

CURRICULUM VITAE

CHARLES W. MOONEY, JR.

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Education:

Legal: Harvard Law School, Cambridge, Massachusetts;
J.D. (cum laude) 1972.

College: University of Oklahoma, Norman, Oklahoma; B.A. (High Honors)
1969; Phi Beta Kappa; Pi Sigma Alpha.

Professional Experience:

Shearman & Sterling
New York, New York
Partner, 1981 - 1986

Crowe & Dunlevy
Oklahoma City, Oklahoma
1972-1981
(Partner/Director, 1977-1981)

Member of New York, Oklahoma, and Pennsylvania Bars.

Practice involved private financing (domestic and cross-border), banking, loan workouts, and commercial law; substantial experience in litigation (trial and appellate levels), bankruptcy, and consumer law.

Morgan, Lewis & Bockius L.L.P.
Consultant, 1994-2003

Legal Education Experience:

University of Pennsylvania Law School:

Charles A. Heimbold, Jr. Professor of Law Emeritus, July 1, 2021 - Present

Charles A. Heimbold, Jr. Professor of Law, January 1, 2004 – June 30, 2021

Professor of Law, July 1, 1990 - December 31, 2003

Associate Professor of Law, July 1, 1986 - June 30, 1990

Interim Dean, August 15, 1999 - March 23, 2000

Associate Dean for Academic Affairs, July 1, 1998 - June 30, 2000; July 1, 2008 – June 30, 2009

Law School institutional responsibilities: Interim Dean; Associate Dean for Academic Affairs; Chair of Admissions Committee, Educational Program Committee, Graduate Studies Committee, International Programs Committee, and Freedom of Career Choice Committee; service on various other committees; Law School Representative to Provost's Council on International Programs.

University responsibilities: Faculty Senate Executive Committee (Law School elected representative); Faculty Senate, Chair-Elect (2003-04), Chair (2004-05), Past Chair (2005-06); Member, Presidential Search Consultative Committee; Director, American Association of University Professors, University of Pennsylvania Chapter; Member, Faculty Senate Committee on Committees, Committee on Administration, and Nominating Committee; Member, Council of Deans; Member, President's Advisory Council; Member, Consultative Committee on the Reappointment of Dean Michael A. Fitts; Member, University Council Steering Committee and University Council; Chair of ad hoc Council Steering Subcommittee to study and propose changes in Council committee structure; Member, Capital Council; Member, Academic Planning and Budget Committee; Faculty Liaison, Trustee Committee on Budget and Finance; Member, Faculty Senate Nominating Committee; Chair and Member, University Council Honorary Degrees Committee; Member, Provost Search Consultative Committee.

Hokkaido University

Sapporo, Japan

Visiting Scholar, Summer 2019

Gakushuin University

Tokyo, Japan

Visiting Professor of Law, Summer 2014

Visiting Researcher, Summers 2017, 2018

University of Tokyo

Tokyo, Japan

Visiting Professor of Law

Summers 2009, 2010, 2013, 2015, 2018

Waseda University
Tokyo, Japan
Visiting Professor of Law, Summer 2009
Visiting Scholar, 2010, Summer 2016

University of Oxford, Academic Visitor, Faculty of Law
Visiting Fellow, Harris Manchester College
Fall 2014, Spring 2018

University of Oklahoma College of Law
Scholar-in-residence
Fall 2014

Universitat Pompeu Fabra
Barcelona, Spain
Visiting Professor of Law
Fall 2009

University of Virginia School of Law
Visiting Professor of Law
Fall 2000

Georgetown University Law Center
Visiting Professor of Law
Fall 1993

Oklahoma City University
Adjunct Professor
1976 - 1979

Teaching fields: Commercial law, debtor and creditor law, bankruptcy and corporate reorganization law, real property law, private international law, international business transactions, international bankruptcy.

Chair and Lecturer/Panelist: Various programs dealing with commercial, banking, and bankruptcy law sponsored by:

American Law Institute-American Bar Association Committee on Continuing Professional Education; Practising Law Institute; American Bar Association; International Insolvency Institute; Oklahoma Bankers Association; Oklahoma City University.

Lecturer/Panelist: Various programs dealing with commercial, banking, and bankruptcy law sponsored by:

American College of Bankruptcy; American Law Institute-American Bar Association Committee on Continuing Professional Education; Practising Law Institute; American Bar Association; Center for the Economic Analysis of Law; California Bankers Association; California Financial Lawyers' Conference; Chuo University; Hague Conference on Private International Law; Oklahoma Bankers Association; Oklahoma Bar Association; Philadelphia Bar Association; Washington-Oregon Bar Associations; American Bankruptcy Institute; Eastern District of Pennsylvania Bankruptcy Conference; The Uniform Commercial Code Institute; Oklahoma City University; University of Oklahoma; University of Pennsylvania; American Association of Equipment Lessors; The Management Exchange; School of Banking of the South; Citibank, N.A.; Strategic Research Institutes; Swedish Centre for Commercial Law (Stockholm University, Department of Law); Universidad Rey Juan Carlos; Madrid Stock Exchange; International Insolvency Institute.

Academic Lectures, Conferences, and Workshops:

A.A.L.S. Section of Commercial and Related Consumer Law, January 1987, Los Angeles: Panelist on program dealing with past, present, and future of the U.C.C.

Annual Workshop on Commercial and Consumer Law, October 1989, Toronto (sponsored by the Faculty of Law, University of Toronto; the Osgoode Hall Law School of York University; Queen's University, Faculty of Law; the McGill Faculty of Law; and the Canadian Association of Law Teachers): Commentator on paper presented by Jacob Ziegel (University of Toronto), Should Canada Adopt an Article 2A-Type Law on Personal Property Leasing?

Keynote Address at Symposium sponsored by The Cardozo Law Review, *Beyond Negotiability: Security Transfers and Stockbroker Regulation*, April 1990, in which *Beyond Negotiability* (see Publications, below) was presented.

A.A.L.S. Section of Creditors' and Debtors' Rights, January 1993, San Francisco: Panelist on program on the bankruptcy impact of adjustments in commercial law property interests.

Idaho Law Review, *Conference on U.C.C. Article 9*, March 1993, in which The Article 9 Study Committee Report: Strong Signals and Hard Choices (see Publications, below) was presented.

University of Virginia School of Law, John M. Olin Program in Law and Economics, *Conference on Revision of Article 9 of the Uniform Commercial Code*, October 1993, in which A Property-Based Theory of Security Interests: Taking Debtors' Choices Seriously (see Publications, below) was presented.

Washington University in St. Louis, School of Law and John M. Olin School of Business, *Interdisciplinary Conference on Bankruptcy and Insolvency Theory*, February 1994, in which *Hosing Down Senior Claims with a Quicker and Dirtier Chapter 11* (see Publications, below) was presented.

Minnesota Law Review, Conference, *Managing the Paper Trail: Evaluating and Reforming the Article 9 Filing System*, October 1994, in which *Choosing the Law Governing Perfection: The Data and Politics of Article 9 Filing* (see Publications, below) was presented.

Annual Workshop on Commercial and Consumer Law, October 1995, Toronto (sponsored by the Faculty of Law, University of Toronto; the Osgoode Hall Law School of York University; Queen's University, Faculty of Law; the McGill Faculty of Law; and the Canadian Association of Law Teachers), in which *Exporting UCC Article 9 in an International Convention: The Local Law Conundrum* (see Publications, below) was presented.

A.A.L.S. Section of Commercial and Related Consumer Law, January 1996, San Antonio, Panelist (with Dean Robert Scott and Professors Lynn LoPucki, Kathryn Heidt, and Ken Klee): *The Unsecured Creditor and Article 9: Bambi Meets Godzilla (again) and is Better Off (ex ante)*.

German Society of Comparative Law, Annual Conference, Jena, Germany: Reporter on law of secured transactions (United States and Canada), March 1996.

University of Genoa, Italy, *Conference on European Investment Markets*, November 1996, in which *Practicing Safer Lex: The Proper Domain of Property, Secured Transactions, and Insolvency Laws in the Regulation of Securities Intermediaries* (see Publications, below) was presented.

Symposium: *Secured Debt*, Sponsored by Harvard Law School, Cambridge, Massachusetts, John M. Olin Foundation Program on Law and Economics, February 1997, in which *Measuring the Social Costs and Benefits and Identifying the Victims of Subordinating Security Interests in Bankruptcy* (see Publications, below) was presented.

Bankruptcy Roundtable: Institute for Law and Economics, University of Pennsylvania Law School, April 1997, commentator on Picker, *Designing Verifiability: Boyd's Implications for Modern Bankruptcy Law*.

Institute for Law and Economics and Journal on International Economic Law, University of Pennsylvania Law School, Roundtable on Cross-Border Secured Financing, April 1999.

Oxford Law Colloquium: *Cross-Border Security and Insolvency*, sponsored by University of Oxford, April 2000, in which *Extraterritorial Impact of Choice-of-law*

Rules for Non-United States Debtors Under Revised U.C.C. Article 9 (see Publications, below) was presented.

Symposium: *The Uniform Law Process: Lessons for a New Millennium*, Sponsored by the Oklahoma City University School of Law, January 2002, Oklahoma City, Oklahoma, in which The Roles of Individuals in UCC Reform: Is The Uniform Law Process a Potted Plant? The Case of Revised UCC Article 8 (see Publications, below) was presented.

Symposium: *Unifying Commercial Law in the Twentieth Century: Understanding the Impulse and Assessing the Effort*, sponsored by the Louisiana Law Review, March 2002, Baton Rouge, Louisiana in which Modeling the Uniform Law “Process”: A Comment on Scott’s Rise and Fall of Article 2 (see Publications, below) was presented.

Conference: *International Developments in Secured Transactions Law*, sponsored by The Dickinson School of Law, The Pennsylvania State University, Center for International and Comparative Law, invited presentation, May 2002, New York City.

Symposium: *Bankruptcy and the UCC: Points of Intersection and Conflict*, sponsored by the Oklahoma City University School of Law, January 2003, Oklahoma City, Oklahoma, in which A Normative Theory of Bankruptcy: Bankruptcy As (Is) Civil Procedure (see Publications, below) was presented.

Symposium: *Threats to Secured Lending and Asset Securitization*, sponsored by The Cardozo Law Review, April 2003, in which The Unfortunate Life and Merciful Death of the Avoidance Powers Under Section 103 of the Durbin-Delahunt Bill: What Were They Thinking? (see Publications, below) was presented.

Academic Conference: INSOL International, Las Vegas, Nevada, September 2003, in which Insolvency Law as Credit Enhancement: The Insolvency-Related Provisions of the Cape Town Convention and the Aircraft Protocol (see Publications, below) was presented.

Symposium: Invited participant, 25th Anniversary Symposium sponsored by the American Bankruptcy Institute, Washington, DC, October 2003.

Invited speaker on law school teaching, Faculty of Law, Kyoto University, Kyoto, Japan, December 2004.

Invited speaker as the inaugural Scholar in Residence, St. John’s University School of Law graduate bankruptcy program, October 2005.

Advanced Bankruptcy Symposium: Presented selected aspects of A Normative Theory of Bankruptcy: Bankruptcy As (Is) Civil Procedure (see Publications, below), sponsored by the Oklahoma Bar Association, December 2005.

Invited presentation and workshop discussion leader on the UNIDROIT Draft Convention, University of Stockholm Department of Law, Swedish Centre for Commercial Law, Stockholm, Sweden, May 2006.

Invited presentation on the Cape Town Convention and Aircraft Protocol, academic workshop, Waseda University, Tokyo, November 2006.

Symposium: Invited presentation on United States and Japanese law of intermediated securities and UNIDROIT Draft Convention, sponsored by the Universidad Rey Juan Carlos and the Madrid Stock Exchange, Madrid, Spain, February 2007.

Symposium on International Law: Invited presentation on the Cape Town Convention and Aircraft Protocol, Temple University School of Law, sponsored by Temple Law Review, March 2008.

Symposia: Keynote speaker on research on the United States and Japanese law of intermediated securities and UNIDROIT Draft Convention, sponsored by Kyoto University and Bank of Japan, Tokyo and Kyoto, March 2008.

Symposium on International Financial Regulation, sponsored by Waseda University, Tokyo, March 2009, in which Core Issues Under the UNIDROIT (Geneva) Convention on Intermediated Securities: Views From the United States and Japan (see Publications, below) was presented.,

Invited presentation of Core Issues Under the UNIDROIT (Geneva) Convention on Intermediated Securities: Views From the United States and Japan (see Publications, below), Bank of Japan, Tokyo, March 2009.

Symposium on Intermediated Securities, sponsored by Oxford University, Oxford, March 2009, in which Core Issues Under the UNIDROIT (Geneva) Convention on Intermediated Securities: Views From the United States and Japan (see Publications, below) was presented.

International Insolvency Institute Annual Conference, invited presentation on insolvency aspects of Geneva Securities Convention, Rome, June 2010.

Invited presentation on the Cape Town Convention and Aircraft Protocol, academic workshop, Gakushuin University, Tokyo, July 2010.

Symposium sponsored by the University of Tokyo, Tokyo, August 2010, invited presentation on Insolvency Regimes for Large Non-bank Financial Institutions: The New

United States Orderly Liquidation Authority.

Colloquium: *Law of Securities Trading in Emerging Markets: Lessons Learned from the Financial Crisis and Long-Term Trends*, sponsored by UNIDROIT, Rome, September 2010, in which Private Law and the Regulation of Securities Intermediaries: Perspectives Under the Geneva Securities Convention and United States Law (see Publications, below) was presented.

Symposium: *The Geneva Securities Convention, the European Securities Law Directive and their Impact on Securities Laws of Selected European Jurisdictions*, sponsored by the University of Geneva and the University of Luxembourg, Luxembourg City, September 2010, in which The Truth about Shortfall of Intermediated Securities: Perspectives Under the Geneva Securities Convention, United States Law, and the Draft European Securities Directive (see Publications, below) was presented.

Colloquium: *Promoting Investor Confidence and Enhancing Legal Certainty for Securities Trading in Emerging Markets*, sponsored by UNIDROIT and Brazilian Securities Exchange Commission, Rio de Janeiro, March 2012, Presentation on Dodd-Frank Act's Living Will and Orderly Liquidation Authority rules.

Conference: *Is United States Debt Different?*, sponsored by Wharton Financial Institutions Center and University of Pennsylvania Law School, Philadelphia, May 2012, in which United States Sovereign Debt: A Thought Experiment on Default and Restructuring (see Publications, below) was presented.

Teachers of Transnational Commercial Law: Fourth Annual Conference, sponsored by University of Washington School of Law, Seattle, November 2012, in which Introduction to the Cape Town Convention and the Aircraft Protocol (see Publications, below) was presented.

Advanced Bankruptcy Symposium: Presented United States Sovereign Debt: A Thought Experiment on Default and Restructuring chapter (see Publications, below), sponsored by the Oklahoma Bar Association, December 2012.

Symposium: *The Nation State and its Banks*, sponsored by Texas International Law Journal, University of Texas, Austin, February 2013, in which The Bankruptcy Code's Safe Harbors for Settlement Payments and Securities Contracts: When is Safe Too Safe? (see Publications, below) was presented.

Teachers of Transnational Commercial Law: Fifth Annual Conference, sponsored by Kyushu University, Fukuoka, Japan, October 2013, invited presentations on Geneva Securities Convention and Cape Town Convention the Aircraft Protocol.

Colloquium: *Enhancing Financial Integrity: The Geneva Convention and the UNIDROIT Principles on Close-Out Netting Under National Law*, sponsored by UNIDROIT and

Capital Markets Board of Turkey, Istanbul, November 2013, Panel chair and Presentation on Insolvency Law for Intermediated Securities.

New York City Bar Association, Committee on Foreign and Comparative Law, New York, January 2014, invited presentation of The Cape Town Convention's Improbable-but-Possible Progeny Part One: An International Secured Transactions Registry of General Application (see Publications, below) and The Cape Town Convention's Improbable-but-Possible Progeny Part Two: Bilateral Investment Treaty-Like Enforcement Mechanism (see Publications, below) were presented.

Symposium: *Crossing Borders: Rethinking International Development*, sponsored by the J.B. Moore Society of International Law and the Virginia Journal of International Law, Charlottesville, February 2014, in which Cape Town Convention's Improbable but Possible Progeny Part One: An International Secured Transactions Registry of General Application (see Publications, below) and The Cape Town Convention's Improbable-but-Possible Progeny Part Two: Bilateral Investment Treaty-Like Enforcement Mechanism (see Publications, below) were presented.

Symposium: *Choice of Law in Cross-Border Bankruptcy Cases*, sponsored by the Brooklyn Journal of Corporate, Financial and Commercial Law, Brooklyn, March 2014, in which Harmonizing Choice of Law Rules For International Insolvency Cases: Virtual Territoriality, Virtual Universalism, and the Problem of Local Interests (see Publications, below) was presented.

Conference: *Intermediated Securities and Investor Rights*, sponsored by London School of Economics and Political Science, London, March 2014, panel Chair and discussion leader on The Ability of Private Law to Facilitate the Enforcement of Investor Rights.

Symposium: *Chapter 11 Reform*, sponsored by University of Illinois College of Law and American Bankruptcy Institute, Chicago, April 2014, in which The (Il)Legitimacy of Bankruptcies for the Benefit of Secured Creditors (see Publications, below) was presented.

XIXth International Congress of Comparative Law, University of Vienna, July 22, 2014, in which United States of America: Reconsidering the Transaction Document Filing Requirement for National Registry (see Publications, below) was presented.

Cape Town Convention Academic Project – 3rd Conference, September 9-10, 2014, Oxford University, comment on Jeffrey Wool, Compliance with Transnational Commercial Law Treaties—A Framework as Applied to the Cape Town Convention, and at which The Cape Town Convention's Improbable-but-Possible Progeny Part Two: Bilateral Investment Treaty-Like Enforcement Mechanism (see Publications, below) was presented.

Teachers of Transnational Commercial Law: Sixth Annual Conference, sponsored by

ELTE Law (Eotvos Lorand University), Budapest, Hungary, October 2014, in which The Cape Town Convention's Improbable-but-Possible Progeny Part Two: Bilateral Investment Treaty-Like Enforcement Mechanism (see Publications, below) was presented.

Commercial Law Centre, Harris Manchester College, University of Oxford, Inaugural Lecture, Oxford (November 5, 2014), in which The (II) Legitimacy of Bankruptcies for the Benefit of Secured Creditors (see Publications, below) was presented.

33rd Annual Jay L. Westbrook Bankruptcy Conference, University of Texas School of Law, Austin (November 20-21, 2014), in which The (II) Legitimacy of Bankruptcies for the Benefit of Secured Creditors (see Publications, below) was presented.

Conference: *Uniform Law Commission and Law Reform: Past, Present and Future*, University of Texas School of Law, Austin (January 26, 2015), chair of panel, "The Impact of the Uniform Law Commission on Law Reform," and invited speaker on panel, "The ULC Archives at Tarleton Library."

Conference: *The World of Insolvency: Why do Countries Need Effective Systems of Commercial Law and Insolvency?*, American College of Bankruptcy, First Circuit and Boston College Law School, Annual Program (March 20, 2015), invited presentation on "The World of Insolvency: Commercial Law Systems of the World."

Conference (co-organizer): *Sovereign Debt Restructuring*, co-sponsored by Brevan Howard Centre for Financial Analysis (Imperial College London), Initiative on Global Markets (Booth School, University of Chicago), International Insolvency Institute, London (March 27, 2015), in which an overview of A Framework for a Formal Sovereign Debt Restructuring Mechanism: The KISS (Keep it Simple, Stupid) Principle and Other Guiding Principles (see Publications, below) was presented.

International Insolvency Institute, 15th Annual Conference, Naples, Italy, June 15-16, 2015, Panelist on Sovereign Debt Restructuring: Current Developments and Proposals for Reform.

Seminar: Bank of Japan, Institute for Monetary and Economic Studies, Tokyo, July 21, 2015, at which Security Interests in Book-Entry Securities in Japan: Should Japanese Law Embrace Perfection by Control Agreement and Security Interests in Securities Accounts? (see Publications, below) was presented.

Symposium: *Modern Issues in American Law*, University of Tokyo School of Law, Tokyo, August 5, 2015, Lecture: Don't Cry For Argentina: The *Pari Passu* Clause In Sovereign Bonds Under New York Law.

Cape Town Convention Academic Project – 4th Conference, September 8-9, 2015, Oxford University, comment on Henry Deeb Gabriel, The MAC Protocol: We Aren't

There Yet: How Far Do We Have to Go?, and at which The MAC Protocol: Some Comments and a Challenge (see Publications, below) was presented.

Conference on Sovereign Debt Restructuring, Columbia University, sponsored by the Centre for International Governance Innovation and Columbia University Initiative for Policy Dialogue, September 22, 2015, at which A No-Tribunal SDRM and the Means of Binding Creditors to the Terms of a Restructuring Plan (see Publications, below) was presented.

Japanese-American Society for Legal Studies, Annual Conference, Kyoto, Japan, September 27, 2015, Keynote Speech: Orderly Liquidation Authority under Dodd-Frank Act: Single Point of Entry Approach.

Teachers of Transnational Commercial Law: Seventh Annual Conference, sponsored by The University of Western Australia Law School, Perth, Australia, November 2015, Presentation: Harmonization and Modernization of Transnational Commercial Law: An Assessment.

Seminar: Tohoku University Faculty of Law, Sendai, Japan, January 7, 2016, at which Security Interests in Book-Entry Securities in Japan: Should Japanese Law Embrace Perfection by Control Agreement and Security Interests in Securities Accounts? (see Publications, below) was presented.

First Interdisciplinary Sovereign Debt Research and Management Conference, Georgetown University Law Center, Institute of International Economic Law, Washington, D.C., January 2016, at which A No-Tribunal SDRM and the Means of Binding Creditors to the Terms of a Restructuring Plan (see Publications, below) was presented.

Faculty Workshop: Georgetown University Law Center, Washington D.C., February 2, 2016, at which A No-Tribunal SDRM and the Means of Binding Creditors to the Terms of a Restructuring Plan (see Publications, below) was presented.

Lecture: Roma Tre University, Rome, March 10, 2016, Modernizing Secured Transactions Law: The UNCITRAL Draft Model Law.

Special Seminar: University of Tokyo, Tokyo, June 3, 2016, Principal Presentation: Secured Transactions Under Japanese Law, the UCC, and the UNCITRAL Draft Model Law, with commentary by Professor Junichi Matsushita, University of Tokyo.

International Insolvency Institute, 16th Annual Conference, Tokyo, Japan, June 6-7, 2016, Conference Co-Chair and Co-Chair and Panelist on The Sovereign Debt Dilemma.

Bankruptcy Roundtable, Tsinghua University, Beijing, June 20, 2016, Principal Presenter, with discussion by Chinese bankruptcy scholars, practitioners, and judges.

Lecture: Tsinghua University, Beijing, June 21, 2016, Overview of UNCITRAL Draft Model Law on Secured Transactions and Unsettled Issues.

Dinner Speech: Hong Kong University Faculty of Law Judicial Roundtable, Hong Kong, July 18, 2016, Overview of UNCITRAL Project on Enterprise Group Insolvencies.

Hochelaga Lecture: Hong Kong University Faculty of Law, Hong Kong, July 19, 2016, Harmonization and Modernization of Transnational Commercial Law: An Assessment.

Seminar: Japanese Council on International Trade, Chuo University, Tokyo, July 23, 2016, Presentation: Introduction to UNCITRAL Model Law on Secured Transactions and Selected Issues for Discussion.

Workshop: University of Hokkaido Faculty of Law, Presentation on Secured Transactions Under Japanese Law, the UCC, and the UNCITRAL Draft Model Law; Professor Hiroo Sono (University of Hokkaido) moderated.

Cape Town Convention Academic Project – 5th Conference, September 13-14, 2016, Oxford University, invited participation and comments.

(First) Workshop on the Holding of Securities Through an Intermediary, sponsored by University of Oxford, Commercial Law Centre, Harris Manchester College, Oxford, September 15, 2016, invited participant and comments.

Symposium: *21st Century Commercial Law Forum: 16th International Symposium 2016*, Tsinghua University, Beijing, October 29-30, 2016, Presentation: Enterprise Group Insolvency Proceedings: The UNCITRAL Project.

Symposium: *MAC Protocol: Symposium for UNIDROIT Member States and States Parties to the Cape Town Convention*, UNIDROIT, Rome, December 2, 2016, Presentation: The Cape Town Convention And Aircraft Protocol: Economic And Legal Success.

Conference, University of Pennsylvania Law School: *Secured Transactions Coordination Conference: Advancing Global Reforms*, sponsored by International Insolvency Institute, National Law Center for Inter-American Free Trade, and Organization for the Harmonization of Business Law in Africa, Philadelphia, February 9-10, 2017, Conference Co-Chair and Panel Moderator.

Fourth International Colloquium on Secured Transactions, UNCITRAL, Vienna, March 15-17, 2017, Panel Chair, Technical Assistance in Secured Transactions: Coordination and Cooperation with Other Organizations.

(Second) Workshop on the Holding of Securities Through an Intermediary, sponsored by

University of Oxford, Commercial Law Centre, Harris Manchester College, London, March 25, 2017, invited participant and comments.

Colloquium: *Capital Markets and Intermediated Securities: Enhancing and Ensuring Legal Certainty in both Current and Future Holding Systems*, sponsored by UNIDROIT, China Securities Regulatory Commission, and China Securities Depository and Clearing Corporation, Beijing, March 29-30, 2017, at which *Beyond Intermediation: A New (FinTech) Model for Securities Holding Infrastructures* (see Publications, below) was presented.

Lectures: Wuhan University School of Law, Wuhan, China, May 22-25, 2017: *Beyond Intermediation: A New (FinTech) Model for Securities Holding Infrastructures*, *Choice-of-Law Rules for Secured Transactions*, and *Immovable Associated Equipment under the MAC Protocol* were presented (see Publications, below).

(Third) Workshop on the Holding of Securities Through an Intermediary, sponsored by University of Oxford, Commercial Law Centre, Harris Manchester College, Oxford, June 16, 2017, invited participant and presentation on harmonization of choice-of-law rules for secured transactions.

International Insolvency Institute, 17th Annual Conference, London, U.K., June 18-21, 2017, Panelist on Insolvency Conflict of Laws under English Law.

Roundtable: *Can SIFI Governance Reduce Systemic Risk?*, sponsored by Brooklyn Law School and International Insolvency Institute, New York, September 8, 2017, invited discussant.

Cape Town Convention Academic Project – 6th Conference, September 12-13, 2017, Oxford University, at which *Immovable Associated Equipment under the MAC Protocol* (see Publications, below) was presented.

Symposium: *Bankruptcy's New Frontiers*, sponsored by University of Pennsylvania Law Review, October 20-21, 2017, comment on Robert Rasmussen, *Taking Control Rights Seriously*.

Teachers of Transnational Commercial Law: Ninth Annual Conference, sponsored by Radboud University, November 2-3, 2017, Nijmegen, Netherlands, at which *Beyond Intermediation: A New (FinTech) Model for Securities Holding Infrastructures* (see Publications, below) was presented.

Symposium: *Bankruptcy's Universal Pragmatist (Jay Westbrook Festschrift)*, sponsored by Texas Law Review, February 2-3, 2018, Austin, TX, at which *Insolvency Law as Credit Enhancement and Enforcement Mechanism: A Closer Look at Global Modernization of Secured Transactions Laws* (see Publications, below) was presented.

Lecture: Warwick University, Coventry, U.K., February 14, 2018, at which *Beyond Intermediation: A New (FinTech) Model for Securities Holding Infrastructures* (see Publications, below) was presented.

American Society of International Law Annual Meeting, Washington, DC, April 5, 2018, panelist on *The International and Transnational Law of Complex Financial Transactions*.

Seminar: Bank of Japan, Institute for Monetary and Economic Studies, Tokyo, July 2, 2018, at which *Beyond Intermediation: A New (FinTech) Model for Securities Holding Infrastructures* (see Publications, below) was presented.

Conference: *Secured Transactions Law in Asia*, sponsored by National University of Singapore Faculty of Law and Commercial Law Centre, Harris Manchester College, University of Oxford, July 26-27, 2018, Singapore, at which *Lost in Transplantation? UCC Article 9 Principles as Legal Transplants* (see Publications/Research in Progress, below) was presented.

Conference: *Secured Transactions Law Reform: Globally and in Japan*, organized by Gakushuin University Law School, Bank of Japan Institute for Monetary and Economic Studies, Nishimura & Asahi, and University of Pennsylvania Law School, July 30-31, 2018, Tokyo, organizing committee and panelist.

Cape Town Convention Academic Project – 7th Conference, September 12-13, 2018, Oxford University, at which *Choice of Law under the Cape Town Convention and Protocols* (see Publications/Research in Progress, below) was presented.

Conference: *The Role of “Soft Law,”* sponsored by International Insolvency Institute and University of Michigan Law School, September 21-22, 2018, Ann Arbor, at which *Global Standards for Securities Holding Infrastructures: A Soft Law/Fintech Model for Reform* (see Publications, below) was presented.

Conference, Universidad Carlos III de Madrid: *Second Secured Transactions Coordination Conference: Advancing Global Reforms and Building a Uniform System*, sponsored by International Insolvency Institute, National Law Center for Inter-American Free Trade, and Universidad Carlos III de Madrid, Madrid, October 16-17, 2018, Conference Co-Chair and panel moderator.

Conference, Cape Town Convention and its Protocols, sponsored by Université Paris II Pantheon Assas, UNIDROIT, and Université Clermont Auvergne, Paris, February 1, 2019, presentation on the view from the United States.

American Bar Association, Section of Business Law, Joint meeting of Committees on Commercial Finance and Uniform Commercial Code, Vancouver, March 28, 2019, presentation on *Uniform Regulation of Virtual Currency Businesses Act and Uniform Supplemental Commercial Law*.

(Third) Workshop on Best Practices in the Field of Electronic Registry Design and Operation, sponsored by UNIDROIT Foundation and Commercial Law Centre, Harris Manchester College, University of Oxford, Rome, April 8-9, 2019, invited discussant.

(Fifth) Workshop on Economic Analysis of International Commercial Law Reform Project, sponsored by UNIDROIT Foundation and Commercial Law Centre, Harris Manchester College, University of Oxford, Rome, April 10-11, 2019, invited discussant.

Workshop on Distributed Ledger Technology, Smart Contracts, and Artificial Intelligence, sponsored by UNIDROIT and UNCITRAL, Rome, May 6-7, 2019, panel chair and panelist.

Workshop on Digital Assets, sponsored by University of Oxford, Commercial Law Centre, Harris Manchester College, Oxford, June 26, 2019, invited participant and presentation on custody of digital assets.

Seminar, Distributed Ledger Technology and the UCC, sponsored by American College of Commercial Finance Lawyers, Washington, DC, September 15, 2019, Co-Leader.

Conference, *The Law and Regulation of Financial Market Infrastructure: A Trans-Atlantic Perspective on Securities and Derivatives Markets*, Tübingen, January 30-31, 2020, sponsored by the Eberhard Karls University Tübingen in cooperation with George Mason University Antonin Scalia Law School and The European Banking Institute, at which An Essay on Pluralism in Financial Infrastructure Design (see Publications/Research in Progress, below) was (remotely) presented.

Faculty Workshop, Washington University in St. Louis School of Law, February 5, 2020, at which An Essay on Pluralism in Financial Infrastructure Design (see Publications/Research in Progress, below) was presented.

Conference, Universidad de los Andes: *Third Secured Transactions Coordination Conference: Advancing Reforms Globally and in Latin America Through Enhanced Coordination*, sponsored by International Insolvency Institute, Kozolchyk National Law Center, Universidad de los Andes, and Universidad Externado de Colombia, Cartagena, Colombia, February 12-13, 2020, Conference Co-Chair and panel moderator.

Forum: *Toward Coordinated Implementation of International Standards for Secured Transactions*, sponsored by World Bank Group and Kozolchyk National Law Center, April 30, 2020, presentation on international standards.

Corporate Roundtable: Institute for Law and Economics, University of Pennsylvania Law School, May 8, 2020, presentation and panelist on intermediated securities holding infrastructure (largely based on *Beyond Intermediation: A New (FinTech) Model for Securities Holding Infrastructures* (see Publications, below) and An Essay on Pluralism in

Financial Infrastructure Design (see Publications, below)

Workshop on Digital Assets, sponsored by University of Oxford, Commercial Law Centre, Harris Manchester College, Oxford, June 25, 2020, invited participant and comment on segregation of cryptoassets in insolvency proceedings.

Exploratory Workshop, *Digital Assets and Private Law*, Sponsored by UNIDROIT, September 17-18, 2020, panel chair and invited discussant on intermediated digital assets and custody issues.

Colloquium: *Applicable Law in Insolvency Proceedings*, sponsored by UNCITRAL and Hague Conference on Private International Law, December 11, 2020, presentation on law applicable to rights in rem.

Workshop on Digital Assets, sponsored by University of Oxford, Commercial Law Centre, Harris Manchester College, Oxford, June 29, 2021, invited participant and comments on acquisition of title to digital assets and work of Law Commission of England and Wales on digital assets.

Professional Awards and Honors:

Distinguished Service Award, presented by the American College of Commercial Finance Lawyers, for “work in the creation and adoption of Revised Article 9,” April 2002.

Honoree in recognition of contributions to uniform law process at Symposium, Bankruptcy and the UCC: Points of Intersection and Conflict, sponsored by Oklahoma City University School of Law, January 2003.

Professional Activities:

Member, The American Law Institute (elected 1985)

Fellow, American College of Commercial Finance Lawyers (elected 1992)

Fellow, American Bar Foundation (elected 1994)

American College of Bankruptcy:

Fellow (elected 1997)

At-Large Regent (2007-11)

Director (2011-2016)

Member, Third Circuit Steering Committee (2012-2015)

Member, Third Circuit Education Committee (2015 – 2018)

Member, International Nominations Committee (2012-2015)

International Insolvency Institute

Member (elected 2009)

Director (2013 – 19)

Vice-President and Member of Executive Committee (2017 – 19)

Co-Chair, Committee on Sovereign Insolvencies (2015-17)

Program Co-Chair, III 16th Annual Conference, Tokyo, June 2016.

American Bar Association (ABA), Section of Business Law (BLS):

BLS Advisor, with responsibility for Business

Bankruptcy and Commercial Finance Committees) (2018- Present)

Council Member (1987-1991).

Committee on Uniform Commercial Code (1976 - Present):

C

Co-Chair, Task Force on Securities Holding Infrastructure (2020 - Present)

ABA Liaison-Advisor, Permanent Editorial Board for the Uniform Commercial Code (1987-1993).

ABA Advisor, Uniform Personal Property Leasing Act (appointed, 1982; resigned to accommodate appointment of law partner as Reporter).

ABA, Section of Business Law, Advisor to Drafting Committee (National Conference of Commissioners on Uniform State Laws) for Revision of Uniform Commercial Code Article 8 (Investment Securities) (1991-1995); Advisor to Standby Committee (1995-1999).

Member, Permanent Editorial Board Study Committee for the Revision of Uniform Commercial Code Article 2 (Sales) (1988-1991).

Co-Reporter, Permanent Editorial Board Study Committee for the Revision of Uniform Commercial Code Article 9 (Secured Transactions) (1989-1993).

Co-Reporter, National Conference of Commissioners on Uniform State Laws and The American Law Institute, Drafting Committee for the Revision of Uniform Commercial Code Article 9 (Secured Transactions) (1993-1999).

Member, National Conference of Commissioners on Uniform State Laws and The American Law Institute, Joint Review Committee for the Revision of Uniform Commercial Code Article 9 (Secured Transactions) (2008 - 2010).

Member, American Law Institute and Uniform Law Commission, Joint Committee on the UCC and Emerging Technologies (2019 – Present); co-chair, Sub-committee on Other Digital Assets (2019-20); member ad hoc working group (2020-Present).

Member, Securities and Exchange Commission's Federal Advisory Committee on Market Transactions (appointed by S.E.C., 1991-1997).

Member, Department of State's Advisory Committee on Private International Law.

U.S. Delegate (appointed by U.S. Department of State), International Institute for the Unification of Private International Law (UNIDROIT) Meetings of Governmental Experts on Convention on International Financial Leasing (appointed by U.S. Department of State) (Rome, April 1986, April 1987); Delegation Member and principal spokesperson, Diplomatic Conference for UNIDROIT Convention on International Financial Leasing, Ottawa (May 1988).

U.S. Delegate and Position Coordinator (appointed by U.S. Department of State), UNIDROIT Meetings of Study Group on Security Interests in International Mobile Equipment (Rome, March 1993, February 1994, December 1994, October 1995, March 1996, January 1997, November 1997); Meetings of Governmental Experts (Rome, February 1999, March 2000; Montreal, August 1999); Diplomatic Conference for Cape Town Convention on International Interests in Mobile Equipment and the Protocol on Matters Specific to Aircraft Equipment, Cape Town, South Africa, October-November 2001.

U.S. Delegate (appointed by U.S. Department of State), UNIDROIT Convention on Substantive Rules Regarding Intermediated Securities (Geneva Securities Convention): Meetings of Governmental Experts (Rome, May 2005, March 2006, November 2006, May 2007); Diplomatic Conference, Geneva, Switzerland (September 2008, October 2009); preparatory conference presentations: Berne, Switzerland (September 2005), Paris, France (January 2006).

UNCITRAL Working Group VI (Security Interests), member of International Insolvency Institute delegation at meetings of Working Group, 2011 (New York and Vienna), 2012 (New York), 2013 (New York and Vienna), 2014 (New York and Vienna), 2015 (New York and Vienna), 2016 (New York and Vienna), 2017 (New York and Vienna), 2018 (New York and Vienna).

Member, UNIDROIT informal working group for the preparation of a Legislative Guide to the Geneva Securities Convention (Rome, October 2015, May 2016, December 2016).

Member, UNIDROIT Study Group on Cape Town Convention Fourth Protocol on Mining, Agricultural, and Construction Equipment (Rome, December 2014, April 2015, October 2015, March 2016); U.S. Delegate (appointed by U.S. Department of State), UNIDROIT Cape Town Convention Fourth Protocol on Mining, Agricultural, and

Construction Equipment: First and Second Meetings of Governmental Experts (Rome, March 2017; October 2017); Diplomatic Conference, Pretoria, South Africa (November 2019).

Corresponding Collaborator to UNIDROIT (elected 1989).

Member, UNIDROIT Working Group on Principles of Private Law on Digital Assets Law (2020-present); co-chair, Subgroup on Transfer (2020-Present).

Visiting Scholar, Bank of Japan, Tokyo (September-December 1988) (research and writing concerning government securities markets).

Visiting Scholar, Bank of Japan, Tokyo (September-December 2006) (research and writing concerning intermediated securities).

Amicus Curiae Briefs, Supreme Court of the United States:

City of Chicago v. Fulton, No 19-357, , 592 U.S. ____ (2021)
Merit Management Group, LP v. FTI Consulting, Inc., 137 S. Ct. 2092 (2017)
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Travelers Indemnity Co. v. Bailey, 557 U.S. 137 (2009)
Marshall v. Marshall, 547 U.S. 293 (2006)

Member, American Bar Association Section of International Law and Practice.

Member, New York State Bar Association (1982 - 2000).

Association of the Bar of the City of New York:

Member, Aeronautics Committee (1984 - 1986).

Member, Pennsylvania Bar Association (1988 - 2000).

Member, Eastern District Bankruptcy Conference.

Former Member, Editorial Advisory Board, Journal of Bankruptcy Law and Practice.

Member, Advisory Council, Atlantic Legal Foundation (1988-present).

Former Member, Editorial Advisory Board, Letter of Credit Monitor (formerly, Letter of Credit Update).

Associate Bar Examiner, Board of Bar Examiners of the Oklahoma Bar Association (1978 - 1981) (wrote and graded bar examination essay questions covering commercial, consumer and debtor-creditor law).

Member, Oklahoma Bar Association and (until 1982) Oklahoma County Bar Association (various committees and projects).

Volunteer Defense Attorney, Juvenile Court, District Court of Oklahoma County (1975-1978).

Publications:

Chapter 29A, True Lease or Lease “Intended as Security”--Treatment by the Courts, in P. COOGAN, W. HOGAN, D. VAGTS & J. McDONNELL, SECURED TRANSACTIONS (Matthew Bender, Supp. 1991) (originally published in 1975).

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Author of numerous papers, outlines, and other materials prepared in connection with legal education programs and academic lectures, conferences, and workshops.

Publications/Research in Progress:

The New Intermediation: Access, Property, and Custody for Cryptoassets, Securities, and Other Assets.

Choice of Law under the Cape Town Convention and Protocols (tentative title) (with Jonathan Harris, Barrister, Serle Court; Professor of International Commercial Law, King's College, London).

Personal:

Born: Shawnee, Oklahoma, August 13, 1947