

**SIMONA GROSSI**

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**EDUCATION**

**UC Berkeley, School of Law**, Berkeley, CA  
JSD, 2011 – Thesis, “*Standards of decisions.*”

LL.M., 2009 – Concentration in Civil Procedure and Litigation. Thesis, “*A Comparative Analysis Between the Italian Civil Proceedings and the American Civil Proceedings before Federal Courts.*”

Activities:

*Berkeley Journal of International Law* (BJIL), Associate Editor.

Research Assistant to Professor David B. Oppenheimer (research on Civil Procedure and Comparative Equality Law).

Research Assistant to Professor Wayne D. Brazil (research on ADR).

**L.U.I.S.S. University, School of Law**, Rome, Italy, July 2002

Grade: 110/110. Thesis, “*Limits to the Subject Matter Jurisdiction of the International Criminal Court.*”

Merit Scholarship in 1999, 2000, 2001 and 2002.

**Georgetown University, School of Law**, Washington, D.C., 1999

Exchange student (international and comparative law studies).

**EXPERIENCE**

**UCLA School of Law**, Los Angeles, CA—Spring 2024

*Visiting Professor of Law*

Course: Constitutional Law

**UCLA School of Law**, Los Angeles, CA—Spring 2022

*Visiting Professor of Law*

Course: Federal Courts

**Yale Law School**, New Haven, CT—Fall 2016

*Senior Research Scholar in Law*

**USC Gould School of Law**, Los Angeles, CA—Fall 2015

*Visiting Professor of Law*

Course: Civil Procedure

**Temple University Beasley School of Law, Japan Campus**, Tokyo, Japan—Summer 2015

*Visiting Professor of Law*

Course: Constitutional Law.

**Loyola Law School Los Angeles**, Los Angeles, CA—June 2010 - present

*Professor of Law & Theodore A. Bruinsma Fellow*

Courses: Civil Procedure, Federal Courts, Class Actions and Mass Actions, California Civil Procedure, Constitutional Law, Introduction to American Law.

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**Judge Charles R. Breyer, Northern District of California**, San Francisco, CA—Spring 2010

*Judicial Extern*

**UC Berkeley, School of Law**, Berkeley, CA—Fall 2009 & Spring 2010

*Tutor* to LLM students

Courses: American Law and Legal Writing and Research.

**Golden Gate University, School of Law**, San Francisco, CA—Fall 2009 & Spring 2010

*Adjunct Professor of Law*

Course: Comparative Civil Procedure.

**Bonelli Erede Pappalardo Law Firm**, Milan, Italy - July 2005 – July 2008

*Associate, litigator and trial lawyer*

Drafted pleadings, motions and deeds, prepared cases for trial, prepared testimonies, examinations and cross-examinations, attended hearings in judicial proceedings and national and international arbitration, provided advice concerning civil procedure, conflict of laws, private international law, arbitration, torts, product liability, professional responsibility, contracts, bankruptcy, corporations, etc.

**Clifford Chance Law Firm**, Milan, Italy - July 2002 – July 2005

*Associate, litigator and trial lawyer*

Advised clients on national and international bankruptcy, civil procedure, evidence, conflict of laws, private international law, arbitration, torts, product liability, contracts, corporations. Drafted pleadings, motions and deeds, prepared cases for trial, prepared testimonies, attended hearings in judicial proceedings and arbitration.

**Senate and Legal Offices of Senator Paul Strauss**, Washington, D.C.—Summer 2000

*Intern*

Prepared cases for trial, interviewed clients, filed motions, conducted legal research, drafted memos, assisted Senator in legal and political matters in general.

**UNESCO National Commission for Italy**, Rome, Italy - October 2000—January 2001

*Intern*

Responsible for drafting and editing the UNESCO 2000 Report on Human Rights Education in Italy.

**American Council for the United Nations University (AC-UNU) at The Millennium Project**, Washington D.C.—July 2000 -July 2002

*Researcher*

Projects included the International Criminal Court (ICC), Global Challenges for the Millennium, Environmental Security, United Nations, Implementation of Futures Research in Decision-making.

## **PUBLICATIONS**

### **Books**

*The Federal Courts and the People in a Democratic System*, Cambridge University Press, forthcoming.

*Federal Courts: A Litigation Based Approach* West Academic Publishing, forthcoming.

*Civil Procedure: Cases & Problems* (with Allan Ides & Christopher N. May), Aspen 2016, 5th ed.

*Constitutional Law: National Power and Federalism* (with Allan Ides & Christopher N. May), Aspen 2022, 9th ed.

*Constitutional Law: Individual Rights* (with Allan Ides & Christopher N. May), Aspen 2022, 9th ed.

*California Civil Procedure: Rules, Comments, Cases & Practices* (with Allan Ides), Carolina Academic Press, forthcoming.

*The US Supreme Court and the Modern Common Law Approach to the Decision Making Process*, Cambridge University Press, 2015.

*Transnational Litigation: A practitioner's Guide. Italy*, Oxford University Press, 2010.

*Commentary To The Italian Code Of Civil Procedure*, Oxford University Press, 2010 - <http://www.us.oup.com/us/catalog/general/subject/Law/CivilProcedureandLitigation/?view=usa&ci=9780195372717>

## Articles

*Students for Fair Admissions: Exploring Due Process as an Alternative to Affirmative Action*, \_\_forthcoming\_\_.

*Speech in the Digital Age: The First Amendment Meets Social Media*, \_\_forthcoming\_\_.

*Civil Procedure and Social Justice: What Can We Do Better?* \_\_forthcoming\_\_.

*The Claim and the Relief: Revealing Missteps and Misconceptions in the U.S. Supreme Court's Jurisprudence for §1983 Actions and Black Lives Matter*, \_\_Colum. J. Race & L. \_\_ (2024).

*The U.S. Constitution is not a Code: Unravelling the Idea and Meaning of Substantive Due Process*, 76 SMU L.Rev. 649 (2023).

*Roe v. Wade Under Attack: Choosing Procedural Doctrines over Fundamental Constitutional Rights*, ConLawNOW, 13 ConLawNOW 39 (2022) available here: <https://ideaexchange.uakron.edu/conlawnow/vol13/iss1/4/>

*The Waiver of Constitutional Rights*, 60 Hous. L. Rev. 1021 (2023).

*The Modern Law of Class Actions and Due Process*, 98 Or. L. Rev. 1 (2020).

*Procedural Due Process*, 13 Seton Hall Cir. L. Rev. 2 (2017).

*The Law of Personal Jurisdiction in 2017* (Pound Law Institute, 2017).

*Frontloading, Class Action, and a Proposal for a New Rule 23*, 21 Lewis & Clark L. Rev. 4 (2017).

*The Claim*, 25 Houston L. Rev. 1 (2017).

*The Claim-Centered Approach to Arising-Under Jurisdiction: A Brief Rejoinder to Professor Mulligan*, 89 Wash. L. Rev. 487 (2014).

*A Modified Theory of the Law of Federal Courts: The Case of Arising Under Jurisdiction*, 88 Wash. L. Rev. 961 (2013).

*Personal Jurisdiction: A Doctrinal Labyrinth with No Exit*, 47 Akron L. Rev. 617 (2013).

*Forum Non Conveniens as a Jurisdictional Doctrine*, 75 U. Pitt. L. Rev. 1 (2013).

*Rethinking the Harmonization of Jurisdictional Law*, 86 Tul. L. Rev. 623 (2012).

*A Comparative Analysis Between the Italian Civil Proceedings and the American Civil Proceedings Before Federal Courts*, 20 Ind. Int'l & Comp. L. Rev. 213 (2010).

## **Essays**

*Venezuela v. Helmerich: Will Formalism Win Over Substantive Law? Again?*, 11 N.Y.U. Journal of Law & Liberty 1 (2017).

*The Courts and the People: Against Federal Courts' Exceptionalism*, 92 Notre Dame L. Rev. Online 1 (2017).

*Supreme Court Update*, 2016 AALS CIVIL PROCEDURE SECTION NEWSLETTER (2017) (with Allan Ides).

*Supreme Court Update*, 2015 AALS CIVIL PROCEDURE SECTION NEWSLETTER (2016) (with Allan Ides).

*Supreme Court Update*, 2014 AALS CIVIL PROCEDURE SECTION NEWSLETTER (2015) (with Allan Ides).

*Supreme Court to Revisit Qualified Immunity and Pleading Standards* (with Allan Ides), American Bar Association Section of Litigation: Civil Rights (2014)

<https://apps.americanbar.org/litigation/committees/civil/home.html>

*Supreme Court Update*, 2013 AALS CIVIL PROCEDURE SECTION NEWSLETTER (2014) (with Allan Ides).

*The Purposeful Availment Trap* (with Allan Ides), 7 Federal Courts Law Review 1 (2013), also available at <http://www.fclr.org/fclr/articles/html/2010/Ides.pdf>

*Constitutional Courts as Lawmakers: A Commentary on the Lecture by Prof. Dr. Rupert Scholz, 'Constitutional Court Jurisdiction between Constitutional Law and Politics – Taking the German Federal Constitutional Court as an Example*. This paper was presented at the conference "The Mission and the Condition of the Supreme Court in the Contemporary Society," organized by the Ritsumeikan University, Kyoto, Japan, July 2013 (available on SSRN at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2346446](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2346446))

*Toward Transnational Standards of Judicial Decisionmaking* (with Allan Ides), presented to the International Association of Procedural Law (IAPL) World Congress on transnational commercial litigation (2013).

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2346512](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2346512)

*Pleading Standards and Propriety of Filing Rule 12(c) Motion after Discovery* (October 10, 2012) (with Allan Ides) <https://advance.lexis.com/GoToContentView?requestid=f976152b-104c-b941-2a7b-8df422a4c8d9&crd=33cbe1b7-f4d6-651a-52cb-c2c3ff7e818b>

*Interpleader and Potential Tort Liability of Negligent Stakeholders* (October 10, 2012) (with Allan Ides) <https://advance.lexis.com/GoToContentView?requestid=c83484ef-daad-1fb4-823d-1e136faac881&crd=9569e8c6-3fd9-22e3-ead4-5869ca81892a>

*Mootness and a Defendant's Post-Certiorari Cessation of Challenged Activity* (November 29, 2012) (with Allan Ides) <https://advance.lexis.com/GoToContentView?requestid=9b4b68ab-1a37-8fa1-35d8-9b6e2b7d2e79&crd=ff4b7120-af14-cf0e-5b5a-287c54f1f80b>

*Aggregation and the Distinction between Separate and Distinct Claims* (November 29, 2012) (with Allan Ides) <https://advance.lexis.com/GoToContentView?requestid=e17c01d2-7464-3e3d-ac51-a81951e57a6a&crd=fa2f74bf-9b01-ee9d-4188-de7775e690e4>

*Riflessioni intorno all'efficacia soggettiva del titolo esecutivo* (“Some thoughts on the limits to the subjective effects of title empowering to levy execution”), in *Le Società*, Milano, Ipsosa (2010).

*Il sequestro giudiziario di quote di s.r.l. fa ancora parlare di sè* (“The seizure of limited liability company’s shares still causes discussions”), in *Le Società*, Milano, Ipsosa (2010).

*L’azione di responsabilità ex art. 2476, terzo comma c.c.: in claris non fit interpretatio* (“The liability action pursuant to article 2476, third paragraph civil code: When a rule is clearly intelligible, there is no need of proposing an interpretation”), in *Le Società*, Milano, Ipsosa (2010).

*Il procedimento societario passa ancora l’esame della Consulta* (“Company law proceeding passes again the Supreme Court’s exam”) in *Le Società*, Milano, Ipsosa (2010).

*Il procedimento sanzionatorio della CONSOB al vaglio delle corti di merito* (“Consob sanction proceeding under first instance courts’ review”), in *Le Società*, Milano, Ipsosa (2010)

*Damages for Insider Trading awarded by Court in Civil Case*, in *World Securities Law*, BNA International, 08/2004, Washington D.C., USA.

## **SELECTED PRESENTATIONS**

Presenter, National Rapporteur for the United States, World Congress of Procedural Law, International Association of Procedural Law (IAPL), Lima, Peru (September 2023).

Presenter and Distinguished International Law Speaker, Lewis & Clark University, Portland, Oregon (April 2023).

Presenter, National Civil Justice Institute/SMU Symposium, *The Future of Substantive Due Process: What Are the Stakes?*, Dallas, TX (April 2023)

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Presenter, April 2022, The Midwest Political Science Association (MPSA), Chicago, IL, *The U.S. Supreme Court as an Agency of Control between the Rule of Law and Capitalism*.

Lecture, December 2022, Sorbonne University, Paris, France, *First Amendment and Social Media*.

Lecture, December 2021, Sorbonne University, Paris, France, *The U.S. Supreme Court as an Agency of Control between the Rule of Law and Capitalism*.

Presenter, 2017 Pound Law Forum, *Personal Jurisdiction: Origins, Principles, and Practices*, Boston, MA (July 2017).

Kickoff Speaker, 2017 AALS Civil Procedure Section Annual Meeting, *The Roberts Court and the Federal Rules of Civil Procedure*.

Presenter, *The Claim Prism*, 8th Annual Junior Federal Courts Workshop, U.C. Irvine School of Law, Irvine, CA (Sept. 2015).

Presenter, *Transnational Litigation and Class Actions: What's Changing in the American Jurisprudence and What to Expect in the Near Future*, The Beasley School of Law at Temple University, Japan Campus, Tokyo, Japan (July 2015).

Presenter, *Transnational Litigation Viewed from the Claim Prism*, The Beasley School of Law at Temple University, Japan Campus, Tokyo, Japan (July 2015).

Kickoff Speaker, 2014 Annual Meeting of the American Society of International Law (ASIL) and the International Law Association (ILA), *Litigation of International Norms in State Courts*, Washington D.C., (Apr. 2014).

Presenter, *Constitutional Courts as Lawmakers: A Commentary on the Lecture by Prof. Dr. Rupert Scholz "Constitutional Court Jurisdiction between Constitutional Law and Politics – Taking the German Federal Constitutional Court as an Example,"* Ritsumeikan University, Kyoto, Japan, Symposium on "The Mission and the Condition of the Supreme Court in the Contemporary Society" (July 2013).

Presenter, *Federal Jurisdiction: The Compass, the Maze and the Trap*, UH Colloquium, University of Houston School of Law, Houston, Texas (Apr. 2013).

Presenter, *Repositioning Forum Non Conveniens as a Jurisdictional Doctrine*, Bay Area Procedure Forum, U.C. Hastings, San Francisco, CA (Oct. 2012).

Presenter, *Demystifying Personal Jurisdiction*, The Miller Institute for Global Challenges and Law Series, UC Berkeley School of Law, Berkeley, CA (Oct. 2012).

Presenter, *Rethinking the Harmonization of Jurisdictional Rules*, IAPL (International Association of Procedural Law) 2011 World Congress, Heidelberg, Germany (July 2011).

Presenter, *Private Justice Course and Conference 2011*, IUC Dubrovnik, Croatia (May 2011).

## **PUBLIC SERVICE**

Chair of the AALS Executive Committee of the Civil Procedure Section for the year 2016.

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Amicus Curiae Brief on Behalf of Professors of Civil Procedure and Federal Courts, *Ziglar v. Abbasi*, Docket No. 15-1358 (2016) (co-authored with Allan Ides).

Amicus Curiae Brief on Behalf of Professors of Civil Procedure, *Gonzalez v. Owens Corning*, Docket No. 16-2653 (2016) (co-authored with Allan Ides).

Chair-elect of the AALS Executive Committee of the Civil Procedure Section for the year 2015.

Amicus Curiae Brief on Behalf of Professors of Civil Procedure, *Wood v. Moss*, 13-115 (2014) (co-authored with Allan Ides).

Member of the AALS Executive Committee of the Civil Procedure Section for the year 2014.

### **BAR MEMBERSHIP**

California

Italy

### **MEMBERSHIP**

American Law Institute

International Association of Procedural Law

National Civil Justice Institute (Academic Fellow)

### **LIST OF REFERENCES**

Hon. William Fletcher  
US Court of Appeals for the Ninth Circuit  
95 7<sup>th</sup> St., San Francisco, CA 94103  
Email: [william\\_fletcher@ca9.uscourts.gov](mailto:william_fletcher@ca9.uscourts.gov)

David Marcus  
Professor of Law  
UCLA School of Law  
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Robert Klonoff  
Jordan D. Schnitzer Professor of Law  
Dean of the Law School, 2007-2014  
Lewis & Clark Law School  
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Allan Ides  
Christopher N. May Professor of Law  
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University of Nevada  
4505 S Maryland Pkwy, Las Vegas, NV  
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James E. Pfander  
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Northwestern University, Pritzker School of Law  
375 E Chicago Ave  
Chicago, IL 60611  
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David B. Oppenheimer  
Clinical Professor of Law  
Director, Berkley Center on Comparative Equality & Anti-Discrimination Law  
2763-2719 Bancroft Way  
Berkeley, CA 94704  
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Mary Collinshaw  
Executive Director, National Civil Justice Institute (NCJI)  
777 Sixth Street, N.W., Suite 200  
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