Tamara R. Piety
Associate Dean of Faculty Development and
Professor of Law
University of Tulsa College of Law
3120 E. 4th Pl. * Tulsa, OK 74104
Email: tamara-piety@utulsa.edu
Phone: 918-906-9156

Curriculum Vitae

E D U C A T I O N

LL.M. ***Harvard Law School, 2000***

Activities: Executive Editor, *Harvard Journal of Law and Gender (formerly Harvard Women's Law Journal)*
1L Tutor for HLS Academic Support Program

J.D. ***University of Miami School of Law, 1991***

Honors: *Magna cum Laude*
Order of the Coif
Dean's List
Rank: 6/391

Activities: Articles & Comments Editor, *University of Miami Law Review*
Headed Law Review Symposium Search Committee
One of 10 participants chosen by Dean for special Constitutional Law Seminar with **Associate Justice William J. Brennan**, Professor Patrick Gudridge and various guests, including Laurence Tribe, Owen Fiss and Frank Michelman.

B.A., Economics **Florida International University, 1985**

P U B L I C A T I O N S

B O O K S

1. Tamara R. Piety, *Brandishing the First Amendment: Commercial Speech in America* (UNIVERSITY OF MICHIGAN PRESS (2012).

A R T I C L E S

1. Tamara R. Piety, *Citizens United and the Threat to the Regulatory State*, 109 MICH. L. REV. FIRST IMPRESSIONS 16 (2010), http://www.michiganlawreview.org.assets/fi/log/piety.pdf.

2. Tamara R. Piety, *Onslaught: Commercial Speech and Gender Equality*, 60 CASE WES. RES. L. REV. 47 (2009).

3. Tamara R. Piety, *Against Freedom of Commercial Expression*, 29 CARDOZO L. REV. 2583 (2008).

4. Tamara R. Piety, *Market Failure in the Marketplace of Ideas: Commercial Speech and the Problem That Won't Go Away*, 41 LOYOLA LAW REV.181 (2007) (invited essay in connection with "Commercial Speech – Past, Present, and Future: A Tribute to Steve Shiffrin").

5. Ronald Collins, Mark Lopez, Tamara Piety, David Vladeck, *Corporations and Commercial Speech* (Published transcript of panel discussion held at the Seattle University Law School, October, 2006) 30 SEATTLE U. L. REV. 895 (2007).

6. Tamara R. Piety, *Why the ACLU Was Wrong About Commercial Speech in* Nike v. Kasky, 41 TULSA L. REV 715 (2006) (invited essay for the Fourth Annual Legal Scholarship Symposium honoring Nadine Strossen).

7. Tamara R. Piety, *Free Advertising: The Case for Public Relations as Commercial Speech*, 10 LEWIS & CLARK L. REV. 367 (2006).

.

8. Tamara R. Piety, *Grounding* Nike: *Exposing Nike's Quest for a Constitutional Right to Lie*, 78 TEMPLE L. REV. 151 (2005).

9. Tamara R. Piety, *Something Fishy: Or Why I Make My Students Read* Fast Fish And Loose Fish, 29 VT. L. REV. 33 (2004).

10. Tamara R. Piety, *Frank Michelman: Meditations on the Importance of Mentoring*, (invited presentation for Third Annual Legal Scholarship Symposium at University of Tulsa) 39 TULSA L. REV. 583 (2004).

11. Tamara R. Piety, *Smoking in Bed*, 57 U. MIAMI L. REV. 827 (2003) (invited essay reviewing the work of Pierre Schlag and presented as a part of a symposium on the same topic at the U. of Miami in Spring 2002).

12. Tamara R. Piety, *The War on the Poor-News From the Front:* Depart. of Housing and Urban Development v. Rucker, et. al., 38 TULSA L. REV. 385 (2002).

13. Tamara R. Piety, *Merchants of Discontent: An Exploration of the Psychology of Advertising, Addiction and Its Implications for Commercial Speech*, 25 SEATTLE L. REV. 377 (2001).

14. Tamara R. Piety, *Confession without Avoidance*: A review of Duncan Kennedy's *Critique of Adjudication,* 22 CARDOZO L. REV. 947 (2001) (invited essay as part of a symposium on same topic held at the University of Miami in February of 2000).

15. Tamara R. Piety, Comment, *Scorched Earth: How the Doctrine of Civil Forfeiture Has Laid Waste to Due Process*, 45 U. MIAMI L. REV. 911 (1991).

OTHER WRITTEN WORK

1. Samantha Graff and **Tamara R. Piety**, *The New First Amendment and Its Implications for Combating Obesity Through Regulation of Advertising*, book chapter in Williams, Jerome D., Keryn E. Pasch, and Chiquita Collins, eds., *Advances in Communication Research to Reduce Childhood Obesity,* New York: Springer (forthcoming 2013).

2. Tamara R. Piety, selected entries (*Sandstrom v. Montana*, *Mullaney v. Wilbur*, *Rock v. Arkansas*, *Valentine v. Chrestensen, Posadas de Puerto Rico v. Tourism Co. of Puerto Rico*, Commercial Speech, Burden of Proof) in *The Encyclopedia of Civil Liberties and Civil Rights*, (Paul Finkelman, ed.) Routledge, 2006).

3. Contributor, Amicus brief for Sierra Club in *Nike v. Kasky* – Spring 2003.

4. Tamara R. Piety, selected entries (Burden of Proof, Robbery and Theft) in *The Oxford Companion to American Law*, (Kermit Hall, ed.) (Oxford Univ. Press, 2002).

WORKS IN PROGRESS

1. Tamara R. Piety, *Anti-Paternalists' "Tough Love": Why Commercial Speech Regulation is Not Paternalistic* (in draft) (2011-2012).

2. Tamara R. Piety, "*A Necessary Cost of Freedom": The Incoherence of* Sorrell v. IMS Health (forthcoming in the ALABAMA LAW REVIEW).

PRESENTATIONS

1. Nov. 3, 2011 – Public lecture – "Brandishing the First Amendment: Using the Rhetoric of Civil Rights to Strike at the Regulation of Commerce," **University of Texas-Austin**, **College of Communication**, Department of Advertising, Austin, TX.

2. Nov. 3, 2011 – Faculty symposium – "Corporate v. Commercial Speech" Why *Sorrell v. IMS* May Be More Important Than *Citizens* United," **University of Texas-Austin**, **College of Communication**, Department of Advertising, Austin, TX.

3. Oct. 14, 2011 – Symposium – *Constitutional Constraints on State Health Care & Privacy Regulation After* Sorrell v. IMS Health, panelist for "Sorrell v. IMS Health: *First Amendment Implications* " with Cheryl Hanna (Vermont), Calvin Massey (Hastings), Ash Bhagwat (Hastings) and Pamela Vesilind (Vermont), **University of New Hampshire Law School**, NH.

4. Sept. 28, 2011 – Lunch Seminar Series talk and 2 podcasts – *Marketing Regulation and the Commercial Speech Doctrine* **Rudd Center for Food Policy & Obesity**, **Yale University**, New Haven, CT.

5. Aug. 12, 2011 – Authors conference for Springer book in progress on public health response to childhood obesity. Did presentation on the constitutional obstacles to regulating marketing. **Robert Wood Johnson Headquarters**, Princeton, N.J.

6. May 27, 2011 - Campaign Finance Case: *Citizens United* – Point /Counterpoint (with James Bopp, Jr.), **Texas Bar CLE program**, Austin, TX.

7. Jan. 7, 2011–Moderator, *Corporate Political Speech and Dueling Conceptions of the Corporation in Supreme Court Jurisprudence* along with H. Kent Greenfield and with panelists Jesse H. Choper (Berkeley), Daniel J.H. Greenwood (Hofstra), Deborah S. Hellman (Maryland), Michael R. Siebecker (Florida) and David G. Yosifon (Santa Clara), **AALS Annual Meeting**, San Francisco, CA.

8. Sept. 10, 2010 – *Citizens United* – Faculty Showcase Series, **University of Tulsa College of Law**, Tulsa, OK.

9. July 25, 2010 – *Oklahoma Forum*, **OETA** (Oklahoma public television), panel discussion with Andrew Spiropoulos (OCU) on the `09 Supreme Court Term.

10. April 14, 2010 – **Federalist Society Debate** on *Citizens United* with Professor Bradley A. Smith, Capital University Law School and former Chair of the FEC, **University of Tulsa College of Law**, Tulsa, OK.

11. April 12, 2010 – Talk to **Just Progress**, political action group, about *Citizens United* and the implications for the elections. Baxter's Interurban, Tulsa, OK.

12. February 11, 2010 – *Business Associations Teaching Workshop, Integrating the Corporate Purpose Debate,* **Aspen Grove/BYU Law School**, Provo, Utah.

13. February 8, 2010 – Debate with Professor Calvin Massey, *Does Corporate Speech Deserve Constitutional Protection?*, **University of California, Hasting College of Law**, San Francisco, CA.

14. December 15, 2009 –*Sizing Up- Food Marketing and Childhood Obesity* [invited panelist with Martin Redish, Northwestern University School of Law, David Yosifon, Santa Clara University School of Law and Dan Jafee, Executive Vice President, Assoc. of National Advertisers], **Federal Trade Commission**, Washington, D.C.

15. October 16, 2009 – Faculty Colloquy, *Evidence for Forensics Students: Intersecting Research*, **University of Tulsa College of Law**, Tulsa, OK.

16. February 6, 2009 – Faculty Colloquy, *Father Knows Best: Commercial Speech and the Paternalism of "Tough Love"*, **University of Tulsa College of Law**, Tulsa, OK.

17. June 6, 2008 – *Evidence* :*The Future of Evidence: How Science and Technology Are Changing Evidence Law*, Moderator , Social Science Research: Should Evidence Law Respond?, Phoebe Ellsworth (University of Michigan), Richard A. Leo (University of San Francisco), Christopher Mueller (University of Colorado), and Eileen Scallen (William Mitchell), **AALS Mid-Year Meeting**, Cleveland, OH.

18. April 18, 2008 – Faculty Colloquy, *Onslaught*, **University of Oregon**, Eugene, OR.

19. Jan. 25, 2008 – Faculty Colloquy, *Onslaught*, **University of Tulsa College of Law**, Tulsa, OK.

20. June 19, 2007 – Faculty Colloquy, *Against Freedom of Commercial Expression*, **Florida State University**, Tallahassee, FL**.**

21. June 1, 2007 – Panelist, conversation with Associate Justice (Retired) Sandra Day O'Connor – *"A Life in the Law"*, **University of Tulsa College of Law**, Tulsa, OK.

22. February 28, 2007 – Faculty Colloquy, *Nike and Commercial Speech*, **University of Seattle Law School**, Seattle, WA.

23. February 23, 2007 – Moderator, closing panel, with C. Edwin Baker, University of Pennsylvania and Eugene Volokh, UCLA, symposium *Commercial Speech – Past, Present, and Future: A Tribute to Steve Shiffrin*, **Loyola Los Angeles Law School**, Los Angeles, CA.

24. February 16, 2007 – Panelist, *Theory & Criticism*, *Commercial Speech in an Age of Emerging Technology and Corporate Scandal*, **University of South Carolina Law School**, Columbia, South Carolina.

25. February 2, 2007– *Commercial Speech and Gender Equality* on panel entitled, *Why Gender Still Matters: Legal, Psychological and Communication Research on Gender and the Workplace* , sponsored by the University of Tulsa Women's Studies Board Speaker Program: *Women and Business*, **University of Tulsa**, Tulsa, OK.

26. October 20, 2006 – Panelist, *Corporations and Commercial Speech After* Nike v. Kasky, **Seattle University School of Law, Center on Corporations, Law and Society**, Seattle, WA.

27. June 15, 2006 – Moderator, *Learning from Psychology*, **Workshop on Criminal Justice, Association of American Law Schools Midyear Meeting** ,Vancouver, B.C., Canada.

28. March 30, 2006 – Panelist on Nike v. Kasky panel discussion, **University of Miami School of Communications**, Coral Gables, FL.

29. March 18, 2006 **– Law, Culture & Humanities,** commentator panel on *Death of Discourse after 9-11* University of Syracuse, Syracuse, New York.

30. March 17, 2006 – **Law Culture & Humanities**, *Consumer Culture & Equality*, University of Syracuse, Syracuse, New York.

31. March 8, 2006 – Luncheon Speaker - *The Significance of the* Nike v. Kaksy *case for Communications Professionals*, **The Association for Women in Communications** (Tulsa Chapter), Tulsa, OK.

32. September 19, 2005 – Legal Scholarship Symposium – Nadine Strossen — *Why the ACLU Was Wrong About Commercial Speech in* Nike v. Kasky, **University of Tulsa College of Law**, Tulsa, OK.

33. June 24, 2005 – Presentation of *Against Freedom of Commercial Expression*, **Association of Legal & Social Philosophy**, Glasgow, Scotland, U.K.

34. March 11, 2005 – Presentation of work in progress on PR as commercial speech, **Law, Culture & Humanities**, Austin, TX.

35. February 7, 2005 – Faculty Colloquy, *Grounding Nike* presentation, **Wayne State University Law School**, Detroit, MI.

36. April 16, 2004 – Faculty Colloquy – *Nike v. Kasky and the Supreme Court's Big 'Never Mind' – Should We Care?*, **University of Tulsa College of Law**, Tulsa, OK.

37. January, 6, 2004 – Panelist for Communications Section discussion of Nike v. Kasky case, **Association of American Law Schools Annual Meeting**, Washington, D.C.

38. December 10, 2003 – Presentation at one day Symposium on Evidence (invited to discuss seminar entitled *Science of Proof,* an interdisciplinary look at evidence and problems of proof), **University of Edinburgh**, Edinburgh, Scotland (U.K.).

39. October 23, 2003 – Presentation on Nike v. Kasky, **University of Edinburgh**, Edinburgh, Scotland (U.K.).

40. October 9, 2003 – Panelist - *Symposium on Scholarship of Frank Michelman*, **University of Tulsa College of Law**, Tulsa, OK.

41. June 6, 2003 – Discussant w/ J. Hook [Harvard], Dan Simon [UCLA] & Ed Rubin [U. of Pennsylvania]) on *Intuition, Accountability & Coherence*, **Law & Society**, Pittsburgh, PA.

42. March 2003 – Presenter, civil forfeiture and wartime violations of civil liberties**,** Symposium - *The Legal Implications of the War in Iraq: An Informal Symposium*, **University of Tulsa College of Law**, Tulsa, OK.

43. March 7, 2003 – Presentation of *Something Fishy* (discussion of use of Melville in teaching Civil Procedure), ***Law, Culture & Humanities Conference***, New York City, N.Y.

44. December 2002 – Supreme Court Review (CLE), *War on the Poor*- Rucker presentation, **University of Tulsa College of Law**, Tulsa, O.K.

45. November 2002 – Faculty colloquy, *War on the Poor* – Rucker, **Widener University College of Law**, Wilmington, DE.

46. March 2002 – Presented *Smoking in Bed*, Symposium on work of Pierre Schlag, **University of Miami Law School**, Coral Gables, FL.

47. December 2001 – Faculty colloquy, *Merchants of Discontent*, **Loyola Law School**, New Orleans, LA.

48. November 2001 – *Forfeiture of Terrorists' Assets*, "Law and Society after September 11, 2001" (analyzing the forfeiture provisions of the P.A.T.R.I.O.T. Act), **University of Tulsa College of Law**, Tulsa, O.K.

49. October 2001 – Faculty Colloquy – *Merchants of Discontent*, **University of Tulsa College of Law**, Tulsa, OK.

50. June 2001 – Faculty Colloquy – *Merchants of Discontent*, **University of Missouri-Columbia Law School**, Columbia, MO.

51. .March 2000 – Presenter - *Confession Without Avoidance* for Symposium on work of Duncan Kennedy, **University of Miami School of Law**, Coral Gables, FL.

CORE TEACHING AREAS:

Evidence, Scientific Evidence, Civil Procedure, Basic Corporate Law and Commercial Speech.

Other areas of interest: Consumer Protection, Civil Forfeiture, White Collar Criminal Law and Criminal Procedure, and Jurisprudence.

TEACHING EXPERIENCE

University of Tulsa College of Law
Associate Dean for Faculty Development ***08/09-present***
Professor of Law ***11/10-present***
Associate Professor ***11/04 - 2010***
Assistant Professor ***8/02 – 11/04***
Evidence, Civil Procedure and Basic Corporate Law.
Seminars on commercial speech, scientific evidence, evidence and epistemology and civil forfeiture.

Florida State University College of Law
Visiting Professor
Evidence and seminar on commercial speech ***Spring 2007***

Oklahoma State University
College of Osteopathic Medicine – Forensic Science Program ***1/03-present***
Adjunct Faculty
I teach a course entitled "Scientific Evidence" to students in the Masters in Forensic Sciences program, as well as participate in a summer practicum course entitled "Criminalistics" which brings together forensic science students with law students in a mock crime investigation culminating in a moot court experience. Developed all the materials for the *Scientific Evidence* course which is designed to teach forensic professionals basic legal and evidentiary concepts as they relate to students' jobs and the integrity of evidence presented in court.

University of Tulsa College of Law ***8/01– 8/02***
Visiting Assistant Professor
Taught Evidence and Civil Procedure in the Fall Semester and Evidence and a Seminar on Civil Forfeiture in the Spring Semester. /Civ. Pro. I in the summer session.

University of Missouri-Columbia ***5/01- 7/01***
Visiting Assistant Professor
Evidence in the summer session.

Stanford Law School ***8/00– 5/01***
Teaching Fellow

University of Miami School of Law ***8/97-6/99***
Instructor/ Special Assistant to Associate Dean of Student Academic Affairs
Taught a class entitled *Selected Topics in Florida Law*, designed to assist students in improving test-taking skills. Handled various special research projects to analyze impact of downsizing on academic programs and assisted in designing additional classes to improve academic performance. **Subjects taught:** Florida constitutional privacy; the Florida grandparents' visitation statute and the "castle doctrine" in Florida's substantive criminal law.

CLERKSHIPS

United States Court of Appeals for the Eleventh Circuit ***8/92-8/93***
Judicial Clerk for the Honorable Peter T. Fay

United States Court of Appeals for the Fifth Circuit ***5/90-8/90***
Judicial Clerk for the Honorable Irving L. Goldberg

OTHER WORK EXPERIENCE

Eckert Seamans Cherin & Mellot, P.A. ***4/96-2/97***
Ft. Lauderdale and Boca Raton, FL.
Associate

Handled or assisted in all stages of civil litigation, from pleadings to discovery and trial, to appeals, in several substantive areas including: insurance defense, employment discrimination and probate litigation. Lead trial counsel for the defense in a construction defects dispute in state court. Invited by the *National Association of Criminal Defense Lawyers*, in 1996 to contribute to an *amicus* brief to the Supreme Court of the United States in two civil forfeiture cases.

Richey & Diaz, P.A. ***9/93-3/96***
Miami, FL.
Associate

Handled or assisted in all stages of civil and criminal cases handled by the firm, from pleadings and discovery, to motion practice and trial, to post trial and appellate work, in state and federal courts. Experience included: acting as second chair in a federal criminal case, the conduct of numerous depositions and hearings, and the writing of three appellate briefs to the 11th Circuit Court of Appeals, one petition for certiorari to the Supreme Court of the United States, substantial participation in a six week civil fraud federal jury trial.; also won a significant victory in the Middle District of Florida in securing the return of $ 1.5 million dollars to a client in connection with a civil forfeiture seizure.

PROFESSIONAL & ORGANIZATION MEMBERSHIPS

Florida Bar

American Bar Association & Litigation Section of ABA
NPlan – National Policy & Legal Analysis Network to Prevent Childhood Obesity
Society of American Law Professors (SALT)
Law & Society Association
National Association of Criminal Defense Lawyers (NCDL)
American Association of University Professors
Association of American Law Schools – Professional Development Committee – 2004-06
Association of American Law Schools – Planning Committee - Workshop on Criminal Justice – 2005-06
Association of American Law Schools – Planning Committee – Mid-Year Meeting – Evidence – 2007-08