

# GUHA KRISHNAMURTHI

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## Academic Positions

**South Texas College of Law, Houston, TX**

*Assistant Professor of Law*, August 2020–Present

Teaching: Criminal Law (Fall 2020, Spring 2021), Criminal Procedure (Spring 2021)

**Harvard Law School, Cambridge, MA**

*Climenko Fellow and Lecturer in Law*, August 2018–July 2020

Teaching: Legal Research and Writing, Intersections of Criminal Law and Tort

## Education

**The University of Texas School of Law, J.D.**, May 2010, with *High Honors*

2010 Chancellors; Order of the Coif

TEXAS LAW REVIEW, Book Review Editor, Volume 88

AMERICAN JOURNAL OF CRIMINAL LAW, Manuscript Editor, Volume 36

Teaching Assistant for Criminal Law; Contracts; Legal Research and Legal Writing

Dean's Achievement Awards in Criminal Law and Torts

Supreme Court Clinic; National Security Clinic

Student–Faculty Appointments Committee, Student Representative

**The University of Texas, Dept. of Philosophy, M.A. Philosophy**, May 2007

Teaching Assistant Fellowship, August 2005–May 2007

Training in Sanskrit at Kuppuswami Sastri Research Institute (Chennai, TN, India)

**The University of Michigan, Dept. of Mathematics, M.S. Mathematics**, May 2005

2005 Angell Scholar

Teaching Assistant Fellowship in Dept. of Philosophy, January 2005–May 2005

**The University of Michigan, B.S. Mathematics**, May 2004, with *High Distinction*

2004 Angell Scholar

## Clerkships

**Honorable Goodwin H. Liu, Supreme Court of California**, San Francisco, CA

August 2017–August 2018

**Honorable Andrea R. Wood, U.S. District Court for N.D. Ill.**, Chicago, IL

September 2016–August 2017

**Honorable Diane P. Wood, U.S. Court of Appeals for the Seventh Circuit**, Chicago, IL

August 2010–August 2011

## Selected Publications & Working Papers

- The Case for the Abolition of Criminal Confessions* (working paper 2020).  
[2021 AALS Scholarly Paper Competition](#), Honorable Mention (1 of 4 papers recognized).  
 Highlighted on [The Crime Report](#) and [CrimProf Blog](#).
- Reparations, Constitutionality, and the Model of Civil Damages*, TULSA L. REV. (forthcoming 2021).
- Fourth Amendment Subjectivity and Its Undetermined Utility*, JOTWELL (forthcoming 2021)  
 (reviewing Orin S. Kerr, *The Questionable Objectivity of Fourth Amendment Law*, 99 TEX. L. REV. 447 (2021)).
- Textualism and Pluralism in Bostock and Title VII*, 97 NOTRE DAME L. REV. (forthcoming 2021)  
 (coauthored with Mitchell N. Berman).  
 Highlighted on [How Appealing](#), [The Originalism Blog](#), and [National Review](#).
- Principal Officers and the Function of Section 4 of the 25<sup>th</sup> Amendment*, 54 U.C. DAVIS L. REV. Online  
 (forthcoming 2021) (coauthored with Peter Salib).
- [Post-Election Litigation and the Paradox of Voting](#), U. CHI. L. REV. Online (2021) (coauthored  
 with Peter Salib).  
 Highlighted on [Election Law Blog](#).
- Title VII and Caste Discrimination*, HARV. L. REV. Forum (forthcoming 2021) (coauthored with  
 Charanya Krishnaswami).
- The Iron Rule*, 42 CARDOZO L. REV. (forthcoming 2021) (coauthored with Jacob Bronsther) (lead  
 article in special issue on Supreme Court nomination).
- False Positivism: The Failure of the Newest Originalism*, 46 B.Y.U. L. REV. 401 (2021).
- The Constitutional Oath Doesn't Require Originalism*, HARV. L. & POL'Y REV. (forthcoming 2021)  
 (coauthored with Erik Encarnacion).
- [Bostock and Conceptual Causation](#), YALE J. REG. Notice & Comment (July 22, 2020) (coauthored  
 with Peter Salib).  
 Highlighted on [How Appealing](#).
- [Sitting One Out: Strategic Recusal on the Supreme Court](#), 11 CALIF. L. REV. Online 387 (2020).
- [How the Supreme Court's Progressive Minority Could Prevent a Stolen Election](#), SLATE (Apr. 24,  
 2020).
- [Is Retributivist Corporate Punishment Possible?](#), JOTWELL (Dec. 8, 2020) (reviewing Samuel W.  
 Buell, *Retiring Corporate Retribution*, 83 LAW & CONTEMP. PROBS. (forthcoming 2020)).
- A Hartian Account of Genuine Theoretical Disagreement* (Harvard Law School working paper  
 2019).
- For Judicial Majoritarianism*, 22 U. PA. J. CONST. L. 1201 (2020).
- The Court's Friends*, 19 SCRIBES J. LEG. WRITING 187 (2020).

**Selected Publications & Working Papers (continued)**

*“It Takes Two,” So “What’s Going On?”*, 11 OH. ST. J. CRIM. L. 179 (2013).

*Bad Romance: The Uncertain Promise of Modeling Legal Standards of Proof with the Inference to the Best Explanation*, 31 REV. LITIG. 71 (2012) (coauthored with Michael J. Stephan & Jon N. Reidy).

*The Definition of Universal Concomitance as the Absence of Undercutting Conditions*, 62 PHIL. EAST & WEST 359 (2012).

*Morley Rank in Homogeneous Models*, 47 NOTRE DAME J. FORMAL LOGIC 319 (2006) (coauthored with Alexei S. Kolesnikov).

**Practice Experience**

**Munger, Tolles & Olson, LLP**, Los Angeles, CA

*Associate, Litigation Practice Group*, January 2014–August 2016

Trial and appellate practice focused on antitrust, white collar, and general commercial litigation:

Represented defendant brand-name pharmaceutical companies against antitrust and criminal claims brought by federal authorities.

Represented defendant insurance broker against variety of tortious claims brought by insured.

Represented defendant for-profit college against tortious and criminal claims brought by numerous state and federal authorities.

Represented criminal defendant police officer, as court appointed appellate counsel before the Seventh Circuit, in case involving allegations of excessive force.

Coauthored United States Supreme Court *amicus* brief on behalf of consortium of health law professors in *King v. Burwell*.

**Irell & Manella, LLP**, Newport Beach, CA

*Associate, Litigation Practice Group*, October 2011–December 2013

*Summer Associate*, June 2009–August 2009

Trial and appellate practice focused on intellectual property, white collar, and general commercial litigation:

Represented plaintiff computer security company in patent lawsuit against competitor relating to firewall technology.

Represented defendant military contractor in breach of contract and trade secret case brought by competitor.

Represented family trusts against tax and criminal claims brought by federal and state authorities.

Coauthored Ninth Circuit brief for asylum case involving China’s forced sterilization and forced abortion practices.

## **Presentations**

*Bostock was Bogus: Textualism, Pluralism, and Title VII*

UCLA Law Faculty Colloquium (April 2021)

University of Pennsylvania Carey Law School Faculty Ad Hoc Workshop (March 2021)

*Sovereignty, Jeopardy, and Gamble*

Texas Tech Law Review Criminal Law Symposium (April 2021)

[Caste Discrimination and U.S. Employment Law](#)

Jasol Dialogue Series at Manipal University–Jaipur School of Law (December 2020)

[On Confessions, Ipse Dixit Podcast](#) (presenting the paper *The Case for the Abolition of Criminal Confessions*).

[Seinfeld Criminal Law](#), [Yada Yada Law School](#) (providing online lectures on legal subjects on the backdrop of the TV show Seinfeld).

*False Positivism: The Failure of the Newest Originalism*

Junior Faculty Forum at University of Richmond School of Law (May 2020)  
(accepted, but canceled due to COVID-19 pandemic).

*For Judicial Majoritarianism*

Berkeley Law Courts and Judicial Process Colloquium (February 2020).

Junior Faculty Forum at University of Richmond School of Law (June 2019).

Climenko Fellowship Reunion (March 2019).

*A Hartian Account of Genuine Theoretical Disagreement*

AALS New Jurisprudence Scholars Panel (January 2020).

## **Academic Service**

Faculty Advisor, SOUTH TEXAS LAW REVIEW

Reviewer, CRIMINAL LAW & PHILOSOPHY

Reviewer, HARVARD LAW REVIEW

Reviewer, HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW

## **Certifications & Skills**

Member of the California bar, U.S. Court of Appeals for the Seventh Circuit, U.S. Court of Appeals for the Ninth Circuit, U.S. District Court for the Central District of California, U.S. District Court for the Northern District of California, U.S. District Court for the Northern District of Illinois.

Proficiency in Tamil (speaking, reading, writing) and Sanskrit (reading).

## **Nonprofit Service**

Board of Directors, National Chapter of [The Arc](https://thearc.org/) (<https://thearc.org/>).