

GARY S. ROSIN

EDUCATION

The University of Texas at Austin, Doctor of Jurisprudence, with Honors, August 1975

Class rank: 1st of 91; Order of the Coif; Phi Delta Phi; Texas International Law Journal (Candidate, Fall 1973; Associate Editor, Spring 1974; Managing Editor, Summer & Fall 1974)

Texas A & M University, Bachelor of Science, with High Honors, 1972

Major: Mathematics. Phi Kappa Phi.

EMPLOYMENT

South Texas College of Law Houston, Houston, TX 77002 (1984 to Present)

Professor of Law (with tenure), March 1989 to present; Associate Professor, August 1986 to February 1989; Assistant Professor, August 1984 to August 1986

Courses: Agency & Partnership; Corporate Finance; Corporations; and Securities Regulation.

Additional Courses (not currently taught): Payment Systems and Regulation of Financial Institutions (Banking Law).

William Mitchell College of Law, 875 Summit Avenue, St. Paul, Minnesota 55105 (Spring 2000)

Visiting Professor of Law

Courses: Business Organizations; Securities Regulation

Guest & Webb, 5615 Kirby Drive, Houston, TX 77005 (November 1979 to August 1984)

Areas of practice: general corporate; acquisitions and mergers; state and federal securities regulation; insurance and insurance company regulation; commercial real estate; and general commercial

Butler & Binion, 1600 Allied Bank Plaza, Houston, TX 77002 (August 1975 to October 1979)

Areas of practice: Same as above, except not insurance and insurance company regulation or commercial real estate

PUBLICATIONS

AGENCY, PARTNERSHIPS & LIMITED LIABILITY COMPANIES (Carolina Academic Press)

Second Edition, 2013 (with Bruce A. McGovern & Michael L. Closen)

First Edition, 2000, *successor to* AGENCY & PARTNERSHIP: CASES & MATERIALS (1992) (with Michael L. Closen)

AGENCY, PARTNERSHIPS & LIMITED Liability Companies: Selected Statutes (Carolina Academic Press 2000, 2003, 2010, 2013), *successor to* AGENCY & PARTNERSHIP: PROBLEMS & STATUTES (Carolina Academic Press 1992, 1993, 1994, 1996 & 1997) (with Michael L. Closen)

Unpacking the Bar: Of Cut Scores and Competence, 32 J. LEGAL PROF. 67-97 (2008)

The Hard Heart of the Enterprise: Goodwill and the Role of the Law Firm, 39 S. TEX. L. REV. 315-58 (1998)

The Entity-Aggregate Dispute: Conceptualism and Functionalism in Partnership Law, 42 ARK. L. REV. 395-466 (1989)

Functional Exclusions from the Definition of a Security, 28 SO. TEX. L. REV. 333-78 (1986)

Historical Perspectives on the Definition of a Security, 28 SO. TEX. L. REV. 575-618 (1987)

Incorporation Planning for the Small Business Venture, HOUSTON LAW., Oct. 1984, at 42-62 (with David Crump)

PRESENTATIONS

The One and the Many Ethnicity and Eventual Bar Passage. Faculty Forum, South Texas College of Law (November 5, 2008)

ABA Interpretation 301 – 6: Law-School Bar Passage Standards, Joint Faculty Meeting, University of Houston School of Law (April 10, 2008)

Unpacking the Bar: Cut Scores, MBE Scaling, the LSAT and Law School Bar Passage Rates. 1st Annual Conference on Empirical Legal Studies, October 27 & 28, 2006 (poster session) (paper available at SSRN, <http://ssrn.com/abstract=914224>)

Cuts Like a Knife: State Variations in Bar Passage Rates. Faculty Forum, South Texas College of Law (April 5, 2005)

Reexamining Kovacic v. Reed: The Nature and Valuation of Partner Inputs in Service-Capital Partnerships. Open Program on Agency & Partnership, Annual Meeting, Association of American Law Schools (January 5, 2003)

Protecting MDP Goodwill: One-Stop Shopping in the Company Store? Faculty Colloquium, William Mitchell College of Law (April 13, 2000)

Gone with the Wind: Limited Liability and Law Firm Stability, "Ethical Obligations and Liabilities Arising from Lawyers' Professional Associations," Fifth Annual Ethics Symposium, South Texas College of Law (September 25, 1997)

GENERAL PUBLICATIONS

Are You At Risk on the Bar?, 33 ANNOTATIONS 3-5, 11 (August 2002) (student newspaper at South Texas College of Law)

The Tip of the Iceberg: Enron, Agency Costs and Capital Markets, QUARTERLY 2-5 (Summer 2002) (alumni magazine of South Texas College of Law)

COMMENTS TO ABA STANDARDS REVIEW COMMITTEE

Reports and Comments on Proposed ABA Interpretation 301-6 (January 3, 2008), available at <<http://ssrn.com/abstract=1080480>>

Endangered: Historically Black Law Schools (March 28, 2011), available at <<http://ssrn.com/abstract=1797965>>

Comments on Look-Back Periods and Eventual Bar Passage Rates (July 31, 2012) (available at <<http://ssrn.com/abstract=2121116>>

BLOGS

Law by the Numbers <<http://uberlaw.net/LawNumbers/>>, Editor

Unincorporated Business Entities Law <<http://uberlaw.net>>, Editor (successor to *Unincorporated Business Law Prof Blog*)

PROFESSIONAL ASSOCIATIONS

American Association of Law Schools

Section on Agency, Partnerships, LLC's Unincorporated Associations: Chair – Elect, 2003;
Chair, 2004; Executive Council, 2003-2013

American Bar Association

Member, Section on Business Law, 1975 to present

Member, Committee on Federal Securities Regulation, 1989 to present

Member, Committee on Partnerships & Other Unincorporated Business Organizations,
1989 to present

Member, Subcommittee on General Partnerships & Joint Ventures, 1989 to present

State Bar of Texas (admitted 1975)

Member, Section on Business Law

Advisory Member, Partnership Law Committee, Section on Corporation, Banking &
Business Law, State Bar of Texas, 1986 (1987 adoption of Revised Uniform Limited
Partnership Act)

OTHER

Adviser, Drafting Committee to Revise the Uniform Partnership Act, National Conference of
Commissioners on Uniform State Laws (Uniform Partnership Act [1994])

Consultation with State Representative on 1987 Texas adoption of Revised Uniform Limited
Partnership Act

Consultation with (Texas) House Committee on Criminal Justice studying the adoption by the
State of Texas of a state Criminally Influenced and Corrupt Organizations Act, Fall 1986

REFERENCES

Prof. Carter G. Bishop, Suffolk University Law School

Prof. Thomas E. Geu, University of South Dakota School of Law

Prof. Daniel S. Kleinberger, William Mitchell College of Law

Professor Elizabeth Miller, Baylor University Law School

Prof. Douglas K. Moll, University of Houston Law Center

CITATIONS

AGENCY, PARTNERSHIPS & LIMITED LIABILITY COMPANIES (Carolina Academic Press 2000)
(with Michael L. Closen)

Marc D. Ginsberg, *Apparent Authority and Healthcare in Illinois*, 22 NO. ILL. U. L. REV. 475.
480 n.36 (2002)

Michael L. Closen, *To Swear . . . Or Not To Swear Document Signers: The Default Of Notaries
Public And A Proposal To Abolish Oral Notarial Oaths*, 50 BUFF. L. REV. 613, 660 n. 253 (2002)

Endangered: Historically Black Law Schools

Adriel Hilton, Marbeth Gasman, J. Luke Wood & Michael Steven Williams, *The Relevance of Black Law Schools*, 40 SO. U. L. REV. 145, 147 n.16 (2012)

Functional Exclusions from the Definition of a Security, 28 SO. TEX. L. REV 333-78 (1986)

Bradford v. Moench, 670 F. Supp. 920, 931 & 932 (D. Utah 1987)

GERALD L. BLANCHARD & RODNEY A. MORRIS, *PROBLEM LOAN WORKOUTS*, 2D § 6.10 n. 7 (2013-2014 ed.)

GERALD L. BLANCHARD, *LENDER LIABILITY: LAW, PRACTICE AND PREVENTION* § 20.10 n.7 (2003 & 2d Ed. 2013)

ALFRED F. CONARD, ROBERT L. KNAUSS & STANLEY SIEGEL, *ENTERPRISE ORGANIZATIONS* 622 (4th ed. 1987)

JOHN C. COFFEE, JR. & JOEL SELIGMAN, *SECURITIES REGULATION* 366 n.b & 377 n.3 (9th ed. 2003)

Robert Anderson IV, *Employee Incentives and the Federal Securities Laws*, 57 U. MIAMI L. REV. 1195, n.166, n.253, n.339, n.370, n. 380 (2003)

Maura A. Falon, Case Comment, *Securities Law--Supreme Court Adopts Family Resemblance Test to Determine When a Note is a Security--Reves v. Ernst & Young*, 110 S. Ct. 945 (1990), 25 SUFFOLK U. L. REV. 895, 897 n.17, 898 nn. 18 & 19, & 899 n.26 (1991)

Theresa A. Gabaldon, *A Sense of a Security: An Empirical Study*, 25 J. CORP. LAW 307, 313 n.42 (2000)

JOHN COFFEE & HILLARY A. SALE, *SECURITIES REGULATION*, 301 n.38, 311 n.39 (12th ed. 2012), successor to RICHARD W. JENNINGS, HAROLD MARSH, JR. & JOHN C. COFFEE, JR., *SECURITIES REGULATION* 299 nn.b & 3 & 313 n.3 (7th ed. 1992), successor to RICHARD W. JENNINGS & HAROLD MARSH, *SECURITIES REGULATION* 286 n.a (6th ed. 1987)

2 LOUIS LOSS & JOEL SELIGMAN, *SECURITIES REGULATION* 877 n.28 (3rd ed. 1989)

Michael A. Lueder, Note, *Securities Law--Presuming Notes Are Securities the Supreme Court Adopts It's Own Version of the "Family Resemblance" Test--Reves v. Ernst & Young*, 26 WAKE FOREST L. REV. 503, 519 n.131 (1991)

Michael C. Macchiarola, *Securities Linked To The Performance Of Tiger Woods? Not Such A Long Shot*, 42 CREIGHTON L. REV. 29, 73 n.260 (2008)

Therese Maynard, *Essay, A Requiem: Reflections on Gustafson*, 57 OHIO ST. L.J. 1327, 1333 n._ (1996)

Park McGinty, *What Is a Security?*, 1993 WIS. L. REV. 1033, 1086 n.219 & 1110 n.315 (1993)

Dirk L. Vincent, Note, *Notes Under the Securities Exchange Act of 1934: An Argument for a Plain Reading of the Nine-Month Exemption*, 1990 COLUM. BUS. L. REV. 163, 164 n.4, 170 n.35 & 177 n.74 (1990)

Elaine A. Welle, *Limited Liability Company Interests as Securities: An Analysis of Federal and State Actions Against Limited Liability Companies Under the Securities Laws*, 73 DENVER U. L. REV. 425, 491 n.601 (1996)

Historical Perspectives on the Definition of a Security, 28 SO. TEX. L. REV. 575-618 (1987)

__ AM. JUR. 2D *Securities Regulation – State § 19*, at n. 47 (____).

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GERALD L. BLANCHARD, 2 LENDER LIAB.: LAW, PRAC. & PREVENTION § 20:10, at n. 7 (2005-6)

Stephen C. Bradford, *Expanding The Investment Company Act: The Sec's Manipulation Of The Definition Of Security*, 60 OHIO ST. L.J. 995, 1017 n.138 (1999)

Lynn T. Burlison, Note, *When Is a Note a Security? A Historical Perspective on the Supreme Court's Adoption of the Family Resemblance Test: Reves v. Ernst & Young*, 24 CREIGHTON L. REV. 371, 377 nn.67, 69 & 70 & 388 n.191 (1990)

Stephen C. Christianson, *Proof of a "Security" under Federal and State Statutes*, 22 AM. JUR. PROOF OF FACTS 3d 485, §§ 5, at n.13, 41 (2000-13)

Dennis S. Corgill, *Securities as Investments at Risk*, 67 TUL L. REV. 861 (1993)

JOHN C. COFFEE, JR. & JOEL SELIGMAN, *SECURITIES REGULATION* 377 n.3 (9th ed. 2003)

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Henrique de Azevedo Ferreira Franca, *Legal Aspects of Internet Securities Transactions*, 5 B.U. J. Sci. & Tech. 4, __ n. 112 (1999).

Joseph A. Franco, *The Investment Company Act's Definition of "Security" and the Myth of Equivalence*, 7 STAN. J. LAW, BUS. & FINANCE 1, 25 n.74, 26 n.77, 29 n.85, 35 n.106 (2001)

Sean S. Hogle, Note, *The Employee As Investor: The Case For Universal Application Of The Federal Securities Laws To Employee Stock Ownership Plans*, 34 WM. & ARY L. REV 189, 196 n.41, 203 nn.82-83, 231 n.267, 232 nn. 270, 271, 274 (1992)

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Randall A. Quinn, *After Reves v. Ernst & Young, When Are Certificates of Deposit "Notes" Subject To Rule 10b-5 of The Securities Exchange Act?*, 46 BUS. LAW. 173, 183 n.73, 185 n.89 & 186 n.91 (1990)

DAVID L. RATNER & THOMAS L. HAZEN, *SECURITIES REGULATION* 279 (4th ed. 1990)

Peter K. Reilly & Christopher S. Heroux, *When Should Interest in Oil and Gas Be Considered Securities?: A Case for the Industry Deal*, 34 SO. TEX. L. REV. 37, 42 n.28 (1993)

Glen Wallace Roberts II, Note, *10(b) or Not 10(b): Central Bank of Denver v. First Interstate Bank*, 73 N.C. L. REV. 1239, 1239 n.1 (1995)

Lora C. Siegler, 69A AM. JUR. 2D *Securities Regulation – State § 19*, at n.47 (1993)

MARC I. STEINBERG, *SECURITIES REGULATION* 47 (2nd ed. 1993)

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Manning G. Warren III, *The Treatment of Reves "Notes" and Other "Securities" under State Blue Sky Laws*, 47 BUS. LAW. 321, 321 n.1 (1991)

Elaine A. Welle, *Limited Liability Company Interests as Securities: An Analysis of Federal and State Actions Against Limited Liability Companies Under the Securities Laws*, 73 DENVER U. L. REV. 425, 492 n.613 (1996)

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Dan Subotnik, *Does Testing = Race Discrimination?: Ricci, the Bar Exam, the LSAT, and the Challenge to Learning*, 8 U. MASS. L. REV. 332, 377 n.230 (2013)

The Entity-Aggregate Dispute: Conceptualism and Functionalism in Partnership Law, 42 ARK. L. REV. 395-466 (1989)

In re Maui Industrial Loan & Finance Company, Inc. (Field v. Hanara), Bankr. No. 10-000235, Adv. No. 12-90009 (Bankr. D. Hi)

2013 WL 6528824, at *2 n.1 (Dec. 12, 2013) (*Order Granting Partial Summary Judgment*)

2014 WL 3501686, at 18 n.89 (*13) (July 11, 2014) (*Proposed Findings of Fact and Conclusions of Law*)

Whitfield v. Bonnano Real Estate Group, 17 A.3d 855 (N.J. Super. Ct. App. Div. 2011)

Faegre & Benson, LLP v. R & R Investors, 772 N.W.2d 846, 854 n.6 (Minn. Ct. App. 2009)

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1 & 2 ALAN R. BROMBERG & LARRY E. RIBSTEIN, *BROMBERG & RIBSTEIN ON PARTNERSHIP LAW* 1:19 n.1, 1:22 nn.13 & 13a, 1:40 n.73, 3:41 n.13a, 3:44 n.21, 3:55 n.29a & 7:180 n.13a (Supp. 1989)

J. WILLIAMSON CALLISON & MAUREEN A. SULLIVAN, *PARTNERSHIP LAW AND PRACTICE* §§ 3.01, at nn.1, & 10, 7.11, at n.2 (1992-2013)

Eric C. Chafee, *Collaboration Theory: A Theory of the Charitable Tax-Exempt Nonprofit Corporation*, 49 U.C. DAVIS L. REV. 1719, 1759 n.209 (2016)

Debra R. Cohen, *Limited Liability Company Citizenship: Reconsidering an Illogical and Inconsistent Choice*, 90 MARQ. L. REV. 269, 288 n.118 (2006)

Teresa Stanton Collett, *The Ethics of Intergenerational Representation*, 62 FORDHAM L. REV. 1453, 1488 n.178 (1994)

Mitchell F. Crusto, *Unconscious Classism: Entity Equality For Sole Proprietors*, 11 U. PA. J. CONST. L. 215, 234 n. 84 (2009)

Marc Darmo, *Characterizations of Foreign Business Associations*, 53 CAN. TAX J. 481, 491 n.5 (2005)

Bernard G. Helldorfer, *Business Organizations*, 44 BUS. LAW. 1718, 1719 n. (1989)

Robert W. Hillman, *RUPA and Former Partners: Cutting the Gordian Knot with Continuing Partnership Entities*, 58 LAW & CONTEMP. PROBS. 7, 7 n.5 (1995)

Tiffany A. Hixson, Note, *The Revised Uniform Partnership Act--Breaking Up (Or Breaking Off) Is Hard To Do: Why The Right To "Liquidation" Does Not Guarantee A Forced Sale Upon Dissolution Of The Partnership*, 31 W. NEW ENG. L. REV. 797, 797 n.4 & 804 n.40 (2009)

Daniel S. Kleinberger, *The Closely Held Business through the Entity-Aggregate Prism*, 40 WAKE FOREST L. REV. 827, 832 n.16, 845 & n.86 (2005)

ROBERT W. HILLMAN, *HILLMAN ON LAWYER MOBILITY* 4:15 n.7 (1997, 1999, 2008))

ALSON R. MARTIN, *LIMITED LIABILITY COMPANY & PARTNERSHIP ANSWER BOOK* 9-27 (3rd ed. 2011)

John Morey Maurice, *A New Personal Limited Liability Shield for General Partners: But Not All Partners Are Treated the Same*, 43 GONZ. L. REV. 369, 374 n.27 & 375 n.33 (2008)

Larry E. Ribstein, *A Mid-Term Assessment of the Project to Revise the Uniform Partnership Act*, 46 BUS. LAW. 111, 115 n.12 & 124 n.49 (1990)

LARRY E. RIBSTEIN, BUSINESS ASSOCIATIONS 15 (2nd ed. 1990)

LARRY E. RIBSTEIN, THE RISE OF THE UNINCORPORATION 42 nn. 57 & 63 (2010)

Ronald D. Rotunda, *Applying the Revised ABA Model Rules in the Age of the Internet: The Problem of Metadata*, 42 HOFSTRA L. REV. 175, 177 n.9 (2013)

Thomas E. Rutledge, *External Entities And Internal Aggregates: A Deconstructionist Conundrum*, 42 Suffolk U. L. Rev. 655, 656 n.5 (2009)

Frederic L. Smith, Jr., Student Commentary, *Partnership Representation: Finding the Client*, 20 J. L. PROF. 355, 357 n.10 (1995-1996)

Daniel F. Spulber, *Discovering the Role of the Firm: The Separation Criterion and Corporate Law*, 6 BERKELEY BUS. L.J. 298, 307 nn.37 & 38 (2009)

DANIEL F. SPULBER, THE THEORY OF THE FIRM: MICROECONOMICS WITH ENDOGENOUS ENTREPRENEURS, FIRMS, MARKETS AND ORGANIZATIONS 52 nn. 23, 27 & 28, 53 nn. 30 & 31 (2009)

Donald J. Weidner, *The Revised Uniform Partnership Act Midstream: Major Policy Decisions*, 21 U. TOL. L. REV. 825, 858 n.56 (1990)

Donald J. Weidner, *Three Policy Decisions Animate Revision of Uniform Partnership Act*, 46 BUS. LAW. 427, 429 n.8 (1991)

Donald J. Weidner & John W. Larson, *The Revised Uniform Partnership Act: The Reporters' Overview*, 49 BUS. LAW. 1, 3 n.9 (1993)

Arnold M. Wensinger, Comment, *The Revised Uniform Partnership Act Breakup Provisions: Stability or Headache?*, 50 WASH & LEE 905, 908 n.24, 911 nn.45, 47-49, 940 n.288 (1993)

Richard J. Wood, *Cold Body--Hot Assets: Entity and Aggregate Partnership Theories in Conflict; Treatment of IRC § 751(c) Unrealized Receivables Upon the Death of a Partner*, 31 DUQ. L. REV. 1, 30 n.184, 31 n.188-89, 31 n. 190, 32 n. 193 (1992)

Taylor Simpson-Wood, *Has The Seductive Siren Of Judicial Frugality Ceased To Sing?: Dataflux And Its Family Tree*, 53 DRAKE L. REV. 281, 346 & n. 417 (2005)

The Hard Heart of the Enterprise: Goodwill and the Role of the Law Firm, 39 SO. TEX. L. REV. 315-58 (1998)

Jennifer D. Ary-Hogue, Comment, *Peace on Earth, Goodwill in Divorce: Revisiting Travis in Light of Oklahoma's Revised Ethical Rule Allowing the Sale of Law Practice Goodwill*, 61 OKLA. L. REV. 585, 592 n.35, 598 n.80, 600 nn. 106 & 108, 602 n. 122 & 627 n.297 (2008)

Benjamin H. Barton, *Do Judges Systematically Favor The Interests Of The Legal Profession?*, 59 ALA. L. REV. 453, 488 nn. 3004, 304 (2008)

Teresa Stanton Collett, *Foreword To The Ethics Of Lawyers' Business Associations*, 39 SO. TEX. L. REV. 205, 210-11 & nn. 51-56 (1998)

Ericka Evans, *A "Little Ditty About Jack and Diane": Why Jackie's Good Name Should Be Considered Community Property In California Under The Concept Of "Celebrity Goodwill"*, 17 CHAP. L. REV. 633, 636 n.2 (2014)

Carol R. Goforth, *Reflections On What Lawyers Should Reflect On*, 39 SO. TEX. L. REV. 585, 598 n.7 (1998)

Jett Hanna, *Legal Malpractice Insurance And Limited Liability Entities: An Analysis Of Malpractice Risk And Underwriting Responses*, 39 SO. TEX. L. REV. 641, 647 n.25 (1998)

Geoffrey C. Hazard, Jr., *The Underlying Causes Of Withdrawal And Expulsion Of Partners From Law Firms*, 55 WASH. & LEE L. REV. 1073, 1080 n.10 (1998)

ROBERT W. HILLMAN, HILLMAN ON LAWYER MOBILITY 2:96 n.2, 2:97 n.4 (Supp. 1999), 2:134 n.2, 2:135 n.5, 2:141 n. 20 (Supp. 2013)

Steven H. Hobbs, *Ethics In The Age Of Entrepreneurship*, 39 SO. TEX. L. REV. 599, 602 n.16 (1998)

Milton C. Regan, Jr., *Professional Reputation: Looking For The Good Lawyer*, 39 SO. TEX. L. REV. 549, 567 n.71 (1998)

Milton C. Regan, Jr., *Law Firms, Competition Penalties, and the Value of Professionalism*, 13 GEO. J. LEGAL ETHICS 1, n.135 (1999)

Larry E. Ribstein, *Ethical Rules, Agency Costs, And Law Firm Structure*, 84 VA. L. REV. 1707, 1728 n.96, 1732 n.114 (1998)

Larry E. Ribstein, *Law Partner Expulsion*, 55 BUS. LAW. 845, 856 n.48 (2000)

LARRY E. RIBSTEIN & JEFFREY M. LIPSHAW, UNINCORPORATED BUSINESS ENTITIES 260 (2009)

Robert M. Wilcox, *Enforcing Lawyer Non-Competition Agreements While Maintaining The Profession: The Role Of Conflict Of Interest Principles*, 84 MINN. L. REV. 915, 951 n.127 (2000)

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Andrew P. Morris & William D. Henderson, *Measuring Outcomes: Post-Graduation Measures of Success in the U.S. News & World Report Law School Rankings*, 83 Ind. L. J. 791, 827 n.148 (2008)

Rebecca A. Cochran, *Hope, Again: Hope Theory In Bar Exam Preparation*, 48 DUQ. L. REV. 513, 523 n.71 (2010)

Andrea A. Curcio, Carol L. Chomsky & Eileen Kaufman, *Testing, Diversity, and Merit: A Reply to Dan Subotnik and Others*, 9 U. MA. L. REV. 206, 231 n.108 (2014)

Alex M. Johnson, Jr, *Knots in the Pipeline for Prospective Lawyers Of Color: The LSAT Is Not The Problem and Affirmative Action Is Not the Answer*, 24 Stan. L. & Pol'y Rev. 379, 412 n.105, 414 n.111 (2013)

Adam Lamparello & Charles E. MacLean, *A Proposal To the ABA: Integrating Legal Writing and Experiential Learning into a Required Six-Semester Curriculum that Trains Students in Core Competencies, 'Soft' Skills, and Real-World Judgment*, 43 CAP. U. L. REV. 59, 111 n.156 (2015)

Jerry Organ, [What Might Have Contributed to an Historic Year-Over-Year Decline In the MBE Mean Scaled Score?](http://lawprofessors.typepad.com/legalwhiteboard/2014/11/what-might-have-contributed-to-an-historic-year-over-year-decline-in-the-mbe-mean-scaled-score.html), THE LEGAL WHITEBOARD (November 11, 2014), <http://lawprofessors.typepad.com/legalwhiteboard/2014/11/what-might-have-contributed-to-an-historic-year-over-year-decline-in-the-mbe-mean-scaled-score.html> (last checked November 21, 2014)

Joshua M. Silverstein, *In Defense of Mandatory Curves*, 34 U. ARK. LITTLE ROCK L. REV. 253, 295 n.162 (2012)

Dan Subotnik, *Does Testing = Race Discrimination?: Ricci, the Bar Exam, the LSAT, and the Challenge to Learning*, 8 U. MASS. L. REV. 332, 380 n.244 (2013)

Kamille Wolff Dean, *Teaching Business Law in the New Economy: Strategies For Success*, 8 J. BUS. & TECH. L. 223, 246 n.124 (2013)