

**GABRIEL RAUTERBERG**  
Assistant Professor of Law  
University of Michigan Law School  
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ACADEMIC POSITIONS

**University of Michigan Law School**, July 2016 – present  
*Assistant Professor*, Courses: Corporations, Contracts, Capital Markets Regulation  
Nominated for Golden Apple teaching award (university-wide award given by students)

Columbia Law School & Columbia Business School, July 2014 – June 2016  
*Research Scholar, Program in the Law & Economics of Capital Markets*

EDUCATION

**Yale Law School**, J.D., 2009  
*Yale Law Journal* - Book Reviews & Features Editor  
Moot Court - Finalist and Board Co-Chair

**University of Toronto**, Honours Bachelor of Science with High Distinction, 2006  
Chancellor's Scholarship; Provost's Scholar Award; Erik Jackman Scholarship

PUBLICATIONS

1. *The Essential Roles of Agency Law*, \_\_\_ MICHIGAN LAW REVIEW \_\_\_ (2020).
2. *Informed Trading and Its Regulation*, 43 JOURNAL OF CORPORATION LAW 818 (2018) (with Merritt Fox and Lawrence Glisten).  

Selected as one of the Top 10 Securities Law Articles of 2018 by the *Securities Law Review*
3. [\*The Regulation of Trading Markets: A Survey and Evaluation\*](#), in SECURITIES MARKET ISSUES FOR THE 21ST CENTURY (with Paul Mahoney) (2018).  

Excerpted in Michael Barr, Howell Jackson & Margaret Tahyar, *Financial Regulation: Law and Policy* (2d ed.)
4. [\*Contracting Out of the Fiduciary Duty of Loyalty: An Empirical Analysis of Corporate Opportunity Waivers\*](#), 117 COLUMBIA LAW REVIEW 1075 (2017) (with Eric Talley).  

Selected as one of the Top 10 Best Corporate and Securities Articles of 2017 by the *Corporate Practice Commentator*
5. *Stock Market Manipulation and Its Regulation*, 35 YALE JOURNAL ON REGULATION 67 (2018) (with Merritt Fox and Lawrence Glisten).

Reprinted in revised form in Walter Mattli, *Global Algorithmic Capital Markets*

6. *Stock Market Futurism*, 42 JOURNAL OF CORPORATION LAW 793 (2017) (Symposium) (with Merritt Fox).

Cited extensively in “Unfair Exchange: The State of America’s Stock Markets,” remarks by SEC Commissioner Robert Jackson, Jr. at George Mason University (Sept. 19, 2018)

7. [\*The Corporation’s Place in Society\*](#), 114 MICHIGAN LAW REVIEW 913 (2016) (review).
8. [\*The New Stock Market: Sense and Nonsense\*](#), 65 DUKE LAW JOURNAL 191 (2015) (with Merritt Fox and Lawrence Glisten).

Selected as one of the Top 10 Best Corporate and Securities Articles of 2016 by the *Corporate Practice Commentator*

Featured in *The New York Times*, *Washington Post*, and *Bloomberg*

Downloaded over 3,500 times on SSRN

Reprinted in revised form in the *Journal of Applied Corporate Finance*

9. [\*Assessing Transnational Private Regulation of the OTC Derivatives Market: ISDA, the BBA, and the Future of Financial Reform\*](#), 54 VIRGINIA JOURNAL OF INTERNATIONAL LAW 9 (2014) (with Andrew Verstein).
10. [\*Index Theory: The Law, Promise, and Failure of Financial Indices\*](#), 30 YALE JOURNAL ON REGULATION 1 (2013) (with Andrew Verstein).

Featured in *Dealbreaker*, *Forbes*, *Financial Post*, and *Bloomberg*

11. [\*Revolution in Manipulation Law: The New CFTC Rules and the Urgent Need for Economic and Empirical Analyses\*](#), 15 UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW 357 (2013) (with Rosa Abrantes-Metz and Andrew Verstein).

#### WORKING PAPERS

1. *Governance by Contract: Shareholders Agreements in Newly Public Companies*.
2. *An Agent-Based Model of Financial Benchmark Manipulation* (with Megan Shearer and Michael Wellman).
3. [\*Fair Settlements in Multidefendant Torts\*](#) (with Sarath Sanga).
4. *Contracting within the Firm*.

#### BOOKS

1. THE NEW STOCK MARKET: LAW, ECONOMICS, AND POLICY (Columbia University Press 2019) (with Merritt Fox and Lawrence Glisten).

2. CONTRACTS: LAW, THEORY & PRACTICE (West Academic 2018) (with Daniel Markovits).

INVITED PRESENTATIONS

University of Oxford/Faculty of Law, Business Law Workshop Series, October 30, 2019.

Rethinking the Shareholder Franchise, University of Wisconsin, September 12-13.

University of Houston Law Center, March 22, 2019.

USC Gould School of Law, Faculty Workshop, March 21, 2019.

BYU Deals, March 7-8, 2019.

NYU Law & Economics Workshop, February 6, 2019.

Iowa Law School, December 5-6, 2018.

Seoul Corporate Governance Forum, Global and Regional Trends in Corporate Governance, Seoul, South Korea, September 20, 2018

2018 Junior Corporate Law Academic Workshop, NYU Law School, June 22-23, 2018.

2018 Annual Meeting of the American Law and Economics Association, May 11-12, 2018.

Colloquium on Business Ethics, Villanova Law School, April 26-27, 2017.

Notre Dame Law School, Corporate Governance Seminar, March 23, 2017.

BYU Law Winter Deals Conference, March 1-2, 2018.

Indira Gandhi Institute for Development Research, Finance Research Group, 8<sup>th</sup> Emerging Markets Finance Conference, December 18, 2017.

William & Mary Law School Workshop Series, November 9, 2017.

Fifth Annual Corporate and Securities Litigation workshop at UCLA School of Law, Friday, October 20-21.

Inaugural Queen's University Law School Class of 1980 Business Law Lecture, Monday, October 2, 2017.

Loyola Law School Faculty Workshops, Thursday, September 28, 2017.

2017 Junior Corporate Law Academic Workshop, NYU Law School, June 22-23, 2017.

*Journal of Corporation Law's* 2017 Symposium, "What Happens in the Dark: An Exploration of Dark Pools and High Frequency Trading." March 30, 2017.

*The Regulation of Trading Markets: A Survey and Evaluation*, New Special Study of the Securities Markets Initiating Conference, Columbia Law School, March 24, 2017 (with Paul Mahoney).

UCLA Advanced Corporate and Securities Law Seminar, Feb. 12, 2017.

2016 University of Pennsylvania Law School, Institute for Law & Economics Corporate Fall Roundtable, “Contracting Out of the Fiduciary Duty of Loyalty” (with Eric Talley).

2016 Annual Meeting of the American Law and Economics Association, Columbia Law School, “Fair Settlements in Multidefendant Torts” (with Sarath Sanga) and “Informed Trading and Its Regulation” (with Merritt Fox and Lawrence Glosten).

2015 Annual Conference of the International Society for New Institutional Economics, Harvard Law School, “Agency Law as Asset Partitioning.”

2015 Annual Meeting of the American Law and Economics Association, Columbia Law School, “The New Stock Market: Sense and Nonsense” (with Merritt Fox).

2015 Annual Workshop for Corporate & Securities Litigation, Boston University School of Law, “Insider Trading 2.0.”

2014 Annual Meeting of the Midwest Law and Economics Association Conference, Indiana University Law School, “Agency Law as Asset Partitioning.”

2013 Inside Exchange Traded-Funds Europe, Amsterdam, “The Index Effect: How Indexing Affects Markets and Economy.”

#### OTHER PROFESSIONAL POSITIONS

Cooley LLP, New York, 2011-2014  
*Associate, Litigation*

Skadden, Arps, Slate, Meagher & Flom LLP, New York, 2009-2010  
*Associate, Litigation*

#### SERVICE

Member, Personnel Committee, 2017-18.

Member, Student Selection, Recruitment, and Recognition Committee, 2016-17.

Outside Member, Dissertation Committee (Paula Suh, Ph.D. candidate in finance).

Referee: *Journal of Legal Analysis, Regulation & Governance, American Law and Economics Review*

#### BAR ADMISSIONS

State of New York.