

Eric Franklin Amarante

University of Tennessee College of Law
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ACADEMIC APPOINTMENTS

University of Tennessee College of Law

Associate Professor (with tenure), August 2020-present

Assistant Professor, June 2017-August 2020

Courses: Transactional Law Clinic, Community Economic Development Clinic,
Contracts I, Representing Enterprises, and Transactional Lawyering Lab

University of Nevada Las Vegas, William S. Boyd School of Law

Associate Professor, July 2013-June 2017

University of Denver Sturm College of Law

Whiting Clinical Fellow, August 2010-December 2012

Visiting Professor, January 2013-July 2013

PUBLICATIONS

Selected Law Review Articles

States as Laboratories for Charitable Compliance: An Empirical Study, 90 GEORGE WASHINGTON LAW REVIEW 445 (2022).

Criminalizing Immigrant Entrepreneurs (and Their Lawyers), 61 BOSTON COLLEGE LAW REVIEW 1323 (2020).

Unregulated Charity, 94 WASHINGTON LAW REVIEW 1503 (2019).

The Perils of Philanthrocapitalism, 78 MARYLAND LAW REVIEW 1 (2018).

The Unsung Latino Entrepreneurs of Appalachia, 120 WEST VIRGINIA LAW REVIEW 773 (2018) (invited contribution).

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).

Book Chapters, Essays, and Other Pieces

Latino Business Formation and Growth in New Latino Destinations: A Social Capital Perspective. ACADEMY OF MANAGEMENT GLOBAL PROCEEDINGS, Vol. Mexico, No. 2020 (with Beorchia, A. and Gras, D.).

Your Tax Dollars are Subsidizing White Supremacy, LA Times, October 14, 2019.

Tennessee, DOING BUSINESS IN STATES OTHER THAN THE STATE OF INCORPORATION (MINNESOTA THROUGH WYOMING), BNA Corporate Practice Series, (2019).

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).

Legal Aspects of Employment, in THE NONPROFIT HUMAN RESOURCE MANAGEMENT HANDBOOK: FROM THEORY TO PRACTICE 44-67(J Word & J Sowa, ed. 2017).

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).

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

LEGAL 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

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

Adelante, Board Member and Secretary (2019-present)

The Ihsan Standard, Advisory Council Member (2021-present)

Knoxville Latino Bar Association, Board Member and Secretary (2022-present)

Serving Immigrants, Board Member (2021-present)

Tennessee Bar Association Immigration Section, Executive Council Member (2018-2020)

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

Appointments Committee (2023-present; 2022-2023)
Community & Inclusion Committee, Chair (2021-present)
Latino Law Student Association Faculty Advisor (2017-present)
Student Conduct Board Member (2017-present)
Tennessee Law Review Faculty Advisor (2019-present)
Junior Faculty Fellow (2018-2020; 2022-2023)
Governance Committee, Member (2021-2022)
Academic Standards & Curriculum Committee, Member (2020-2021)
Pro Bono & Public Interest Committee, Member (2019-2020)
Appointments and Hiring Task Force, Member (2020-2021)
Anti-Racism Task Force (2020-2021)
Dean Search Committee, Member (2019-2020)
Innovation Committee, Member (2017-2018)

PRESENTATIONS AND WORKSHOPS

Organizer, *Working Toward Justice on Difficult Ground: A Symposium Honoring Professor Fran Ansley*, Tennessee Law Review Symposium (April 14, 2023).

Organizer, *Justice Deferred: Race and the Supreme Court*, Presentation by Professor Vernon Burton, Professor Jack Chin, and Armand Derfner (March 23, 2023).

Panelist, *Representing Immigrant-Owned Businesses*, ABA Webinar Sponsored by ABA Forum on Affordable Housing and Community Development – Community Development Practitioners and Legal Educators Practice Group (March 3, 2023).

Commentator, *Community Economic Development Law Works-in-Progress*, 2023 AALS Annual Meeting (January 4, 2023).

Panelist, *Measuring Outcomes in Transcational Clinics*, 2022 AALS Conference on Clinical Education (May 12, 2022).

Lead Discussant, *What Role Can Clinics Play in Assisting Student Athletes in the Attempt to Monetize Their Name, Likeness, and Image*, 2022 AALS Conference on Clinical Education (May 11, 2022).

Presenter, *Legal Advice for Small Businesses Engaging with Government*, Elmahaba Center Livestream (February 6, 2022).

Workshop Facilitator, The 13th Bellow Scholar Workshop (October 1, 2021).

Presenter, *Legal Issues for Small Businesses*, Elmahaba Center Livestream (September 5, 2021).

Small Group Leader, CLEA 2021 New Clinicians Conference (May 17-20, 2021).

Presenter, *Obstacles and Opportunities in Clinical Team Teaching*, 2021 AALS Conference on Clinical Education (April 28, 2021).

Presenter, *2020 Vision(aries)*, 2021 AALS Conference on Clinical Education (April 29, 2021).

Panelist, *Business Fundamentals 101*, Maker City Summit, Knoxville, TN (September 13, 2020).

Panelist, *Teaching Business Law: Applying What We Learned from Emergency Remote Teaching During the Pandemic*, 2020 National Business Law Scholars Conference (June 18, 2020).

Small Group Leader, CLEA 2020 New Clinicians Conference (June 15-18, 2020).

Presenter, *Unregulated Charity: By the Numbers*, University of Cincinnati College of Law Junior Faculty Exchange (January 24, 2020)

PRESENTATIONS AND WORKSHOPS (continued)

Presenter, *Practice, Perform, Reflect: The Community Economic Development Clinic's Provision of Free Legal Representation throughout East Tennessee*, 2019 Engagement and Outreach Conference: Partnering for Impact, University of Tennessee (October 29, 2019).

Planning Committee Member, 2019 Southern Clinical Conference, New Orleans, LA (October 10-12, 2019).

Panelist, *Brave New World: A Dystopian Retrospective on Life Without Law Clinics*, 2019 Southern Clinical Conference, New Orleans, LA (October 11, 2019).

Presenter, *Criminalizing Immigrant Entrepreneurs (and Their Lanyers)*, 2019 Southern Clinical Conference, New Orleans, LA (October 12, 2019)

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 Lanyers)*, 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).

PRESENTATIONS AND WORKSHOPS (continued)

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).

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).

PRESENTATIONS AND WORKSHOPS (continued)

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).

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).

AWARDS AND HONORS

Marilyn V. Yarbrough Faculty Award for Writing Excellence, 2023

Wilkinson Junior Research Professor, 2023

Thomas and Elizabeth Fox Faculty Excellence Award for Outstanding Service to the Bench and Bar, 2021

"Advancing Management Research in Latin America" Best Conference Paper Proposal Award for *Latino Business Formation and Growth in New Latino Destinations: A Social Capital Perspective*, 2020

Bellow Scholar, 2019-2020

Wilkinson Junior Research Professor, 2019

Carden Faculty Award for Outstanding Service, 2019

Joseph "JL" Tucker Memorial Award, 2018

SELECTED MEDIA COVERAGE

Melanie Vásquez Russell, *Knoxville Latino Bar Association launches in effort to increase diversity in the courtroom*, WATE.com, February 3, 2023.

Brianna Rauenzahn, Jamison Chung, and Aaron Kaufman, *'Tis the Season for Nonprofit Regulation*, The Regulatory Review, December 5, 2020.

Claire Heddles, *Reckoning With the Past as the Knoxville Science Museum Proposal Moves Forward*, WUOT 91.9, February 26, 2020.

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.

BAR ADMISSION

Admitted to practice law in Tennessee (active) and California (inactive)