

Eric Franklin Amarante

University of Tennessee College of Law
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EDUCATION

Cornell Law School

Juris Doctor received Cum Laude, May 2005

Journals: *Cornell Law Review*, Editor

Legal Information Institute, Editor

Honors: Dean's List: Fall 2002, Fall 2003, Fall 2004

The University of Texas at Austin

B.A. in English, December 1997

ACADEMIC APPOINTMENTS

University of Tennessee, July 2017 to Present

Assistant Professor of Law

Director, Community Economic Development Clinic

University of Nevada Las Vegas, William S. Boyd School of Law, July 2013 to June 2017

Associate Professor of Law

Director, Small Business and Nonprofit Legal Clinic

University of Denver Sturm College of Law, August 2010 to July 2013

Whiting Clinical Fellow (August 2010-December 2012)

Visiting Professor of Law (January 2013-July 2013)

PUBLICATIONS

Selected Articles

- *Criminalizing Immigrant Entrepreneurs (and Their Lawyers)*, 61 BOSTON COLLEGE LAW REVIEW 4 (Forthcoming, 2020).
- *Unregulated Charity*, 94 WASHINGTON LAW REVIEW 4 (Forthcoming, 2019).
- *The Perils of Philanthrocapitalism*, 78 MARYLAND LAW REVIEW 1 (2018).
- *The Unsung Latino Entrepreneur of Appalachia*, 120 WEST VIRGINIA LAW REVIEW 773 (2018).
- *A Rational Approach to Entity Choice*, 64 UNIVERSITY OF KANSAS LAW REVIEW 573 (2016).
- *Mandating Precontractual Disclosure*, 67 UNIVERSITY OF MIAMI LAW REVIEW 553 (2013).

Essays and Other Pieces

- *Why Don't Some White Supremacist Groups Pay Taxes?*, 67 EMORY LAW JOURNAL ONLINE 2045 (2018).
- *What We Talk About When We Talk About Shareholder Wealth Maximization*, 19 TENNESSEE JOURNAL OF BUSINESS LAW 455 (2017).
- *Research Instruction and Resources in the Transactional Skills Course*, 18 TENNESSEE JOURNAL OF BUSINESS LAW 635 (2016).
- *Tackling Arithmophobia: How to Read, Understand, and Analyze Financial Statements*, 14 TENNESSEE JOURNAL OF BUSINESS LAW (2013).
- *The Colorado Benefit Act's Missed Opportunities*, DENVER UNIVERSITY LAW REVIEW ONLINE (March 27, 2012).

PUBLICATIONS (continued)

Book Chapters

- *Tennessee*, DOING BUSINESS IN STATES OTHER THAN THE STATE OF INCORPORATION (MINNESOTA THROUGH WYOMING), Bureau of National Affairs Corporate Practice Series, 2019, at ____ (Forthcoming).
- *Legal Aspects of Employment*, in THE NONPROFIT HUMAN RESOURCE MANAGEMENT HANDBOOK: FROM THEORY TO PRACTICE 44-67(J Word & J Sowa, ed. 2017).
- *Washington*, DOING BUSINESS IN STATES OTHER THAN THE STATE OF INCORPORATION (MINNESOTA THROUGH WYOMING), Bureau of National Affairs Corporate Practice Series, 2009, at A-185.

EXPERIENCE

Davis Wright Tremaine LLP, Associate, Business Transactions Seattle, Washington, October 2007 to August 2010

- Represented numerous companies in venture capital financings, including drafting and negotiating contracts for Series A and Series B offerings
- Represented both buyers and sellers in merger and acquisition transactions
- Drafted and negotiated a variety of contracts, including licensing, employment, and asset purchase agreements
- Represented several companies on general corporate issues, including equity incentive plan compliance, securities filings, and corporate governance
- Represented numerous start-up entities on various legal issues

Sullivan & Cromwell LLP, Corporate Associate, General Practice Palo Alto, California, September 2005 to September 2007

- Represented purchasers in a number of public and private merger and acquisition transactions
- Represented multinational investment banks in several private placements, debt issuances, and equity offerings
- Drafted and filed various disclosure documents with the Securities Exchange Commission
- Worked with client to manage Financial Industry Regulatory Authority insider trading inquiry concerning a third party contractor

Cornell Law School, Research Assistant for Professor Robert A. Hillman Ithaca, New York, May 2003 to May 2004

Provided research assistance for PRINCIPLES OF CONTRACT LAW (West 2004), an overview of contract law that explains concepts in a clear and concise manner

COMMUNITY SERVICE

- **Tennessee Bar Association Immigration Section**, Executive Council Member (2018-Present)
- **Adelante**, Board Member and Secretary (2019-present)
- **AALS Section on Agency, Partnerships, LLCs & Unincorporated Associations**, Executive Committee Member (2017-2019)
- **Tennessee Valley Coalition for the Homeless**, Board Member and Secretary (2018-2019)

LAW SCHOOL SERVICE

- **Tennessee Law Review Faculty Advisor** (2019-present)
- **Junior Faculty Fellow** (2018-present)
- **Latino Law Student Association Faculty Advisor** (2017-present)
- **Student Conduct Board Member** (2017-present)
- **Innovation Committee Member** (2017-2019)

PRESENTATIONS AND WORKSHOPS

- **Discussant**, *Discussion Group: Is Clinical Legal Education the Conscience of the Legal Academy*, Southeastern Association of Law Schools, Boca Raton, FL (July 29, 2019).
- **Moderator**, *Discussion Group: Social Justice and Transactional Clinical Work*, Southeastern Association of Law Schools, Boca Raton, FL (July 30, 2019).
- **Presenter**, *Criminalizing Immigrant Entrepreneurs (and Their Lawyers)*, Junior Faculty Forum, Richmond, VA (May 21, 2019).
- **Panelist**, *Stimulating Simulations: Framing and Debriefing Provocative In-Class Roleplays*, 2019 AALS Conference on Clinical Education, San Francisco, CA (May 7, 2019).
- **Panelist**, *Bellow Scholars Program Report on Projects: Empirical Methodologies*, 2019 AALS Conference on Clinical Education, San Francisco, CA (May 7, 2019).
- **Panelist**, *Harnessing the Collective Capacity of Clinics, Pro Bono, Alumni, Courts & Our Rural Communities*, 2019 AALS Conference on Clinical Education, San Francisco, CA (May 6, 2019).
- **Panelist**, *Representing Undocumented Entrepreneurs*, 2019 Transactional Clinical Conference, Berkeley, CA (May 2, 2019).
- **Organizer**, *Lecture: Arundhati Katju, From Criminal to Citizen: Litigating for LGBTQ Rights in India*, McClung Museum Lecture, Knoxville, TN (April 4, 2019).
- **Organizer**, *Armand Derfner: Voting Is Speech*, Knoxville, TN (March 11, 2019).
- **Organizer**, *Journal of Race, Gender, and Social Justice Symposium: The Urgency of Poverty*, University of Tennessee, Knoxville, TN (October 25, 2018).
- **Moderator**, *Infrastructure and Economic Development*, Journal of Race, Gender, and Social Justice Symposium: The Urgency of Poverty, University of Tennessee, Knoxville, TN (October 25, 2018).
- **Presenter**, *Walls Will Fall: Harnessing the Collective Capacity of Clinics, Pro Bono, Alumni, Courts & Our Rural Communities*, Southern Clinical Conference, University of South Carolina, Columbia, SC (October 19, 2018).
- **Panelist**, *Breaking Down Walls: Harnessing the Collective Capacity of Clinics, Pro Bono, Alumni, Courts & Our Rural Communities*, 2018 SALT Teaching Conference: Legal Education for a Changing Society, Penn State Law, University Park, PA (October 5, 2018).
- **Presenter**, *Unregulated Charity*, Clinical Law Review Writers' Workshop, New York, NY (September 22, 2018).
- **Panelist**, *Change with Continuity: Maintaining Pedagogical Goals in the Midst of Clinical Change*, 2018 AALS Conference on Clinical Education, Chicago, IL (May 1, 2018).
- **Presenter**, *When Forming a Business is a Felony*, 2018 AALS Conference on Clinical Education, Chicago, IL (May 2, 2018).
- **Presenter**, *Legal Risks for Your Nonprofit*, Rural Resources, Greeneville, TN (April 20, 2018).
- **Presenter**, *Employment Law*, Alliance for Better Nonprofits, Knoxville, TN (April 10, 2018).

PRESENTATIONS AND WORKSHOPS (continued)

- **Presenter**, *Immigration Practice Update: CLE*, University of Tennessee, Knoxville, TN (March 23, 2018).
- **Panelist**, *Economic Development Challenges in Appalachia*, West Virginia Law Review Appalachian Justice Symposium (February 23-24, 2018).
- **Presenter**, *Legal Issues for Farmers Markets*, Pick TN Conference, Chattanooga, TN (February 15, 2018).
- **Round Table Participant**, *Immigration Enforcement and Potential Crises in the Making*, Transitions: Crisis, Uncertainty, Opportunity, 2018 Disasters, Displacement, and Human Rights Conference, Knoxville, TN (February 10, 2018).
- **Presenter**, *Unregulated Charity: The Failure of Risk-Based Regulation and How to Fix It*, University of Georgia, SEC Faculty Travel Grant (February 7, 2018).
- **Presenter**, *Philanthrocapitalism: Exacerbating the Antidemocratic, Paternalistic, and Amateuristic Nature of Philanthropy*, ClassCrits X: Mobilizing for Resistance, Solidarity and Justice, New Orleans, LA (November 10-11, 2017).
- **Presenter**, *What Do You Need? Legal Structure*, SKYMart Venture Place, Morristown, TN (October 12, 2017).
- **Co-Facilitator**, *Empowering Immigrant Entrepreneurs and Businesses that Employ Immigrants in Response to Changing Immigration Enforcement Priorities*, 2017 AALS Conference on Clinical Education, Denver, CO (May 8, 2017).
- **Organizer**, Legal Bootcamp for Nonprofits and Entrepreneurs, Las Vegas, NV (April 28, 2017).
- **Co-Presenter/Panelist**, *Philanthrocapitalism: an Antidemocratic, Paternalistic, and Amateuristic Approach to Society's Ills*, AALS Sections on Agency, Partnerships, LLCs, and Unincorporated Associations and Nonprofit and Philanthropy Law joint program on "LLCs, New Charitable Forms, and the Rise of Philanthrocapitalism," San Francisco, CA (January 6, 2017).
- **Presenter**, *To What End?: How the Form 1023EZ Incentivizes Mediocrity and Invites Fraud*, Clinical Law Review Writers' Workshop, New York, NY (September 24, 2016).
- **Participant**, George Mason University School of Law, Law & Economics Center, *Thirty-Second Economics Institute for Law Professors*, Hot Springs, VA (July 10- 22, 2016).
- **Presenter**, *Nonprofit Lobbying: Advocating without Jeopardizing Your Tax-Exempt Status*, Guinn Center for Policy Priorities, Building Advocacy Capacity Among Nevada's Nonprofits, Las Vegas, NV (June 28, 2016).
- **Co-Presenter/Panelist**, *Approaches to Incorporating Research Instruction into Transactional Skills Courses*, Fifth Biennial Conference on Teaching Transactional Law and Skills, *Method in the Madness: The Art and Science of Teaching Transactional Law and Skills*, Emory University (June 11, 2016).
- **Organizer**, Small Business Legal Clinic, Las Vegas, NV (April 29, 2016).
- **Presenter**, *Tax-Exempt Status for the Rest of Us: Embracing and Fixing the Form 1023-EZ*, University of New Mexico School of Law Faculty Colloquia Series (February 24, 2016).
- **Presenter**, *Entity Proliferation and Rationalization*, University of Utah S. J. Quinney College of Law Junior Faculty Exchange (March 9, 2016).
- **Presenter**, *A Rational Approach to Business Entity Choice*, 2015 NYU Clinical Law Review Writers' Workshop, New York, NY (September 26, 2015).
- **Presenter/Mentor**, South by Southwest V2V, Las Vegas, NV (July 16, 2014).
- **Participant**, Faculty Institute with participants from the University of Iowa and University of Nevada, Las Vegas (May 28-30, 2014).

PRESENTATIONS AND WORKSHOPS (continued)

- **Presenter**, *Business Entity Rationalization*, 2014 AALS Conference on Clinical Education, Chicago, IL (April 30, 2014).
- **Planning Committee Member**, SALT Teaching Conference, Las Vegas, NV (October 11, 2014).
- **Planning Committee Member**, 13th Annual Transactional Clinical Conference, Chicago, IL (April 26, 2014).
- **Principal Discussant**, Pacific West Business Law Scholars Colloquium, The University of Oregon, Portland, OR (October 4, 2013).
- **Co-Presenter/Panelist**, *Tackling Arithmophobia: How to Read, Understand, and Analyze Financial Statements*, Third Biennial Conference on Teaching Transactional Law and Skills, *Preparing the Transactional Lawyer: From Doctrine to Practice*, Emory University (November 3, 2012).
- **Presenter**, *Mandating Precontractual Disclosure*, 2012 AALS Conference on Clinical Education, Los Angeles, CA (May 3, 2012).
- **Panelist**, *Good Faith*, Seventh Annual International Contracts Conference, San Diego, CA (March 3, 2012).
- **Presenter**, *Expanding the Duty of Good Faith*, 2011 AALS Conference on Clinical Education, Seattle, WA (June 16, 2011).
- **Presenter**, *Expanding the Duty of Good Faith*, Clinical Law Review Writers' Workshop, New York, NY (October 1, 2011).

IN THE MEDIA

- *Nigerian-born Grad Has Big Plans*, THE NATIONAL JURIST, May 14, 2019.
- Max de Haldevang, *Welcome to the World's Biggest Tax Haven: The United States of America*, QUARTZ, April 15, 2019.
- Casey Michel, *White Supremacist Groups Exploit IRS Loophole to Make Millions*, THINKPROGRESS, December 18, 2018.
- Brandon Rittiman, Anna Staver, *Verify: Yes, some hate groups get tax exempt status*, 9 NEWS.COM (DENVER), August 17, 2017.
- Lauren Lyons Cole, *People who donate to white supremacist groups can get a tax break because the IRS considers many of them 'educational'*, BUSINESS INSIDER, August 15, 2017.
- Wazina Dranco, *The Tax System Inherently Helps White Supremacist Groups*, NYATODAY, May 13, 2017.
- Max Ehrenfreund, *Why the IRS puts white-nationalist groups in the same category as orchestras, planetariums and zoos*, WASHINGTON POST, May 10, 2017.
- *Many White Supremacist Groups are Tax-Exempt*, The Woke Leader, FORTUNE, May 8, 2017.
- Sarah Corsa, *Musical 'Mas Americanos' looks at social change through theater*, LAS VEGAS REVIEW JOURNAL, September 15, 2016.
- Tim Johnson, *Expecting rules to tighten around shell companies after Panama Papers? Not likely*, MCCLATCHY, August 1, 2016.

AWARDS AND HONORS

- Bellow Scholar, 2019-2020
- Wilkinson Junior Research Professor, 2019
- Carden Faculty Award for outstanding service, 2019
- Joseph “JL” Tucker Memorial Award, 2018

BAR ADMISSION

Admitted to practice law in California, Tennessee, and Washington (Inactive)