

BERNADETTE BOLLAS GENETIN

UNIVERSITY OF AKRON SCHOOL OF LAW
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PROFESSIONAL EXPERIENCE

UNIVERSITY OF AKRON SCHOOL OF LAW, Akron, Ohio 1997-2015
Associate Professor of Law, since 2002; Assistant Professor – 1998-2002;
Visiting Assistant Professor – 1997-1998
Principal courses: Civil Procedure I and II, Federal Jurisdiction and Procedure, Complex Litigation, and Law and Literature

KRUGLIAK, WILKINS, GRIFFITHS & DOUGHERTY CO., L.P.A., Canton, Ohio; Jan.1994-July 1997

- Director and shareholder (partner equivalent)
- Head of litigation section from January 1996 to August 1997
- Primary areas of practice included commercial litigation, environmental law and litigation, and occupational safety and health law

BRICKER & ECKLER, Columbus, Ohio Apr. 1990-Dec. 1994
Associate attorney.
Primary areas of practice included general litigation, environmental law and litigation, occupational safety and health law.

JUDICIAL CLERKSHIPS AND LEGISLATIVE POSITIONS

Law Clerk, United States Court of Appeals for the Second Circuit, Hempstead, NY
Hon. George C. Pratt, August 1988 to February 1990

Legislative Assistant, Ohio House of Representatives, Columbus, Ohio – 1985

Legislative Intern, Legislative Service Commission, Columbus, Ohio – 1984

EDUCATIONAL BACKGROUND

THE OHIO STATE UNIVERSITY COLLEGE OF LAW, Columbus, Ohio
Valedictorian,
J.D., May 1988, with highest honors
The Order of the Coif
Editor in Chief, The Ohio State Law Journal, 1987-88
Dean's Special Award (Outstanding Service to College of Law)
Frank and Gertrude Strong Moot Court Award: Best First-Year Brief
Mark S. Evans Award of Merit
Donald B. Becker Memorial Scholarship Award
Michael Topper Memorial Award (Highest Grade Point Average)

The University of Notre Dame, Notre Dame, Indiana
B.A., with highest honors, May 1982 – Communications and Economics
Phi Beta Kappa

SUBJECTS TAUGHT

- CURRENT:** Civil Procedure I and II; Law Review Instruction on Editing (instruct editors and review work)
- PREVIOUS:** Complex Litigation, Law and Literature, Corporations, Basic Business Associations, Business Regulations, Advanced Litigation Practices; Legal Drafting
- POTENTIAL:** Advanced Civil Procedure – To include material that will be taken out of Civil Procedure and additional Bar coverage

PUBLICATION COMMITMENTS

“Just a Bit Outside!”: Proportionality in Federal Discovery and the Institutional Capacity of the Federal Courts (forthcoming 2015, *The Review of Litigation*)

Back to Class: Lessons from the Roberts Court Class Action Jurisprudence (forthcoming 2015, *Akron Law Review*) – Foreword to *Akron Law Review* symposium issue entitled *The Class Action After a Decade of Roberts Court Decisions*

PUBLICATIONS

“Just a Bit Outside!”: Proportionality in Federal Discovery and the Institutional Capacity of the Federal Courts (forthcoming, 2015, *Review of Litigation*)

Back to Class: Lessons from the Roberts Court Class Action Jurisprudence (forthcoming, 2015, *Akron Law Review*) – Foreword to *Akron Law Review* symposium issue entitled *The Class Action After a Decade of Roberts Court Decisions*

The Supreme Court’s New Approach to Personal Jurisdiction, 68 *SMU Law Review* 107 (2015)

Reassessing the Avoidance Canon in Erie Cases, 44 *Akron L. Rev.* 1067 (2011) (*Shady Grove Symposium Issue*)

Summary Judgment and the Influence of Federal Rulemaking, 44 *Akron L. Rev.* 1107 (2010) (Foreword to Symposium: “The Future of Summary Judgment”)

The Powers that Be: A Reexamination of the Federal Courts’ Rulemaking and Adjudicatory Powers in the Context of a Clash of a Congressional Statute and a Supreme Court Rule, 57 *Baylor Law Review* 587 (2005) (lead article)

Expressly Repudiating Implied Repeals Analysis: A New Framework for Resolving Conflicts Between Congressional Statutes and Federal Rules, 51 *Emory Law Journal* 677 (2002)

Procedural Power Plays: Moves to Consider When a Congressional Statute Conflicts with a Federal Rule, 71 *U.S. Law Week* 2291 (2002)

The New Business Rule and the Denial of Lost Profits, 48 Ohio St. L.J. 855 (1987)

WORKS IN PROGRESS

Coupons After CAFA: Judges, Once More, into the Breach – Explores Congress’s statutory protections for coupon settlements, suggests that CAFA’s ambiguities thrust the burden back on district court judges to determine coupon protections, and reviews available CAFA decisions that show (1) a strong movement to construe the statutory provisions to protect absent class members in the coupon settlement context, as well as (2) a persistent strain of cases that find ways to evade heightened protection

A Triple Play on Absent Class Members: Imposition of Bonds to Impede Appeals by Class Action Objectors – This will be a short essay to discuss a phenomenon that I have seen in some district court cases. It is, of course, typical that, when class counsel and defendant’s counsel settle, they lose their adversarial status. Objectors will sometimes fill that void and attack portions of the settlement and/or attorneys’ fees. In a segment of cases, class counsel and defense counsel have also teamed up to request that the court impose a bond before objectors may appeal. I will conclude that the legal basis for these bond requests is not solid and that it presents due process problems as well.

PUBLIC PRESENTATIONS

Moderated AALS Section on Litigation Annual Program on “The Future of Discovery,” January 3, 2015

Seeing Through a Glass Darkly: The Supreme Court and the Potential Expansion of Personal Jurisdiction, Northeast Ohio Faculty Colloquium, October 17, 2013

Seeing Through a Glass Darkly: Does the Supreme Court’s Decision in Goodyear Dunlop Envision a More Expansive Specific Jurisdiction? Capital University Law School, October 6, 2013

Ohio E-Discovery, Stark County, Ohio, Law Day Presentation – May 5, 2010

State E-Discovery -- IQPC Third Annual E-Discovery for Financial Services, New York, New York, February 24, 2010

E-Discovery: A View from the States, Presented at 2009 AALS Annual Meeting, Section on Litigation, San Diego, California, January 8, 2009, as part of the Section Program entitled, “E-Discovery: A Litigation Revolution?”

June 5, 2009: “*The Death Penalty, Innocence, and Discovery*,” CLE Program, Cosponsored by The Akron Bar Association and The University of Akron School of Law -- *Civil E-Discovery and Criminal Law Implications*

Presented a Work-in-Progress, November 3, 2008, Entitled, “*State E-Discovery: Another Federal Rule Improvement Project*”

Moderator, *The 140th Anniversary of the Ratification of the Fourteenth Amendment: What Is the Future of Rights Litigation?*, 2008 AALS Annual Meeting, Litigation Section Program

Putting Power and Priority in Perspective: Statutory Conflicts, Statute-Rule Supersession, and Preemption, Central States Law Schools Annual Meeting and Law in Society Conference, Detroit Michigan, October 27, 2007

The American Judicial System, Presented to delegation of Russian attorneys as part of the U.S. State Department's Productivity Enhancement Program, presented at the University of Akron School of Law, May 2005

The Civil Jury, Presented at the Ohio Fifth District Court of Appeals Law Day Program entitled, "The American Jury: We the People in Action," May 4, 2005

Expressly Repudiating Implied Repeal Analysis, Central States Law Schools Annual Meeting, Detroit, Michigan, September 2001

Presentation, *Attorney-Client Privilege, Work Product Doctrine, Privilege for Self-Critical Analysis, and Search Warrants in Administrative Agencies*, Stark County Safety Council Seminar, October 12, 1999

PROFESSIONAL RECOGNITION

The University of Akron School of Law Faculty Scholar of the Year Award, 2015
Akron Law Alumni Association, 2003 Faculty Publications Award

PROFESSIONAL ACTIVITIES

ASSOCIATION OF AMERICAN LAW SCHOOLS

- 2015 – Executive Committee, Section on Litigation
- 2014 – Chair, Section on Litigation
Annual Meeting Chair – Organized and moderated *The Future of Discovery*
Oversaw Publication of Litigation Section Newsletter
- 2013 – Chair-Elect, Section on Litigation
- 2012 – Executive Committee, Section on Litigation
- 2011 -- Executive Committee, Section on Litigation
- 2010 – Executive Committee, Section on Litigation
- Annual Meeting Subcommittee; Website Subcommittee
- 2009 – Executive Committee, Section on Litigation
-- Newsletter Editor, Section on Litigation
- 2008 -- Executive Committee, Section on Litigation
-- Newsletter Editor, Section on Litigation
- 2007 -- Chair, Section on Litigation
- 2006 -- Chair-Elect, Section on Litigation
- 2005 -- Secretary, Section on Litigation

PROFESSIONAL CONFERENCES

- AALS Annual Meeting – 2002, 2005-2010, 2013-2015
- AALS Mid-Year Conference on Civil Procedure – June 10-12, 2010
- AALS Conference on Civil Procedure, New York, NY – June 2003
- AALS Conference on Federal Courts, Washington, D.C. – May 2002
- AALS Conference on Business Associations and Corporations, April-May 1998

PROFESSIONAL MEETINGS

- Ohio Legal Scholarship Workshop, Ohio State University College of Law, Jan. 26, 2008

Annual Meeting, Central States Law Schools Association, Detroit, Michigan, Oct. 27, 2007

BAR ADMISSIONS

Supreme Court of Ohio, 1988

Supreme Court of the United States

United States Court of Appeals for the Sixth Circuit

United States District Court for the Southern District of Ohio

SCHOOL OF LAW ACTIVITIES

Faculty Advisor, *Akron Law Review* – 2000 to present

- Provide guidance on all aspects of law review and assistance with article selection
- 2015-2016 – Worked with Professor Padfield to secure a symposium issue on Law and Socio-Economics that will be published in the *Akron Law Review* next year
- 2014-2015 -- Assisting with symposium issue, *The Class Action after a Decade of Roberts Court Decisions*, and wrote Foreword, *Back to Class: Lessons from the Roberts Court Class Action Decisions*
- Assisted, along with Marge Koosed, in coordinating an *Akron Law Review* symposium issue on criminal law
- Coordinated, organized, and assisted in obtaining authors for a symposium issue – *Erie Under Advisement: The Doctrine after Shady Grove*
- Enabled *Akron Law Review* to Publish the Papers of 2010 Section of Litigation – *The Future of Summary Judgment*
- Editing/Professionalism Class for Board Members (and plan also to meet with Associate Editors) – 2013-2015
- Provide input on most articles considered for publication in the *Akron Law Review*
- Assisted with Complex Litigation symposium issue
- Provide continuing general support, guidance, and assistance

Constitutional Law Center Faculty Fellow – 2015-2016

Library Committee

Chair – 2014-2015

Co-Chair – 2013-2014; Chair, 2012-2013

Selection Committees for proposed new librarians, 2013-2015

Curriculum Committee – 1998 to 2011, 2013-2015

Self-Study Committee

Member, 2014-2015

Chair, Self-Study Committee – January 2008 to March 2009

Member, 1999-2000

Attended Assessment Conference – Mar. 13 and 14, 2015

Attended Law School Admissions Open Houses and other events – 2013-2015

Member, Standards/Regulations/Bylaws Committee – 2011-2012

Member, Planning & Resources Committee – 2011-2012

Member, Standards and By-Laws Committee – 2010-2011

Chair, Advisory Committee to the Dean – 2009-2010

CLL Task Force on Student Learning – 2015-2016

Secretary to the Law Faculty – September 2004 to February 2008

Taught Professor Lloyd Anderson's Civil Procedure II Class – Spring 2010

Law School Representative to the AALS – 2006-2007

Member, Clerkship Committee – 2004 to 2009

Presenter, *Effective Leadership*, Student Leaders on Effective Leadership – 2000-2004, 2006, 2008, 2009

Selection Committee for Director of New Business Legal Clinic

Advisor, proposed student fraternity, Delta Theta Phi Law Fraternity – 2007-2010

Accommodations Committee, Member
First-Year Orientation – Have taught the “mock class” almost every year
Attend First-Year Orientation Dinner – every year except one
Attend Faculty Research and Development brown bags and FRED presentations
Assist in developing a Civil Procedure curriculum with enhanced “mock litigation”
Attended Law Review banquet – 2004 to present

UNIVERSITY ACTIVITIES

Representative to University United Way Committee – 2014-1015
Law School Representative on the Faculty Advisory Committee to the Univ. Provost – 2013-2014
Member of University BePress Committee – 2013-2014
Academic Leadership Forum – Attended meetings and participated in programming as Academic
Leadership Forum Ambassador – 2010-2011
Academic Leadership Fall 2008-Spring 2009
Student Assessment Task Force – 2006 to January 2008
University Inquiry Committee – Spring 2007
Law School Representative on the Faculty Advisory Committee to Univ. President – 1999-2000
University Strategic Enrollment Seminar – February 2000
University Strategic Planning Retreat, September 1999