

DAVID H. WEBBER
Associate Professor of Law
Boston University Law School
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ACADEMIC APPOINTMENTS

BOSTON UNIVERSITY SCHOOL OF LAW

Associate Professor of Law, July 2010-present.

Courses: Securities Regulation, Civil Procedure, Shareholder Activism Seminar

NEW YORK UNIVERSITY SCHOOL OF LAW,

Leonard Wagner Fellow in Law & Business, August 2008-May 2010.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW

J.D., May 2002

Honors: *New York University Law Review*
Lederman/Milbank Fellow in Law and Business

COLUMBIA UNIVERSITY

B.A. in History, *magna cum laude*, May 1995

Honors: *Phi Beta Kappa*

ACADEMIC PUBLICATIONS/WORKS IN PROGRESS

Private Policing of Mergers and Acquisitions: An Empirical Assessment of Institutional Lead Plaintiffs in Transactional Litigation (work in progress).

- Berle IV: The Future of Securities/Financial Markets, University College London, June 15, 2012.
- Corporate Law and Policy Seminar, New York University Law School, March 7, 2012.
- Sixth Annual Conference on Empirical Legal Studies at Northwestern University Law School, poster session, Nov. 4-5, 2011.

The Plight of the Individual Investor in Securities Class Actions, 106 Northwestern University Law Review 157 (2012), <http://papers.ssrn.com/abstract=1601982>.

Is "Pay-to-Play" Driving Public Pension Fund Activism in Securities Class Actions? An Empirical Study, 90 B.U. L. Rev. 2031 (2010), <http://papers.ssrn.com/abstract=1432497>.

- Selected as one of the top ten securities law papers of the year for republication in 2011 SECURITIES LAW REVIEW § 5:1.
- Reprinted in CORPORATE PRACTICE COMMENTATOR 2011, Vol. 53 page 219 (2011) (issue number 1).

- Presented at the American Law and Economics Association, 20th Annual Meeting, Princeton University, May 8, 2010.
- Judicial Citations: *In re Countrywide Securities Litigation*, 273 F.R.D. 586, 604 (C.D. Cal. 2009) and in *In re Del Monte Foods Company Shareholders Litigation*, C.A. No. 6027-VCL, 2010 WL 5550677 (Del. Ch. Dec. 31, 2010).

PRESENTATIONS

Institutional Investors in Deal Litigation, Berle IV: The Future of Securities/Financial Markets, University College London, June 15, 2012.

Is It Time For A New Understanding Of What Fiduciary Duty Requires?, Tenth Annual Pensions and Capital Stewardship Conference, Harvard Law School, March 30, 2012.

Private Policing of Mergers and Acquisitions: An Empirical Assessment of Institutional Lead Plaintiffs in Transactional Litigation in Delaware, Corporate Law and Policy Seminar, New York University Law School, March 7, 2012.

Private Policing of Mergers and Acquisitions: An Empirical Assessment of Institutional Lead Plaintiffs in Transactional Litigation in Delaware, Sixth Annual Conference on Empirical Legal Studies at Northwestern University Law School, poster session, Nov. 4-5, 2011.

Cheap Talk and Credibility: The Consequences of Confidence and Accuracy on Advisor Credibility and Persuasiveness, Discussant, Sixth Annual Conference on Empirical Legal Studies at Northwestern University Law School, Nov. 4-5, 2011.

Who Should Control Public Pension Fund Boards? The Optimal Composition for Boards of Trustees, Presentation to the Board of Trustees of the California State Teachers' Retirement System, Sacramento, California, Nov. 3, 2011.

Private Policing of Mergers and Acquisitions: An Empirical Assessment of Institutional Lead Plaintiffs in Transactional Litigation in Delaware, Boston University Law School Faculty Workshop, Oct. 20, 2011.

An Introduction to Civil Procedure, U.S.-China Legal Exchange Foundation, Boston University Law School, July 27, 2011.

Proxy Access, Boston University Executive L.L.M. Program, July 25, 2011.

The Fiduciary Duties of Public Pension Trustees, Trustee Leadership Forum, Initiative for Responsible Investment, Harvard Kennedy School of Government, May 17, 2011.

The Role of the Shareholder in Corporate Governance, American Bar Association Business Law Section, Spring Meeting, Boston, MA, April 15, 2011.

Broker-Dealer Fiduciary Duty: How Will Dodd-Frank Change The Way We Do Business? Harvard Business Law Review First Annual Symposium, Harvard Law School, April 2, 2011.

Combating Fraud at Home and Abroad: The SEC's New Powers, Moderator, Harvard Business Law Review First Annual Symposium, Harvard Law School, April 2, 2011.

The Plight of the Individual Investor in Securities Class Actions, Boston University Law School Faculty Workshop, March 3, 2011.

Financial Regulation as Crisis Legislation, Conference on the State of Financial Reform, Boston University Institute of Finance, Law & Policy, February 27, 2011.

The Price of Pay to Play in Securities Class Actions, Discussant, Conference on Empirical Legal Studies, Yale Law School, November 5, 2010.

Ignorance or Fraud? Origins of the Financial Crisis. Boston University Institute for Finance, Law & Policy, Workshop Series on Financial Reform, October 12, 2010.

Governance Monitoring Incentives of Defined Benefit and Defined Contribution Plans. Professional Liability Underwriting Society, New England Chapter, John Joseph Moakley United States Courthouse, Boston, Massachusetts, October 7, 2010.

Is "Pay-to-Play" Driving Public Pension Fund Activism in Securities Class Actions? An Empirical Study. American Law and Economics Association, 20th Annual Meeting, Princeton University, May 8, 2010.

Is "Pay-to-Play" Driving Public Pension Fund Activism in Securities Class Actions? An Empirical Study. Corporate Law Policy Analysis Seminar, New York University School of Law, February 10, 2010 and April 2009.

TESTIMONY

Witness, The Committee on Pension Reform of the New Hampshire House of Representatives, in opposition to proposed bill to reform the board composition of the New Hampshire Retirement System, February 11, 2011 (oral and written testimony).

REFEREE

Journal of Empirical Legal Studies.

MEDIA

Televised interview for PBS's NIGHTLY BUSINESS REPORT regarding corporate governance issues at News Corporation, Chesapeake Energy, and Avon:

<http://www.nbr.com/videos/video?id=1616320402001>.

Rajaratnam Conviction First Step in Larger War, AFP,

<http://www.google.com/hostednews/afp/article/ALeqM5i3GpIgQXevYPip1ZhCUviteJGYhQ?docId=CNG.f026fc52e57951e34269ca484daf9e12.01>, May 14, 2011.

Public Shareholders Should Wield Their Power, Reuters: The Great Debate,

<http://blogs.reuters.com/great-debate/2011/03/31/public-shareholders-should-wield-their-power/>,

March 31, 2011.

On-air interview for NPR'S MARKETPLACE, "*The SEC trying to clamp down on pay-to-play schemes*", <http://marketplace.publicradio.org/display/web/2010/10/14/pm-the-sec-trying-to-clamp-down-on-pay-to-play-schemes/>, October 19, 2010.

Effect of 'Pay-to-Play' Activism on Lawsuits, DIRECTORSHIP: BOARDROOM INTELLIGENCE, <http://www.directorship.com/pay-to-play-pension-activism/>, March 24, 2010.

Strange Timing: Paulson Proposes the End of the SEC, ADVOCATE FOR INSTITUTIONAL INVESTORS, First Quarter, 2008.

ACADEMIC SERVICE

Steering Committee Member, Boston University Institute for Finance, Law & Policy, 2010-Present.
Academic Standards Committee, 2011-Present.
Transactional Law Committee, 2011-Present.
J.D. Career Planning, Placement, and Clerkships Committee, 2010-2011.

PROFESSIONAL EXPERIENCE

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP, New York, New York
Associate, 2007-2008.

PATTERSON BELKNAP WEBB AND TYLER LLP, New York, New York
Associate, 2004-2007.

HON. HAROLD A. ACKERMAN, UNITED STATES DISTRICT JUDGE, Newark, New Jersey
Law Clerk, 2002-2004.

PAUL WEISS RIFKIND WHARTON & GARRISON LLP, New York, New York
Summer Associate, May-Aug. 2001, May, Aug. 2002. (Offers extended).

OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF NEW YORK, New York, New York
Intern, Investor Protection and Securities Bureau, January-May 2000.

LUNTZ RESEARCH AND STRATEGIC SERVICES, Washington, D.C.
Project Director, 1997-1999.

BAR AND PROFESSIONAL ASSOCIATION MEMBERSHIPS

BAR ADMISSIONS

New York, New Jersey, Third Circuit Court of Appeals, Second Circuit Court of Appeals, Southern District of New York, Eastern District of New York, District of New Jersey.

PROFESSIONAL ASSOCIATION MEMBERSHIPS
American Law and Economics Association
Society for Empirical Legal Studies