

**SAMUEL W. BUELL**  
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## APPOINTMENTS

<b>Duke University</b> , Durham, NC <i>Bernard M. Fishman Professor of Law</i> <i>Professor of Law</i>	2015-present 2010-2015
<b>Washington University</b> , St. Louis, MO <i>Associate Professor of Law</i>	2006-2010
<b>University of Texas</b> , Austin, TX <i>Visiting Assistant Professor of Law</i>	2004-2006
<b>London School of Economics</b> , London, UK <i>Senior Visiting Fellow, Department of Law</i>	January-June 2019

## PUBLICATIONS

### BOOKS

CORPORATE CRIME: AN INTRODUCTION TO THE LAW AND ITS ENFORCEMENT (3rd ed. 2023) (free online or low-cost bound two-volume text, available at [buelloncorporatecrime.com](http://buelloncorporatecrime.com))

CAPITAL OFFENSES: BUSINESS CRIME AND PUNISHMENT IN AMERICA'S CORPORATE AGE (W.W. Norton & Co. 2016)

### CHAPTERS

*Corporate Criminal Liability* in RESEARCH HANDBOOK ON CORPORATE LIABILITY (M. Petrin & C. Witting eds.) (2023)

*Fraud* in PALGRAVE HANDBOOK OF APPLIED ETHICS AND CRIMINAL LAW (L. Alexander & K. Ferzan eds. 2020)

*The Political and Professional Economies of US Global Criminal Enforcement* in THE OXFORD HANDBOOK ON INSTITUTIONS OF INTERNATIONAL ECONOMIC GOVERNANCE AND MARKET REGULATION (E. Brousseau, J-M. Glachant & J. Sgård eds. 2019)

*Criminally Bad Management* in RESEARCH HANDBOOK ON CORPORATE CRIME AND FINANCIAL MISDEALING (J. Arlen ed. 2018)

*"White Collar" Crimes* in THE OXFORD HANDBOOK OF CRIMINAL LAW (M. Dubber & T. Hörnle eds. 2014)

*Potentially Perverse Effects of Corporate Civil Liability* in PROSECUTORS IN THE BOARDROOM: USING CRIMINAL LAW TO REGULATE CORPORATE CONDUCT (A. Barkow & R. Barkow eds. 2010)

#### ARTICLES AND ESSAYS

*The Mirage of Individual Liability as the Answer to Corporate Fraud* (in progress)

*A Restatement of Corporate Criminal Liability's Theory and Research Agenda*, 47 JOURNAL OF CORPORATION LAW 937 (2022)

*Pointing Guns*, 99 TEXAS LAW REVIEW 1173 (2021) (with Joseph Blocher, Jake Charles & Darrell Miller)

*Retiring Corporate Retribution*, 83 LAW & CONTEMPORARY PROBLEMS 25 (2020)

*The Law of Corporate Investigations and the Global Expansion of Corporate Criminal Enforcement*, 93 SOUTHERN CALIFORNIA LAW REVIEW 697 (2020) (with Jennifer Arlen) (reprinted in Italian in FRANCESCO CENTONZE & STEFANIA GIAVAZZI, INTERNAL INVESTIGATIONS: BEST PRACTICES E INSTANZE DI REGOLAMENTAZIONE (2021))

*The Responsibility Gap in Corporate Crime*, 12 CRIMINAL LAW & PHILOSOPHY 471 (2018)

*Why Do Prosecutors Say Anything? The Case of Corporate Crime*, 96 NORTH CAROLINA LAW REVIEW 823 (2018)

*The Market for Global Anti-Corruption Enforcement*, 80 LAW & CONTEMPORARY PROBLEMS 193 (2017) (with Rachel Brewster)

*Culpability and Modern Crime*, 103 GEORGETOWN LAW JOURNAL 547 (2015)

*Liability and Admissions of Wrongdoing in Public Enforcement of Law*, 82 UNIVERSITY OF CINCINNATI LAW REVIEW 505 (2014)

*Is the White Collar Offender Privileged?*, 63 DUKE LAW JOURNAL 823 (2014)

*Becoming A Legal Scholar*, 110 MICHIGAN LAW REVIEW 1175 (2012)

*On the Mental State of Consciousness of Wrongdoing*, 75 LAW & CONTEMPORARY PROBLEMS 133 (2012) (with Lisa Kern Griffin)

*Foreword: Adjudicating the Guilty Mind*, 75 LAW & CONTEMPORARY PROBLEMS i (2012) (with Lisa Kern Griffin)

*What Is Securities Fraud?*, 61 DUKE LAW JOURNAL 511 (2011), reprinted in SECURITIES LAW REVIEW (D. Langevoort ed. 2012)

*Good Faith and Law Evasion*, 58 UCLA LAW REVIEW 611 (2011)

*The Court's Fraud Dud*, 6 DUKE JOURNAL OF CONSTITUTIONAL LAW & PUBLIC POLICY 31 (2010)

*The Upside of Overbreadth*, 83 NEW YORK UNIVERSITY LAW REVIEW 1491 (2008)

*Criminal Procedure Within the Firm*, 59 STANFORD LAW REVIEW 1613 (2007)

*Reforming Punishment of Financial Reporting Fraud*, 28 CARDOZO LAW REVIEW 1611 (2007)

*Novel Criminal Fraud*, 81 NEW YORK UNIVERSITY LAW REVIEW 1971 (2006)

*The Blaming Function of Entity Criminal Liability*, 81 INDIANA LAW JOURNAL 473 (2006)

## **OTHER**

Book Review: *The Collapse of American Criminal Justice* by William J. Stuntz, CRIMINAL LAW & CRIMINAL JUSTICE BOOKS, <http://clcjbooks.rutgers.edu> (March 2012)

*The Sources of Overbreadth* in CRIMINAL LAW CONVERSATIONS (P. Robinson, S. Garvey & K. Kessler Ferzan eds. 2009)

*Decision Rules as Notice: The Case of Fraud* in CRIMINAL LAW CONVERSATIONS (P. Robinson, S. Garvey & K. Kessler Ferzan eds. 2009)

*Time for A Twenty-First Century Justice Department*, 20 FEDERAL SENTENCING REPORTER 326 (2008)

*Purposes and Effects in Criminal Law*, 93 VIRGINIA LAW REVIEW In Brief 199 (2007)

*Criminal Abortion Revisited*, 66 NEW YORK UNIVERSITY LAW REVIEW 1774 (1991)

## **EDUCATION**

### **New York University School of Law**

J.D., *summa cum laude*

- Graduation awards for first in class; outstanding overall scholarship, character, and professional activities; best law review note; and outstanding scholarship in criminal law
- *New York University Law Review*

### **Brown University**

A.B., History, *magna cum laude*

## **TESTIMONY AND LAW REFORM**

Witness, Alaska House Judiciary Committee, House Bill 5 relating to reform of sexual assault laws, April 27, 2022

Witness, United States Sentencing Commission, Public Hearing on Proposed Amendments to the Federal Sentencing Guidelines, March 14, 2012 (written and oral testimony)

Witness, United States Senate Committee on the Judiciary, Hearing: Restoring Key Tools to Combat Fraud and Corruption After the Supreme Court's Skilling Decision, September 28, 2010 (written and oral testimony)

Organizer, American Law Institute preliminary examination of law of criminal fraud

Project Adviser, American Law Institute, Model Penal Code: Sexual Assault and Related Offenses

## PRESENTATIONS AND LECTURES

*Corporate Criminal Liability in the United States*, Brazilian Law Firms' Study Center (CESA), Sao Paulo, Brazil, March 2022 (remote)

*A Restatement of Corporate Criminal Liability's Theory and Research Agenda*, Law, Economics, and Business Workshop, Berkeley Law, Berkeley, CA, November 2021

*A Restatement of Corporate Criminal Liability's Theory and Research Agenda*, Symposium on Imagining a World without Corporate Criminal Law, Georgetown University Law Center, Washington, DC, October 2021

*The Impossibility of Corporate Retribution*, Conference on Corporate Enforcement 20 Years After the Holder Memo, Duke University School of Law, Durham, NC, November 2019

*The Global Expansion of Corporate Criminal Liability: Effective Enforcement Across Legal Systems*, Boston College Law School, Boston, MA, September 2019

*The Global Expansion of Corporate Criminal Liability: Effective Enforcement Across Legal Systems*, Oxford University, Oxford, UK, May 2019

*The Global Expansion of Corporate Criminal Liability: Effective Enforcement Across Legal Systems*, Norwegian School of Economics, Bergen, Norway, April 2019

*The Mueller Investigation and American Constitutional Structure*, London School of Economics, London, UK, March 2019

*The Global Expansion of Corporate Criminal Liability: Effective Enforcement Across Legal Systems*, London School of Economics, London, UK, March 2019

*The Global Expansion of Corporate Criminal Liability: Effective Enforcement Across Legal Systems*, Cambridge University, Cambridge, UK, February 2019

*The Global Expansion of Corporate Criminal Liability: Effective Enforcement Across Legal Systems*, University College London, London, UK, January 2019

*The Global Expansion of Corporate Criminal Liability: Effective Enforcement Across Legal Systems*, Faculty Workshop, University of Texas School of Law, Austin, TX, November 2018

*Keynote Speaker*, UNC-Chicago Booth Global Issues in Accounting & Finance Conference, Chapel Hill, NC, September 2018

*Commenter*, "Complex Compliance," Corporate Compliance and Organizational Change Conference, Notre Dame Law School, April 2018

*Keynote Speaker*, Public Company Accounting Oversight Board Enforcement Conference, Washington, DC, November 2017

*Speaker*, Conference on No Turning Back: 40 Years of the FCPA and 20 Years of the OECD Anti-Bribery Convention, NYU School of Law, New York, NY, November 2017

*Speaker*, Conference on Deterring Corporate Crime: The Promise and Challenge of Multiple Enforcers, NYU School of Law, New York, NY, October 2017

*Speaker*, NYU Law-UBA Joint Conference on Corporate Liability for Corruption, Buenos Aires, Argentina, June 2017

*The Responsibility Gap in Corporate Crime*, Neighborhood Criminal Justice Roundtable, University of Virginia School of Law, Charlottesville, VA, May 2017

- Why Do Prosecutors Say Anything? The Case of Corporate Crime*, Institute for Law and Economic Policy Annual Conference, Naples, FL, April 2017
- The Responsibility Gap in Corporate Crime*, Georgetown Institute for the Study of Markets and Ethics, Crime Without Fault Symposium, Washington, DC, March 2017
- Speaker*, ABA National Institute on Securities Fraud, Park City, UT, January 2017
- The Market for Anti-Corruption Enforcement*, Conference on Law and Markets, Duke University School of Law, May 2016
- The Political and Professional Economies of U.S. Global Criminal Enforcement*, International Economic Governance and Market Regulation Workshop, European University Institute, Florence, Italy, April 2016
- Speaker*, Panel on Becoming a Legal Scholar, New Law Professors Section, AALS Annual Meeting, New York, January 2016
- Invited Lecture*, International Symposium on Corporate Criminal Liability, College of the Judiciary, Taiwan Ministry of Justice, Taipei, Taiwan, October 2015
- Criminally Bad Management*, Faculty Workshop, University of Iowa College of Law, September 2105
- Invited Lecture*, Parsons Address in Corporate Law, University of Sydney, Australia, June 2015
- Speaker on Defining Quality in Criminal Justice*, Quattrone Center for the Fair Administration of Justice, University of Pennsylvania Law School, May 2015
- Panelist*, Conference on Sanctioning Corporate Crimes and Financial Misdealing, New York University School of Law, April 2015
- Business Crime in America's Corporate Century*, Faculty Workshop, Duke University School of Law, March 2014
- Organizer and Moderator*, Conference on Public and Private Enforcement after *Halliburton*, *ATP*, and *Boilermakers*, Duke University School of Law, September 2014
- Invited Lecture*, *Business Crime in America's Corporate Century*, Hoffinger Criminal Justice Colloquium, New York University School of Law, September 2014
- Corporations as Criminals*, Conference on Law and Social Order, Emory University School of Law and Emory Center for Study of Law, Politics, and Economics, September 2014
- Organizer and Commenter*, Neighborhood Criminal Justice Roundtable (regional conference of criminal law scholars), Duke University School of Law, May 2014
- Panelist on Sanctioning Fraud*, Fifth Annual Triangle Law and Economics Conference, Duke University School of Law, April 2014
- Panelist on Managerial Liability*, Conference on Sanctioning Corporate Crimes and Financial Misdealing, New York University School of Law, April 2014
- Commenter on The Special Problem of Banks and Crime*, Fourth Annual Junior Faculty Business and Financial Law Workshop, George Washington University School of Law, February 2014
- Partial and Indirect Control of Corruption*, Fifth Session of the International Forum on Crime and Criminal Law in the Global Era, Beijing, China, October 2013
- Invited Lecture*, *American Anti-Corruption Law in Contemporary Government and Corporations*, Renmin University, Beijing, China, October 2013
- Notice and Modern Crimes*, Faculty Workshop, Duke University School of Law, August 2013
- Notice and Modern Crimes*, Neighborhood Criminal Justice Roundtable, University of Virginia School of Law, June 2013
- Commenter on Better Bounty Hunting: How the SEC's New Whistleblowing Program Changes the Securities Fraud Class Action Debate*, Conference on Contemporary Issues in Corporate and Securities Law, Vanderbilt Law School, April 2013
- Liability and Admissions of Wrongdoing in Public Enforcement of Law*, Corporate Law Center Symposium, University of Cincinnati College of Law, March 2013

- Is the White Collar Offender Privileged?*, The Wharton School, University of Pennsylvania, September 2012
- Is the White Collar Offender Privileged?*, Faculty Workshop, Duke University School of Law, August 2012
- Commenter*, Criminal Law Roundtable, Columbia University School of Law, May 4-5, 2012
- Organizer and Principal Presenter*, American Law Institute Meeting on the Law of Criminal Fraud and Contemporary Corporate Enforcement, Duke University School of Law, Durham, NC, October 2011
- Consciousness of Wrongdoing*, Conference on Adjudicating the Guilty Mind, Duke University School of Law, Durham, NC, May 2011
- Panelist*, Forum on Corporate Enforcement, Charlottesville, Virginia, May 2011
- What Is Securities Fraud?*, Faculty Workshop, Florida State University College of Law, Tallahassee, FL, April 2011
- What Is Securities Fraud?*, Conference on Corporate Governance and Business Ethics in a Post-Crisis World, Notre Dame Law School, South Bend, IN, March 2011
- Hard Choices in Teaching Criminal Law*, Criminal Justice Section, AALS Annual Meeting, San Francisco, CA, January 2011
- What Is Securities Fraud?*, Faculty Workshop, Duke University School of Law, Durham, NC, November 2010
- What Is Securities Fraud?*, Faculty Workshop, Willamette University College of Law, Salem, OR, October 2010
- Conference on Corporate Criminal Liability*, Panelist, Yale Law School, New Haven, CT, April 2010
- Conference on Rethinking Securities Regulation*, Discussant, "Fraud-on-the-Market Class Actions Against Foreign Issuers," Vanderbilt University Law School, Nashville, TN, March 2010
- Good Faith, Bad Faith, and Law Design*, Criminal Law Conference, Vanderbilt University School of Law, Nashville, TN, January 2010
- Good Faith, Bad Faith, and Law Design*, Faculty Workshop, Duke University School of Law, Durham, NC, November 2009
- Keynote Address, Wrong Lessons of Enron?*, Securities Industry and Financial Markets Association, St. Louis, MO, June 2009
- Potentially Perverse Effects of Corporate Civil Liability*, Conference on Regulation by Prosecution, New York University School of Law, New York, NY, May 2009
- Good Faith Is a State of Mind*, Center for Law, Business and the Economy and Center for Criminal Justice, UC Berkeley School of Law, Berkeley, CA, April 2009
- Good Faith Is a State of Mind*, Faculty Workshop, University of Illinois College of Law, Champaign, IL, March 2009
- Good Faith Is a State of Mind*, Faculty Workshop, Washington Univ. School of Law, St. Louis, MO, March 2009
- New Research in Regulation of Corporations, Managers, and Financial Markets*, Conference Host and Organizer, Washington University School of Law, St. Louis, MO, March 2009
- Good Faith Is a State of Mind*, Conference on New Research in Regulation of Corporations, Managers, and Financial Markets, Washington Univ. School of Law, St. Louis, MO, March 2009
- Overbreadth in Criminal Law*, Faculty Workshop, Georgetown University Law Center, Washington, DC, February 2008
- Overbreadth in Criminal Law*, Faculty Workshop, Washington Univ. School of Law, St. Louis, MO, November 2007

*Enforcement of Corporate Governance Rules*, Discussant for four papers, Harvard Law School, Swiss Federal Institute of Technology Zurich, and European Corporate Governance Institute, Cambridge, MA, March 2007

*The Cooperation Dilemma: The New Realities of Corporate White Collar Defense*, Presenter, Stanford Criminal Justice Center, Stanford Law School, Palo Alto, CA, November 2006

*Class Action Kickbacks – A Critical Look*, Roundtable Participant, Fordham, Cardozo and Brooklyn Law Schools, New York, NY, October 2006

*Lessons After Enron*, Featured Speaker, SMU Law Review Corporate Counsel Symposium, Dallas, TX, October 2006

*Novel Criminal Fraud*, Presenter, Stanford-Yale Junior Faculty Forum, New Haven, CT, June 2006

*Novel Criminal Fraud*, Presenter, Cardozo Law Review Symposium: Fraud and Federalism, New York, NY, March 2006

## TEACHING

Criminal Law

Corporate Crime

Securities Regulation

Federal Criminal Law

Seminar on Developing the Scholarship Agenda

Seminar on White Collar Crime and Society

Seminar on Advanced Topics in Financial Market Regulation

Comparative Corporate Crime, Duke Institutes in Geneva (July 2011), Hong Kong (July 2015)

Reading Group on Race, Policing, and Criminal Justice

Seminar on Criminal Investigations and the Presidency

## FACULTY SERVICE

Chair, Duke University Faculty Hearing Committee, 2017-2021

Member, Duke University Academic Council, 2011-13, 2020-22, 2023-24

Member, Duke University Ad Hoc Committee on Faculty Rank Distribution, 2017-18

Chair, Duke University School of Law Faculty Appointments Committee, 2017-18 (entry)

Chair, Duke University School of Law Faculty Workshop and Intellectual Life Committee, 2012-13, 2019-20

Co-Chair, Duke University School of Law Curriculum Committee, 2015-16

Member, Duke University School of Law Faculty Appointments Committee, 2011-12 (entry), 2013-14 (lateral), 2016-17 (lateral), 2020-21 (entry)

Member, Duke University School of Law Diversity and Inclusion Committee, 2019-21

Chair, Duke University School of Law Clerkship Committee, 2022-24

Co-organizer, Duke Legal Theory Colloquium, Fall 2011

Member, Washington University School of Law Faculty Appointments Committee, 2006-07

Clerkship Advisor, Washington University School of Law, 2007-08

## PEER REVIEW

Harvard University Press

RAND Institute of Civil Justice

Criminal Law and Philosophy

Harvard Law Review  
 Stanford Law Review  
 Modern Law Review  
 Yale Law Journal

## MEDIA

Op-eds published in SLATE, THE HILL, LOS ANGELES TIMES, PHILADELPHIA INQUIRER, NEWARK STAR-LEDGER, DES MOINES REGISTER; frequent commentary for NEW YORK TIMES, WALL STREET JOURNAL, BLOOMBERG, WASHINGTON POST, NATIONAL PUBLIC RADIO, POLITICO, CHRISTIAN SCIENCE MONITOR, CNN, CNBC, MSNBC, CBS EVENING NEWS, BBC, and many other national and international media outlets.

## PRACTICE

### **United States Department of Justice**

*Special Attorney, Enron Task Force* 2002-2004

*Assistant U.S. Attorney, District of Massachusetts* 1998-2004

*Assistant U.S. Attorney, Eastern District of New York* 1994-1998

- Two-time recipient, Attorney General's Award for Exceptional Service (highest DOJ honor, awarded annually)
- Lead prosecutor in complex investigations and prosecutions involving fraud and racketeering, including cases against former top executives of Enron Corporation and members of Boston-based organized crime group headed by James “Whitey” Bulger
- Numerous briefs and arguments, United States Courts of Appeals for First, Second, and Fifth Circuits

### **Covington & Burling**, Washington, DC

*Associate* 1993-1994

**Honorable Jack B. Weinstein**, United States District Court,  
 Eastern District of New York, New York, NY

*Law Clerk* 1992-1993

**Paul, Weiss, Rifkind, Wharton & Garrison**, New York, NY

*Summer Associate* 1991, 1992

## MEMBERSHIP

American Law Institute

Bars of New York State, Massachusetts, Supreme Court of the U.S.