

DAVID ZARING

Assistant Professor & Alumni Faculty Fellow
Washington & Lee University School of Law
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EDUCATION

HARVARD LAW SCHOOL, J.D., *magna cum laude*, 1996.

SWARTHMORE COLLEGE, B.A. with high honors, major in History, minor in Political Science, 1992.

ARTICLES

Associates in Crisis, 105 MICH. L. REV. ____ (forthcoming 2007) (with William Henderson).

Sending the Bureaucracy to War, 92 IOWA L. REV. ____ (forthcoming 2007) (with Elena Baylis).

The Use of Foreign Decisions by Federal Courts: An Empirical Analysis 3 J. EMP. LEG. STUD. 297 (2006)
(peer-reviewed).

What's Next for Networks, 2 ANN. REV. OF L. AND SOC. SCI. 211 (2006) (with Anne-Marie Slaughter) (invited contribution).

Best Practices, 81 NYU L. REV. 294 (2006).

Informal Procedure, Hard and Soft, in International Administration, 5 CHI. INT'L L.J. 547 (2005).

National Rulemaking Through Trial Courts: The Big Case and Institutional Reform, 51 UCLA L. REV. 1015 (2004).

SHORTER WORKS

Transgovernmental Relations, ENCYCLOPEDIA OF GLOBALIZATION (Jan-Aart Scholte ed.) (forthcoming, 2007).

Best Practices As Regulatory Regime: The Case Of Nonpoint Source Pollution, 34 ENVTL. L. REP. 11,025 (2004).

International Law by Other Means: The Twilight Existence of International Financial Regulatory Organizations,
33 TEX. INT'L L.J. 281 (1998).

Extraterritoriality in a Globalized World, in CURRENT ISSUES IN INTERNATIONAL COMMERCIAL LITIGATION 72 (Teo Keang Sood et al. eds., 1997) (with Anne-Marie Slaughter).

Federal Legislative Solutions to Agricultural Nonpoint Source Pollution, 26 ENVTL. L. REP. 10128 (1996).

Note, *Agricultural Nonpoint Source Pollution: A Public Choice Analysis*, 20 HARV. ENVTL. L. REV. 515 (1996).

Recent Development, *Managing Medicaid Waivers: § 1115 and State Health Care Reform*, 32 HARV. J. ON LEGIS.
544 (1995) (with Judith Rosenberg).

Book Note, 32 HARV. J. ON LEGIS. 321 (1995) (reviewing RICHARD PARKER, *HERE, THE PEOPLE RULE* (1994)).

Journalist Responses to Ethnic Tensions: A Study of the Press in Kenya, 8 AFR. MEDIA REV. 57 (1994).

WORKS IN PROGRESS

The Persistence of the Common Law in Administrative Law

Choice of Form in International Regulation

Best Practices At The SEC: The Case of Sarbanes-Oxley (with Matthew Bodie)

PRESENTATIONS

The Choice of Form Question, Temple International Law Workshop, Philadelphia, PA February 20, 2007

Choice of Form in International Regulation, Vanderbilt IR/IL Roundtable, Nashville TN January 18, 2007

Choice of Form in International Regulation, Wharton Business School, Philadelphia, PA January 4, 2007

Associates in Crisis, Lexington Fall Juniors Workshop October 19, 2006

Administrative Law Through Individual Liability, Marquette Law School, Milwaukee WI October 3, 2006

Individual Liability in Administrative Law, Canadian Law & Economics Ass'n, Toronto, CA September 29, 2006

Sending the Bureaucracy to War, Boston College School of Law, Boston, MA September 15, 2006

Administrative Law after 9/11, SEALS Annual Meeting, Palm Beach, FL July

The Future of Networks, Law and Society Annual Meeting, Baltimore, MD July 6-9, 2006

The Persistence of the Common Law in Administrative Law, Lexington Summer Juniors Workshop June 6, 2006

Administrative Law after 9/11, University of Pittsburgh, Pittsburgh, PA February 1, 2006

Best Practices, American University, Washington College of Law, Washington, DC November 28, 2005

The Use of Foreign Decisions by Federal Courts, D.C. Juniors Summer Workshop July 25, 2005

TEACHING EXPERIENCE

WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW July 2005-present

Assistant Professor and Alumni Faculty Fellow

Courses: American Public Law Process, Administrative Law, International Economic Regulation and Trade

Service: Law Review Advisor, Educational Policy & Curriculum Committee

NEW YORK UNIVERSITY SCHOOL OF LAW June 2002-June 2005

Acting Assistant Professor, Lawyering Program.

Course: Lawyering

PROFESSIONAL EXPERIENCE

U.S. DEPARTMENT OF JUSTICE *1998-Aug. 2000, Jan. 2001-May 2002*
Trial Attorney, Civil Division, Federal Programs Branch. Litigated cases on behalf of United States and its agencies. Defended constitutionality of Telecommunications Act of 1996 and Child Online Protection Act in district court. Represented Department of Defense in lawsuit originating from “Filegate” controversy.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT *Aug. 2000-Jan. 2001*
Special Assistant to the General Counsel, on detail from the Department of Justice. Represented strategic interests of Department and its Secretary on Capitol Hill and in litigation. Prepared testimony before Senate subcommittees. Drafted response to Senate staff report. Responded to legislative investigations of the Department. Settled cases and drafted pleadings on behalf of HUD.

SUMMER ASSOCIATE AND INTERN *Summers, 1995-96*
Summer Associate at Munger, Tolles & Olson, Arnold & Porter, and Faegre & Benson. *Summer Intern* at U.S. Department of Justice, Civil Division, Appellate Branch.

JUDICIAL CLERKSHIPS

JUDGE JUDITH ROGERS, U.S. COURT OF APPEALS, DISTRICT OF COLUMBIA CIRCUIT *1997-98*
Law clerk.

**CHIEF JUDGE WILLIAM MATTHEW BYRNE, JR., U.S. DISTRICT COURT,
CENTRAL DISTRICT OF CALIFORNIA** *1996-97*
Law clerk.

OTHER SERVICE

Filed amicus briefs on behalf of Congressmen and Senators in *Environmental Defense v. Duke Energy, Inc.*, 05-848 (S.Ct. 2006) (Clean Air Act PSD enforcement action); and *National Resources Defense Council v. U.S.E.P.A.*, 06-0820-ag (2d Cir. 2006) (human pesticide testing rule challenge).