

**MARGARET H. LEMOS**  
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## **WORK EXPERIENCE**

### **Duke University School of Law, Durham, NC**

*Robert G. Seaks LL.B. '34 Professor of Law, 2015-present; Professor, 2011-2015.*

*Courses:* Civil Procedure, Judicial Decisionmaking, Legislation and Statutory Interpretation, Advanced Colloquium in Statutory Interpretation. Received the Distinguished Teaching Award in 2013.

*Service:* Lateral Appointments Committee (2012-13; Spring 2014; Spring 2015); Entry-level Appointments Committee (2015-16); Law Teaching Committee (2015-16); Clerkship Committee (Spring 2015); Ad Hoc Teaching Committee (Spring 2015).

### **Yale Law School, New Haven, CT**

*Anne Urowsky Visiting Professor of Law, Fall 2014*

### **Benjamin N. Cardozo School of Law, New York, NY**

*Associate Professor, 2009-2011; Assistant Professor, 2006-2009*

*Courses:* Civil Procedure, Constitutional Law I, Legislation. Voted best first-year professor by the classes of 2010 and 2011.

*Service:* ABA Evaluation Committee, Appointments Committee, Clerkship Committee, Faculty Development Committee, Advisor to the *Cardozo Law Review* and the *Cardozo Journal of Law and Gender*.

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

*Furman Fellow; Furman Program Coordinator, 2004-2006*

### **Justice John Paul Stevens, United States Supreme Court, Washington, DC**

*Law Clerk, 2003-2004*

### **Office of the Solicitor General, Washington, DC**

*Bristow Fellow, 2002-2003; Law Clerk, Summer 2001*

### **Judge Kermit V. Lipez, U.S. Court of Appeals for the First Circuit, Portland, ME**

*Law Clerk, 2001-2002*

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## EDUCATION

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

J.D., *summa cum laude*, 2001

*Honors and activities:* Benjamin F. Butler Memorial Award for unusual distinction in scholarship; Edward Weinfeld Prize for distinguished scholarship in the area of federal courts and civil procedure; Paul D. Kaufman Award for most outstanding Note for *Law Review*; Senior Notes Editor, *New York University Law Review*; Order of the Coif; Dean's Scholarship

### **Brown University, Providence, RI**

B.A. (Political Science), *magna cum laude* and with honors, 1997

*Honors thesis:* Bowers v. Hardwick: *Equal Citizenship Rights and the Legislation of Morality*; Philo Sherman Bennett award for best thesis in political theory

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## PUBLICATIONS AND WORKS IN PROGRESS

JUDICIAL DECISIONMAKING (in progress; with Tom Clark, Barry Friedman, Allison Orr Larsen, and Andrew Martin)

*Financing the State* (in progress; with Guy-Uriel Charles)

*Accountability and Independence for Public Enforcement* (in progress)

*Privatizing Public Litigation*, 104 GEO. L.J. 515 (2016)

*Review of* PAUL NOLETTE, FEDERALISM ON TRIAL: STATE ATTORNEYS GENERAL AND NATIONAL POLICYMAKING IN CONTEMPORARY AMERICA, 130 POL. SCI. Q. \_\_\_ (forthcoming Winter 2015)

*Litigating State Interests: Attorneys General as Amici*, 90 N.Y.U. L. REV. 1229 (2015) (with Kevin M. Quinn)

*For-Profit Public Enforcement*, 127 HARV. L. REV. 853 (2014) (with Max Minzner)

*The Politics of Statutory Interpretation* (reviewing ANTONIN SCALIA & BRYAN A. GARNER, *READING LAW: THE INTERPRETATION OF LEGAL TEXTS* (2012)), 89 NOTRE DAME L. REV. 849 (2013)

*Interpretive Methodology and Delegations to Courts: Are "Common-Law Statutes" Different?*, in *INTELLECTUAL PROPERTY AND THE COMMON LAW* (Shyam Balganesh, ed.) (Cambridge University Press 2013)

*Aggregate Litigation Goes Public: Representative Suits by State Attorneys General*, 126 HARV. L. REV. 486 (2012)

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## **PUBLICATIONS AND WORKS IN PROGRESS, CONT'D**

*State Enforcement of Federal Law*, 86 N.Y.U. L. REV. 698 (2011)

*Special Incentives to Sue*, 95 MINN. L. REV. 782 (2011)

*Strategic Enforcement*, 95 MINN. L. REV. 9 (2011) (with Alex Stein)

*The Consequences of Congress's Choice of Delegate: Judicial and Agency Interpretations of Title VII*, 63 VAND. L. REV. 363 (2010)

*The Solicitor General as Mediator Between Court and Agency*, 2009 MICH. ST. L. REV. 185 (2009) (symposium contribution by invitation)

*The Other Delegate: Judicially Administered Statutes and the Nondelegation Doctrine*, 81 S. CAL. L. REV. 405 (2008)

*The Commerce Power and Criminal Punishment: Presumption of Constitutionality or Presumption of Innocence?*, 84 TEX. L. REV. 1203 (2006)

*The Section 5 Mystique, Morrison, and the Future of Federal Antidiscrimination Law*, 2000 SUP. CT. REV. 109 (with Samuel Estreicher)

Note, *Civil Challenges to the Use of Low-Bid Contracts for Indigent Defense*, 75 N.Y.U. L. REV. 1808 (2000)

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## **SELECTED PRESENTATIONS, PANELS, AND CONFERENCES**

*Accountability and Independence in Public Enforcement*, Faculty Workshop at UCLA Law School (Feb. 5, 2016), Constitutional Law Colloquium at Cornell Law School (Nov. 16, 2015)

*Practice and Precedent in Judicial Gloss Games*, Roundtable on Historical Practice and Federal Judicial Power, Duke Law School (Oct. 23, 2015) (with Joseph Blocher)

*Financing the State*, Law and Markets Colloquium, Duke Law School (Oct. 7, 2015) (with Guy Charles)

*Privatizing Public Litigation*, Faculty Workshops at BYU Law School (March 20, 2014), Cardozo Law School (Sept. 15, 2014), Vanderbilt Law School (Oct. 8, 2014), Minnesota Law School (Oct. 9, 2014), Yale Law School (Oct. 27, 2014), and Chicago Law School (Feb. 4, 2015)

*Litigating State Interests: Attorneys General as Amici*, Conference on Empirically Testing the Constitution, Chicago Law School (Oct. 23, 2014)

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## SELECTED PRESENTATIONS, PANELS, AND CONFERENCES, CONT'D

*Congressional Standing*, Conference on A New Separation of Powers in Foreign Affairs, Yale Law School, Oct. 3, 2014

*The Politics of Statutory Interpretation*, Faculty Workshops at Emory Law School (Feb. 20, 2013) and Penn Law School (March 27, 2013)

*Legislative Inaction as Regulatory Custom?*, Roundtable on the Role of Custom, Convention, and Tradition in U.S. Constitutional Law, Duke Law School, Nov. 9, 2013

Presentation on Statutory Construction, "Public Law for the Public's Lawyers" CLE Program, Legislative Office Building, Raleigh N.C., Nov. 3, 2012

*Interpretive Methodology and the Consistency Constraint*, "Are Government Institutions Constrained by Law?" Conference, Columbia Law School, Sept. 21, 2012

Moderator, 42<sup>nd</sup> Annual Administrative Law Symposium, Duke Law School, Feb. 24, 2012

Commentator, Symposium on the Relationship Between Law and Custom, Duke Law School, Feb. 10, 2012

Panelist, *Common Law Statutory Interpretation in Intellectual Property*, Symposium on Intellectual Property and the Common Law, University of Pennsylvania Law School, May 7, 2011

*Aggregate Litigation Goes Public*, New Voices in Civil Justice Scholarship Workshop, Vanderbilt University Law School, April 29, 2011

*Interpretive Methodology and Delegations to Courts: Are "Common-Law Statutes" Different?*, Legislation Roundtable, Columbia Law School, April 8, 2011

*State Enforcement of Federal Law*, Faculty Workshops at Duke Law School (Dec. 3, 2010) and the University of Washington Law School (Oct. 14, 2010)

*State Enforcement of Federal Law*, Faculty Scholarship Conference, Cardozo School of Law, Sept. 12, 2010

Panelist, *The Jurisprudence of Justice John Paul Stevens*, Third National People of Color Legal Scholarship Conference, Seton Hall University School of Law, September 10, 2010

*Special Incentives to Sue*, Faculty Workshop, Cardozo School of Law, Oct. 23, 2009

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**SELECTED PRESENTATIONS, PANELS, AND CONFERENCES, CONT'D**

Moderator, *Guantanamo Past, Present, and Future*, Floersheimer Center for Constitutional Democracy, Cardozo School of Law, Apr. 22, 2009

Panelist, *Constitutional Conversation on Arar v. Ashcroft*, Floersheimer Center for Constitutional Democracy, Cardozo School of Law, Dec. 9, 2008

*The Solicitor General as Mediator Between Court and Agency*, Symposium on Agency Statutory Interpretation, Michigan State University College of Law, Nov. 7, 2008

*The Consequences of Congress's Choice of Delegate: Judicial and Agency Interpretations of Title VII*, Faculty Workshops at Cardozo School of Law (Oct. 20, 2008) and Florida State University College of Law (Oct. 9, 2008)

*The Other Delegate: Judicially Administered Statutes and the Nondelegation Doctrine*, New York City Junior Faculty Colloquium, Columbia Law School, Nov. 30, 2007

Panelist, *Constitutional Conversation on Stare Decisis*, Floersheimer Center for Constitutional Democracy, Cardozo School of Law, Sept. 19, 2007

*The Commerce Power and Criminal Punishment: Presumption of Constitutionality or Presumption of Innocence?*, Criminal Law Conference, George Washington University Law School, July 28, 2005

*The Commerce Power and Criminal Punishment: Presumption of Constitutionality or Presumption of Innocence?*, Faculty Workshop, New York University School of Law, July 26, 2005