

## EDIBERTO ROMÁN

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### ACADEMIC APPOINTMENTS

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#### AMERICAN UNIVERSITY, WASHINGTON COLLEGE OF LAW, WASHINGTON, D.C.

**Visiting Professor of Law**, August 2009-December 2009.

Selected to teach two large sections of Torts.

#### FLORIDA INTERNATIONAL UNIVERSITY, COLLEGE OF LAW, MIAMI, FLORIDA

**Professor of Law**, August 2002 – Present.

Selected as one of the College of Law's Founding Faculty, taught several foundational courses, including Contracts, Torts, Remedies, Products Liability, Business Organizations, and Antitrust. Chaired several key committees, including Admissions (two years), Appointments (two years), By-laws Revision (two years), and Academic Support (three years).

**Associate Dean for Academic Affairs**, July 2005 – July 2007.

Primarily responsible for curricular and program development; Established junior faculty mentoring program, successfully chaired a revision and approval of the College of Law's Bylaws, supervised projects necessary for ABA full accreditation inspection, supervised projects necessary for AALS accreditation, and expanded the faculty colloquia series.

#### FLORIDA INTERNATIONAL UNIVERSITY, HONORS COLLEGE, MIAMI, FLORIDA

**Teaching Fellow**, August 2003 - September 2004: Chosen as one of approximately thirty university professors to teach in the University's honors program; taught undergraduate course on "the Self, Identity, and the Other."

#### ST. THOMAS UNIVERSITY SCHOOL OF LAW, MIAMI, FLORIDA

**Visiting Professor**, July 2003 - June 2004 (taught at both FIU & St. Thomas during this period).

**Professor of Law**, June 2001 - August 2002.

**Associate Professor**, August 1995 - to June 2001.

LEHMAN COLLEGE, CITY UNIVERSITY OF NEW YORK, NEW YORK CITY, NEW YORK

*Adjunct Professor*, September 1993 - June 1994

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**ACADEMIC HONORS**

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**BLSA Special Faculty Recognition, April 8, 2008**(Presented in appreciation for my “continuing service to the student group”).

**FIU Tenure-Track Faculty Appreciation Award**, May 2007(Presented in appreciation for my “tireless efforts as Associate Dean to encourage and promote faculty scholarship and service”).

**Enma Tarafa Legal Excellence Award**, April 2007(Presented by the FIU Hispanic Law Student Association to leaders in the Hispanic Community; first and only law professor to receive this award).

*American Law Institute*, elected to membership, May 2006.

*Hispanic National Bar Association*, selected as chair of committee on the Legal Academy, August 2006.

**Faculty Hooding Honor**, FIU College of Law, 2005: Elected by the first graduating class to invest them with their academic hoods during commencement.

**Professor of the Year**, *St. Thomas*, 1999-2000 and 1996-1997(between 1996 and 2000, the award was given only these two times).

**Excellence in Teaching & Scholarship Award**, *St. Thomas University - Barry University*, 2001(first law professor to receive this university award).

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**LAW TEACHING RESPONSIBILITIES**

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My broad teaching experience reflects my research interests, my prior experience as a litigator, and my willingness to accommodate the curricular needs of my institution. Relatively traditional in terms of the Socratic Method, I use interaction in the classroom to hone students’ analytical skills and to emphasize the ethical dimensions of legal practice. Informed by my experience in critical jurisprudential movements, I integrate theoretical perspectives into my doctrinal courses as appropriate and develop theoretical perspective more fully in my seminars.

**COURSES TAUGHT:** Contracts I and II, Remedies, Torts I and II, Products Liability, Corporations, Agency and Partnership, Law and Accounting, Antitrust, Securities Regulation, Comparative Corporate Law (taught in *St. Thomas University’s* summer in Spain Program), Citizenship and Immigration Seminar, Race and the Law, and Street Law.

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## SCHOLARSHIP

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My principal research interest involves analyzing the construction and interpretation of the law of citizenship, as a specific instance of wider themes about social inclusion, hegemony, and race. My scholarship may be best described as traditional in its structure and use of authority, but critical in its perspective. Necessarily my research deals with the intersection of, on the one hand, citizenship law, immigration law, public international law, and constitutional law and, on the other hand, theoretical perspectives based on critical race theory, post-colonial studies, Diaspora literature, and social theory generally. Given the increasing domestic and global relevance of citizenship and nationality in the United States and globally, I expect to deepen and expand my work on citizenship, most recently through the publication of my second and third books.

### BOOK SERIES, BOOKS, ARTICLES, AND BOOK CHAPTERS

- *CITIZENSHIP AND IMMIGRATION IN THE AMERICAS BOOK SERIES*. Selected as the series editor for New York University Press's new series touching upon identity and membership, citizenship theory, democratic discourse, immigration policy, and international law.
- THE ALIEN INVASION? (Forthcoming fall 2010, New York University Press).
- UNDERSTANDING IMMIGRATION (forthcoming fall 2011, Carolina Academic Press).
- CITIZENSHIP AND ITS EXCLUSIONS: CLASSICAL, CONSTITUTIONAL, AND CRITICAL RACE PERSPECTIVES (New York University Press, spring 2010).
- THE OTHER AMERICAN COLONIES: A CONSTITUTIONAL AND INTERNATIONAL LAW EXAMINATION OF UNITED STATES' NINETEENTH AND TWENTIETH CENTURY ISLAND CONQUESTS (Carolina Academic Press, spring 2006) (finalist for the Law & Society Association's James Willard Hurst Prize for Best Work in Legal History).
- *Who Exactly is Living 'La Vida Loca'?: The Legal and Political Consequences of Lation-Latina Ethnic and Racial Stereotypes in Film and Other Media*, 4 J. GENDER RACE & JUST. 37 (2000-2001) reprinted in, DELGADO, PEREA, AND STEFANCIC'S *LATINOS AND THE LAW: CASES AND MATERIALS* (Richard Delgado, Juan F. Perea, & Jean Stefancic, Thomson/West Casebook 2008).
- *Empire Forgotten the Development of Commonwealth Status for Puerto Rico*, 42 VILL. L. REV. 1119 (1997), excerpts reprinted in, PEREA, DELGADO, HARRIS, STEFANCIC, AND WILDMAN'S *RACE AND RACES, CASES AND RESOURCES FOR A*

DIVERSE AMERICA, 2d ed. 376-79 (Juan F. Perea, Richard Delgado, Angela P. Harris, Jean Stefancic, & Stephanie M. Wildman, Thomson/West Casebook 2007).

- *The Alien Invasion?* 43 Houston Law Review 841 (2008).
- *Freeriders and Diversity in the Legal Academy*, 83 Indiana Law Journal 1235 (2008) (selected for a plenary panel on empirical research during the 2009 AALS Annual meeting) (coordinator of symposium associated with this journal issue, which included some of the country's leading legal scholars).
- *Importing Workers: A Review of Deporting Our Souls*, 17 Law and Politics Rev 693 (2007).
- *The Citizenship Dialectic*, 20 Georgetown Immig. L. Journal 588 (2006).
- *Immigration and the Allure of Inclusion*, 35 Seton Hall L. Rev. 1349 (2006).
- *Coalitions and Collective Memories: A Search for a Common Ground*: 58 Mercer Law Rev. 637 (2007).
- *The Rights and Privileges of Citizenship*, 66 The American Journal of Legal History 94 (2005)(Book Review).
- *Outsider Jurisprudence and Looking Beyond Imagined Borders*, 55 Florida Rev. 583 (2003).
- *Membership Denied: Subordination and Subjugation Under United States' Expansionism*, 39 San Diego L. Rev. 437 (2002).
- *Reparations and the Colonial Dilemma: The Insurmountable Hurdles and Yet Transformative Benefits*, 13 Berkeley La Raza L. Journal 369 (2002).
- *Membership Denied: A Story of Subordination and Subjugation Under U.S. Colonialism*, (chapter in an anthology entitled Moral Imperialism(N.Y.U. Press 2002).
- *Who Exactly is Living La Vida Loca? The Legal and Political Consequences of Ethnic and Racial Stereotyping of Latinas and Latinos in Film and Other Media*, 4 Iowa J. Gender, Race & Justice 27 (2000).
- *A Race Approach to International Law (RAIL): Is There a Need for Yet Another Critique Of International Law?* 33 U.C. Davis L. Rev. 1519 (2000).
- *Members and Outsiders: A Vision of the Models of U.S. Citizenship and a Few Questions Concerning European Union Citizenship*, 9 Miami Int'l & Comp. L. Rev. 81 (2001).

- *Reconstructing Self-Determination: The Role of Critical Theory in the Positivist International Law Paradigm*, 53 Miami L. Rev. 943 (1999).
- *Mapping Intersections of Critical Race Theory, Post-Colonial Studies, and International Law?* Proceedings of the 93rd Annual Meeting of the American Society of International Law (1999).
- *The Alien-Citizen Paradox and Other Consequences of U.S. Colonialism*, 26 Fl. St. L. Rev. 1 (1998).
- *Empire Forgotten: The United States Colonization of Puerto Rico*, 42 Vill. L. Rev. 1119 (1997).
- *A Common Ground: Perspectives on Latino-Latina Diversity*, 2 Harvard Latino L. Rev. 483 (1997).
- *Statutory Interpretation in Securities Jurisprudence: A Failure of Textualism*, 75 Neb. L. Rev. 377 (1997).
- *Your Honor What I Meant To State Was: A Comparative Analysis Of the Judicial and Evidentiary Admission Doctrines*, 22 Pep L. Rev. 981 (1995).
- *Primary and Secondary Liability under the Federal Securities Laws: A Distinction Without a Difference?* (work-in-progress).

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**SERVICE**

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Forming part of a new law school's founding faculty has provided me exceptional opportunities for service. One of the fundamental objectives of my service activities is to institutionalize a culture of scholarly production, especially among my junior colleagues. To this end, I have instituted a mentoring program for junior faculty and strengthened our faculty colloquium series. Another important personal and professional commitment of mine is to increase the representation of traditionally disenfranchised minorities in the legal profession.

**FLORIDA INTERNATIONAL UNIVERSITY**

- Member of the Florida International University Faculty Senate; December 2007-present.

- Member of the Florida International University Faculty Senate Steering Committee; December 2007- present. Involved in making university-wide decisions concerning the curriculum, schedule, budget, and accreditation.
- Member of the Florida International University Faculty Senate Budget Committee, January 2008-present. Involved in working with central administration on various issues pertaining to the university's operating budget. Worked with University CFO on multi-year plan to address state's multi-million dollar budget cuts.
- Chair of College of Law Academic Support Committee, August 2002-August-2004; August 2006-August 2008. Lead instructor of school's academic support program for the first two year of school's operation. During that period, met with students at least once a week in the Spring Semesters to work on legal analysis and exam writing; 75% of active participants removed themselves from probation. Involved in institutionalizing program which led to the hiring of a fulltime director of academic support.
- Chair of College of Law Appointment's Committee, August 2004 –June 2005; August 2006-June 2007.
- Chair of College of Law Admissions Committee, August 2002 – August 2004. Reviewed hundreds of student applications and set admissions priorities and worked with admissions department to schedule recruiting events. During two year tenure as chair of this committee, both diversity and academic indicators of entering students improved significantly.
- Member of College of Law Academic Standards Committee, August 2002 –August 2004.
- Member of College of Law Moot Court Committee, August 2002-August 2004.
- Member of FIU Honors College Admissions Committee, August 2003- September 2004.
- Faculty advisor to the Hispanic law Student Association, September 2002 to present.
- Faculty advisor to the Human Rights and Environmental law Student Association, 2002-2004.

### **ST. THOMAS**

- Member of Dade County Mayor Alex Penela's Mosaic Initiative to Promote Diversity and Community Understanding, 2000-2001.
- Member of Broward County Steering Committee for Al Gore's Presidential Election, 1999-2000.
- Chair of St. Thomas University Law School's Curriculum Committee, 2001-2002.
- Member of St. Thomas University's Law School's Admissions Committee, 1995-2002; Chair of Subcommittee on Scholarships, 1995-1996; Honor Council Faculty Advisor, 1997-1998.

- Faculty Advisor to St. Thomas University Law School's Moot Court Team, 1996-2001.
- Director of St. Thomas University's Volunteer Street Law Clinical Program, 1996-2000.
- Organizer of St. Thomas University's Habitat for Humanity Working Group, 1998-2001.

## **PRESENTATIONS AND LECTURES**

- Presented paper concerning the national economic climate and its effects on the decline of ethnic and racial minority students entering ABA law schools, 2010 AALS Annual Conference.
- Presented lecture on my forthcoming CITIZENSHIP AND ITS EXCLUSIONS book at George Washington University School of Law's distinguished lecture series, October 2009.
- Presented lecture on the future of the legal profession under the current economic climate at the South Eastern Association of Law Schools(SEALS) first ever plenary panel, August, 2009.
- Presented Freeriders article(which was an empirical study on the Latina/o legal professoriate) on a plenary panel, 2009 AALS Annual Conference.
- Moderated Panel on International Arbitration at SEALS, August, 2008.
- Presented lecture on the opportunities and challenges for Latinas and Latinos under the Obama Administration, Florida A&M College of Law, March, 2008.
- Presented lecture on Immigration Reform SEALS, August, 2007.
- Book reading of my OTHER AMERICAN COLONIES book, hosted by the FIU Caribbean Law Student Association, April, 2007.
- Book reading of my OTHER AMERICAN COLONIES book at Books & Books Bookstore, Coral Gables, Fl., July, 2006.
- Presented paper on the Future of Latinas and Latinos at the University of Indiana, Bloomington, April, 2007.
- Presented paper on The Future of Indian Law at the Miccosukee Tribal Conference, April 2007.

- Presented lecture on Immigration Reform at the 2007 Annual AALS Conference.
- Moderated panel on Law & Religion at SEALS, August, 2006.
- Presented lecture on the dualism of Brown v. Board of Education at the FIU College of Law Brown at 50 Conference, October, 2004.
- Presented lecture on the gradations of U.S. citizenship at the Second People of Color Scholarship Conference at George Washington University, October, 2004.
- Presented lecture on my OTHER AMERICAN COLONIES book at the International Sociological Association's Annual Conference at the University of Puerto Rico, June, 2004.
- Presented lecture on The History of the Levels of Citizenship at National Law & Society Conference, May, 2004.
- Presented lecture on my OTHER AMERICAN COLONIES book as a part of the University of Wisconsin's Law School Lecture Series, March, 2004.
- Presented lecture on Academic Freedom at Florida International University's Public Policy Lecture Series, May, 2003.
- Presented lecture on Stereotyping of Latinas and Latinos, Florida International University Department of Journalism, May, 2003.
- Presented lecture on "Membership Denied" article at Barry University - St. Thomas University Excellence in Research Award Ceremony, May, 2001.
- Presented lecture on "Membership Denied" article at the Sixth Annual LatCrit Conference at the University of Florida, May, 2001.
- Presented lecture on Stereotyping of Latinas and Latinos in Film at St. Thomas University's First Annual Celebration of Scholarship. ( Dean requested my paper to be the Law School's contribution to the event), May 2000.
- Presented lecture on stereotyping of Latinas and Latinos in Film at the University of Iowa, October, 1999.
- Presented lecture on Comparative Citizenship at the First Annual Comparative Law Conference at the University of Malaga, Spain, June, 1999.
- Presented lecture on a Race Approach to International Law at Fourth Annual Lat-Crit Conference, Lake Tahoe, Nevada, April, 1999.
- Presented lecture on Mapping Intersections between Race and Self-determination law at the American Society of International Law annual Conference, Washington, D.C., March, 1999.

- Presented lecture on the Alien-Citizen article at the Annual Meeting of the Association for Asian American Studies, Honolulu, Hawaii, June, 1998.
- Moderated discussion groups at Society of American Law Teachers Conference on Citizenship and Immigration, CUNY Law School, May, 1999.
- Presented lecture on draft of Reconstructing Self-determination article at Third Annual Lat-Crit Conference, University of Miami, 1998.
- Moderated discussion on Affirmative Action at Annual Society of American Law Teachers (S.A.L.T.) Conference, CUNY Law School, April, 1997.
- Presented lecture on Affirmative Action to St. Thomas University's Political Action Group, May, 1997.
- Presented lecture on "Empire Forgotten" article as a work-in-progress at Eighth Critical Race Theory Workshop, American University, October, 1996.
- Moderated Panel on Pan-Ethnicity at the First Annual Lat-Crit Conference, La Jolla, California, May, 1996.

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## **LEGAL PRACTICE**

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### **HAYTHE & CURLEY, New York, New York**

Litigation Associate, October 1994 - July 1995(lead associate on several major securities actions; provided advice to the firm's clients on several corporate governance and antitrust issues).

#### Significant Litigation Experience:

In Re: MTC Technology Inc., Securities Litigation(lead associate representing stock and debentures issuer in multiple class actions. Duties included substantial motion practice and representing client in hearings).

Banque Nationale de Paris v. Prudential Securities Inc.(lead associate responsible for investigating claims, drafting pleadings, appearing at court conferences, discovery supervision, and addressing discovery disputes).

### **LORD DAY & LORD, BARRETT SMITH, New York, New York**

Litigation Associate, September 1988 - September 1994(garnered extensive experience in all areas of firm's litigation practice with an emphasis on securities litigation, pre-trial procedure, motion practice, trial work, and negotiation and settlement. Substantive areas addressed included 1933 Securities Act, 1934 Securities Exchange Act, RICO and related white-collar criminal defense, Sherman and Clayton Acts, Lanham Act, Copyright Act, contracts, constitutional law, accountants' liability, common law fraud, and fraudulent conveyance.

#### Significant litigation Experience:

Sullivan Marketing Inc. v. News America Inc.(lead associate in multi-million dollar private antitrust action; supervised dozens of attorneys and paralegals; primary responsibility for supervision of fortune 500 company's discovery response; substantial involvement in drafting pleadings and motions).

In Re Miniscribe Corp. Securities Litigation, (lead associate, responsible for discovery practice which included attending scores of depositions across the country for several years, and participating in four and one half month securities trial, took primary responsibility for motions practice during trial including directed verdict motion which was granted in all respects, except negligence claims; client exonerated on negligence claim, yet other defendants suffered a \$680 million judgment).

United States v. Michael Milken et al., (member of defense team responding to criminal and civil actions; primary responsibility for investigating and evaluating certain government and private litigants' allegations).

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## **EDUCATION**

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### **UNIVERSITY OF WISCONSIN LAW SCHOOL,**

Juris Doctorate May 1988

- Recipient, Ruth B. Doyle Award for Contribution to the Law School, 1987
- Recipient, National Hispanic Scholarship, 1987 & 1988

### **LEHMAN COLLEGE,**

B.A., Business Management with emphasis in Economics, May 1985

- Magna cum laude
- Departmental Honors in Economics
- Recipient, Alumni Association Scholarship for Academic Achievement
- Recipient, Flora Wittenberg Academic Scholarship

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## **PERSONAL**

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Fluent in Spanish

Married; father of four

Student of Martial Arts