting*

Monitor Group (now Monitor Deloitte), Cambridge, MA, (1994-1996, 1999-2005) *Senior Corporate Strategy Consultant for firm with academic links to Harvard Business School*

- Devised consumer marketing strategies for leading financial institutions, professional services firms, information-service providers, beverage manufacturers.
- Developed comprehensive contracting strategies for clients in the professional services and logistics sectors.
- Led strategic due diligence initiatives for private equity firms and other Fortune 1000 clients seeking to purchase or divest business entities.
- Developed and delivered corporate training curricula.
- Supported internal company legal compliance efforts.

Ropes & Gray, Boston, MA, (1998) *Summer Associate, Corporate Group*

- Drafted chapter update to *Massachusetts Corporation Law and Practice*

BAR MEMBERSHIPS

Admitted in New York (2002), Oregon (2006), D. Oregon (2006)

EXTERNAL AFFILIATIONS

Advisory Board, Ahoy Capital, Palo Alto, CA

