

BRIANA LYNN ROSENBAUM

University of Tennessee College of Law
1505 W Cumberland Ave.
Knoxville, TN 37996-1810
(865) 974-0687
brianarosenbaum@utk.edu

ACADEMIC EXPERIENCE

UNIVERSITY OF TENNESSEE COLLEGE OF LAW

Associate Professor, June 2013 – present

Selected Courses Taught:

Civil Procedure I & II
Class Actions & Complex Litigation
Multidistrict Litigation (with Judge R. David Proctor [MDL Panel & N.D. Ala.])
Evidence
Pretrial Litigation

Selected Service:

Judicial Clerkships Committee (2014-present); Chair, Spring 2019
Faculty Advisor, Vols for Vets (2017-present)
Member, ASP Task Force (2017-present)
Case Briefing & Analysis Orientation (2014-present)
Community and Inclusion Committee (2013-2015)
Co-teacher: 3L Bar Exam Strategies and Skills Course (2016)
Faculty Advisor, Academic Success Program (2014-2016)
Dean's Governance Committee (2014-2015)
UT, Chancellor's Commission for LGBT People (2014-2015)

STANFORD LAW SCHOOL

Thomas C. Grey Fellow, June 2009 – June 2013

Courses Taught:

Federal Litigation
Legal Research and Writing

SELECTED PUBLICATIONS

The Reverse-Erie Doctrine and The Failure to Protect Transgender Students in State Schools, in *CRITICAL GUIDE TO CIVIL PROCEDURE* (Brooke Coleman, Suzette Malveaux, Portia Pedro, Elizabeth Porter, ed., forthcoming 2020).

When Congress Acts: Judicial Procedural Innovation and the PSLRA, 20 *TENN. J. BUS. L.* ____ (forthcoming 2019).

The Legislative Role in Procedural Rulemaking through Incremental Reform, 97 *NEB. L. REV.* 762 (2019).

Representing Transgender Students in Knox County Schools, DICTA (Oct. 2018) (Knoxville Bar Association publication)

One-Sheet: Know Your Rights: Trans Students in Knox County Schools, March 2018 (one-page legal resource for transgender students) (with David Hall).

The Rico Trend in Class Action Warfare, 102 IOWA L. REV. 165 (2016).

Sentence Appeals in England: Promoting Consistent Sentencing Through Robust Appellate Review, 14 J. APP. PRAC. & PROCESS 81 (2013).

Righting the Historical Record: A Case for Appellate Jurisdiction over Appeals of Sentences for Reasonableness under 28 U.S.C. § 1291, 62 HASTINGS L.J. 865 (2011).

Briana Lynn Morgan, *From Private Practice to Academia*, S.F. DAILY J., Oct. 12, 2010, at 6 (California legal news publication).

Briana Lynn Morgan, Note, *The Use of Rules and Standards to Define a Transsexual's Sex for the Purpose of Marriage: An Argument for a Hybrid Approach*, 55 HASTINGS L.J. 1329 (2004).

HONORS

Carden Award for Outstanding Service to the Institution, 2016, University of Tennessee College of Law.

SELECTED SPEAKING ENGAGEMENTS/PRESENTATIONS

Panelist, "The Reverse-Erie Doctrine and The Failure to Protect Transgender Students in State Schools," Critical Guide to Civil Procedure Workshop, Boston University School of Law, May 2019.

Invited Moderator, *RBG* Movie Screening and Discussion, UT Commission for Women, Invited Moderator, March 2019.

Speaker, "When Congress Acts: Judicial Procedural Innovation and the PSLRA," 2018 Business Law Conference, University of Tennessee, September 2018.

Speaker, "Trans Student Legal Rights Workshop," Voices for Trans Youth, Knoxville, Tennessee, March 2018.

Speaker, "Judicial Retrenchment in Congress: Hidden Incremental Reform," University of Cincinnati College of Law, April 2018.

Speaker, "Judicial Retrenchment in Congress: Hidden Incremental Reform," Stanford Law School, May 2018.

Speaker, "The RICO Trend in Class Action Warfare," SEALS Annual Conference, Amelia Island, Florida, August 2016.

Panelist, “The RICO Trend in Class Action Warfare,” Seattle University School of Law, Second Annual Civil Procedure Workshop, July 2016.

Panelist, “The RICO Trend in Class Action Warfare,” Stanford Law School, Grey Fellows Forum, April 2016.

Presenter, “The RICO Trend in Class Action Warfare,” University of Florida, College of Law, January 2016.

Presenter, “Offensive Strategies for Defeating Class Actions—Case Law Update and Trends,” University of Tennessee College of Law CLE Program, November 2014.

Presenter, “Substantive Reasonableness Review: Finding a Model for Appellate Review of Sentencing Discretion,” New Perspectives on Comparative Law Conference, Indiana University Robert H. McKinney School of Law, April 2013.

Presenter, “Civil Procedure in the Legal Writing Classroom,” Rocky Mountain Regional Legal Writing Conference, March 2012.

Panelist, “Transgender Marriage,” SF Human Rights Commission, LGBT Advisory Committee, January 2005.

MENTIONS IN THE PRESS/MEDIA COVERAGE OF RESEARCH

“Cultural Competency, Bathroom Policy Addressed at Board of Education Meeting,” by Pete Gowda, *The Knoxville Focus* (May 8, 2017), available at <http://knoxfocus.com/wp-content/uploads/2017/05/0508-KF.pdf>

“Mob Mentality: Chevron’s Donziger Triumph Could Inspire RICO Copycats,” by Max Stendahl, *Law360* (August 19, 2016), available at <https://www.law360.com/articles/830215/mob-mentality-chevron-s-donziger-triumph-could-inspire-rico-copycats>

EDUCATION

UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW, San Francisco, CA
Juris Doctor, *magna cum laude*, May 2004

SANTA CLARA UNIVERSITY, Santa Clara, CA
Bachelor of Science, *cum laude*, Political Science, June 2000

- Minors: music (voice) and sociology
- Thesis: *A Study of the Current Anti- and Pro-Homosexual Marriage Viewpoints as they Relate to Tradition, Children, Religion, and Law* (Dec. 1998)

OTHER PROFESSIONAL EXPERIENCE

BINGHAM McCUTCHEN LLP, San Francisco, CA
Associate, October 2006 – April 2009; *Summer Associate*, Summer 2003
Specializing in complex civil and criminal litigation.

THE HONORABLE ANTHONY J. SCIRICA, Chief Judge, Court of Appeals for the Third Circuit,
Philadelphia, PA
Law Clerk, September 2005 – September 2006

THE HONORABLE DAVID F. LEVI, Chief Judge, Eastern District of California & Chair of the
**Standing Committee on the Rules of Practice and Procedure of the Judicial
Conference of the United States**, Sacramento, CA
Law Clerk, May 2004 – May 2005

CALIFORNIA STATE ASSEMBLY, COMMITTEE ON PUBLIC SAFETY, Sacramento, CA
Legal Intern, January 2004 – May 2004
Conducted research regarding proposed legislation. Author of numerous California Bill
Analyses, including for A.B. 2811 Assem., 4/20/2004; A.B. 2788 Assem., 4/12/04; A.B.
2946 Assem., 4/13/2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS, San Francisco, CA
Legal Intern, Summer 2002

THE WHITE HOUSE, Washington, DC
Scheduling and Advance Intern, Fall 1998

PROFESSIONAL AFFILIATIONS AND SERVICE

- Voices for Trans Youth, Member
- UC Hastings College of the Law, Alumni Mentor
- Eric Hanson Alumni Speaker Series Alumni Advisory Board Member, Santa Clara Univ.
- Northern California Scholarship Foundation, Advisor for Scholarship Recipients
- State Bar of California, admitted 2005
- State Bar of Tennessee, admitted 2014
- East Tennessee Lawyers' Association for Women, member