

Ari Ezra Waldman

Professor of Law & Computer Science

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EDUCATION

- Ph.D.** **COLUMBIA UNIVERSITY, *Sociology***, May 2015
Outstanding Dissertation, Cihui Foundation Fellow, Paul F. Lazarsfeld Fellow
- M.A.** **COLUMBIA UNIVERSITY, *Sociology***, May 2013
- J.D.** **HARVARD LAW SCHOOL**, May 2005
- A.B.** **HARVARD COLLEGE, *History, magna cum laude***, June 2002
John Harvard Scholar, Marshall & Jacqueline Kates Scholar, Charles Warren Fellow

LAW FACULTY POSITIONS

TENURED AND TENURE-TRACK APPOINTMENTS

- 2020-Present **NORTHEASTERN UNIVERSITY**
Professor of Law and Computer Science (joint appointment)
 - Faculty Director, Center for Law, Information, and Creativity
 - Courses: Torts, Constitutional Law, Information Privacy Law, Digital Civil Rights, Law & Sexuality, Science, Technology, and Law seminar
 - Grants: Knight Foundation (\$25,000), Anti-Defamation League (\$50,000), Microsoft (\$5,000 annually); Northeastern (competitive internal, interdisciplinary research grants = \$104,000)
 - Service: Appointments Committee (2020-2022)
- 2014-2020 **NEW YORK LAW SCHOOL**
John Marshall Harlan II Professor of Law, March 2020-July 2020
Professor of Law, July 2018-March 2020
Associate Professor of Law, Aug. 2014-June 2018
 - Founding Director, Innovation Center for Law and Technology
 - Service: Appointments Committee (Chair, 2019-2020; Member 2018-2019)
 - Courses: Torts, Constitutional Law, Information Privacy Law, Internet Law, Technology for Lawyers, Law & Sexuality

VISITING PROFESSORSHIPS

- 2019-2020 **PRINCETON UNIVERSITY**, Microsoft Visiting Professor of Information Technology and Visiting Professor, Princeton School of Public and Int'l Affairs
- 2017-Present **FORDHAM UNIVERSITY SCHOOL OF LAW**, Visiting Professor of Law
 - Winner, Faculty Excellent Award, Fordham Outlaws
- Summer 2021 **TEL AVIV UNIVERSITY, FACULTY OF LAW**, Visiting Professor of Law
- Summer 2016 **HEBREW UNIVERSITY, FACULTY OF LAW**, Visiting Professor of Law
- 2014, 2019 **BROOKLYN LAW SCHOOL**, Visiting Professor of Law

ADVISORY POSITIONS, AFFILIATIONS, & ACADEMIC LEADERSHIP

Editorial Board, *Law & Social Inquiry* (2021-2024)

Affiliate Scholar, Yale Information Society Project

Affiliate Scholar, Law and Political Economy Project

Chair, Privacy Law Scholars Conference (2021-2024)

Founder and Chair, Joel R. Reidenberg Northeast Privacy Scholars Workshop (2017-Present)

PUBLICATIONS

Books

Industry Unbound: The Inside Story of Privacy, Data, & Corporate Power (CUP 2021)

Privacy as Trust: Information Privacy for an Information Age (CUP 2018)

- Cited in ALI's Principles of the Law: Data Privacy
- Winner: Otto L. Walter Distinguished Writing Award, 2019, for Best Book by Faculty
- Finalist: PROSE Award in Anthropology, Criminology, and Sociology category

Law Review and Peer-Reviewed Articles (Published or Accepted)

"Privacy, Practice, and Performance," 110 *California Law Review* __ (forthcoming 2022) ([link](#))

"Disorderly Content," 97 *Washington Law Review* __ (forthcoming 2022) ([link](#))

"Social Norms and the Fourth Amendment," 119 *Michigan Law Review* __ (forthcoming 2021) (with Matt Tokson) ([link](#))

"The New Privacy Law," 55 *U.C. Davis Law Review Online* 19 (2021) ([link](#))

"Outsourcing Privacy," 96 *Notre Dame Law Review Discourse* 194 (2021) ([link](#))

"Privacy Law's False Promise," 97 *Washington University Law Review* 773 (2020) ([link](#))

- Winner: Best Paper Award at the 2019 Privacy Law Scholars Conference

"Past the Privacy Paradox: The Importance of Privacy Changes as a Function of Control and Complexity," 5 *Journal of the Association of Consumer Research* 162 (2020) (peer reviewed) (with Jim Mourey) ([link](#))

"Data Protection by Design? A Critique of GDPR Art. 25," 53 *Cornell Int'l Law Journal* 147 (2020) ([link](#))

"Power, Process, and Automated Decision-Making," 88 *Fordham Law Review* 613 (2019) ([link](#))

"Safe Social Spaces," 96 *Washington University Law Review* 1537 (2019) ([link](#))

"Cognitive Biases, Dark Patterns, and the 'Privacy Paradox'," 31 *Current Opinion in Psychology* 105 (2019) (peer reviewed) ([link](#))

"Law, Privacy, and Online Dating: 'Revenge Porn' in Gay Online Communities," 44 *Law & Social Inquiry* 987 (2019) (peer reviewed) ([link](#))

- Honored as the Deirdre G. Martin Memorial Lecture on Privacy, University of Ottawa

"Privacy's Law of Design," 9 *U.C. Irvine Law Review* 1239 (2019) ([link](#))

“Sex, Lies, and Videotape: Deep Fakes and Free Speech Delusions,” 78 *Maryland Law Review* 892 (2019) (with Mary Anne Franks) ([link](#))

“Designing Without Privacy,” 55 *Houston Law Review* 659 (2018) ([link](#))

- Winner: 2019 Privacy Papers for Policymakers Award
- Winner: Best Paper Award at the 2017 Privacy Law Scholars Conference
- Cited in ALI’s Principles of the Law: Data Privacy
- Included in course syllabi at Harvard College, UC Berkeley, Yale College, NYU, etc.

“A Statistical Analysis of Privacy Policy Design,” 93 *Notre Dame Law Review Online* 159 (2018) ([link](#))

- Cited in ALI’s Principles of the Law: Data Privacy

“The Marketplace of Fake News,” 20 *Pennsylvania Journal of Constitutional Law* 845 (2018) ([link](#))

“Are Anti-Bullying Laws Effective?,” 103 *Cornell Law Review Online* 135 (2018) ([link](#))

“Privacy, Notice, and Design,” 21 *Stanford Technology Law Review* 74 (2018) ([link](#))

“A Breach of Trust: Fighting ‘Revenge Porn,’” 102 *Iowa Law Review* 709 (2017) ([link](#))

- Cited in ALI’s Principles of the Law: Data Privacy

“Trust: A Model for Disclosure in Patent Law,” 92 *Indiana Law Journal* 557 (2017) ([link](#))

“Triggering Tinker: Student Speech in the Age of Cyberharassment,” 71 *University of Miami Law Review* 427 (2017) ([link](#))

“Privacy, Sharing, and Trust: The Facebook Study,” 67 *Case Western Reserve Law Review* 193 (2016) ([link](#))

“Manipulating Trust on Facebook,” 29 *Loyola Consumer Law Review* 175 (2016) ([link](#))

“Amplifying Abuse: The Fusion of Cyberharassment and Discrimination,” *Boston University Law Review Annex* (Oct. 2015) ([link](#))

“Privacy As Trust: Sharing Personal Information in a Networked World,” 69 *University of Miami Law Review* 559 (2015) ([link](#))

- Winner: Otto Walter Distinguished Writing Award, 2016, for Best Article by NYLS Faculty

“Marriage Rights and the Good Life,” 64 *Hastings Law Journal* 739 (2013) ([link](#))

“All Those Like You: Identity, Aggression, and Student Speech,” 77 *Missouri Law Review* 563 (2013) ([link](#))

“Tormented: Anti-Gay Bullying in Schools,” 84 *Temple Law Review* 385 (2012) ([link](#))

Articles in Progress and Under Peer Review

“Are Algorithmic Decisions Legitimate? The Effect of Process and Outcomes on Perceptions of Legitimacy of AI Decisions” (with Kirsten Martin): Using a series of factorial vignettes, this empirical project explores the conditions in which individuals perceive automated decisions to be legitimate.

“Cyber Abuse, Big Tech, and the Practice of Law”: Based on reviews of case documents and in-depth interviews with the leading practitioners representing victims of IPV, this article tells the story of technology’s impact on access to justice for victim-survivors of IPV.

Book Chapters

“Navigating Hate and Harassment on Queer Dating Apps,” in *Technology-Facilitated Violence and Abuse: International Perspectives and Experiences* (Jane Bailey, Asher Flynn, and Nicola Henry eds. 2020)

- “Algorithmic Legitimacy,” in *Cambridge Handbook on Law and Algorithms* (Woodrow Barfield ed. 2020)
- “Knowledge Production Across Contexts” (with Brett Frischmann & Katherine Haenschen), in *Governing Privacy in Knowledge Commons* (Madelyn Sanfilippo, Brett Frischmann, & Katherine Strandburg eds. 2020)
- “Trust: Privacy in the Digital Age,” in *Digitization and the Law* (Eric Hilgendorf ed. 2018)
- “Privacy as Trust: Sharing Personal Information in a Networked World,” in *Cultures of Privacy* (Barbel Harju ed. 2016)
- “Presumptive Criminals: HIV-Related Aggravated Assaults,” in *Handbook of LGBT Communities, Crime, and Justice* (Dana Peterson & Venessa R. Panfil eds. 2014)

Essays and Book Reviews

- “Sexual Harassment Online: Shaming and Silencing Women in the Digital Age, by Tania G. Levey,” Book Review, 124 *American Journal of Sociology* 1946 (2019)
- “When We Outsource Privacy Compliance, We May Undermine Privacy,” *ProMarket.org* (Apr. 2019)
- “Images of Harassment: Copyright Law and Revenge Porn,” 23 *Federal Bar Quarterly* 15 (Sept./Oct. 2015)
- “The Freedom to Marry: Politics and Law in 2014 and Beyond,” 40 *Human Rights* 19 (July 2014)
- “Military Justice is Alive and Well: A Response to Dr. William J. Gregor,” *XLI Parameters* 124 (2011)

Peer Reviewer

Yale Law Journal, Harvard Law Review, American Journal of Sociology, Law and Society Review, Canadian Journal of Law and Society, New York University Law Review, Berkeley Technology Law Review, Election Law Journal, Oxford University Press, Cambridge University Press, University of California Press

HONORS, AWARDS, GRANTS, & FELLOWSHIPS

Top 50 Thinker of 2020, Prospect UK Magazine.

Knight Foundation grant (\$25,000) for research on misinformation.

Faculty Excellence Award, Fordham University School of Law, Fordham OutLaws

Appointed by the Chief Judge of the State of New York to the **Commission to Reimagine the Future of New York’s Courts**.

Founded **Legally Queer**, an educational, activist, and advocacy project about LGBTQ legal history and the importance of a progressive judiciary (2020).

Elected to the **American Law Institute** on July 19, 2019.

Best Paper Award, Privacy Law Scholars Conference, 2019 (for *Privacy Law’s False Promise*). Awarded to best scholarship annually. I am the only person to win twice on two single-author papers.

Belfer Fellow, 2019, Center for Democracy and Society, Anti-Defamation League. **\$50,000** nationally competitive research grant and fellowship to research technology and harassment.

Otto L. Walter Distinguished Writing Award, 2019 (for [Privacy As Trust](#)). Competitive internal NYLS honor for best faculty book published in the previous year.

Privacy Papers for Policymakers, 2019 (for *Designing Without Privacy*). Awarded by the Future of Privacy Forum to 5 of the best works of scholarship in privacy worldwide annually.

Testified before the House Judiciary Committee twice on privacy/content moderation (2019).

Deirdre G. Martin Memorial Lecture on Privacy, 2018 (for *Safe Social Spaces*). Awarded to 1 privacy scholar worldwide annually.

Best LGBT+ Lawyers Under 40, 2018. Awarded to outstanding queer lawyers by the National LGBT Bar Association annually.

Best Paper Award, Privacy Law Scholars Conference, 2017 (for *Designing Without Privacy*). Awarded for best scholarship in privacy annually.

Otto L. Walter Distinguished Writing Award, 2016 (for *Privacy As Trust*). Competitive internal NYLS honor for best faculty article published in the previous year.

New York Law Journal Rising Star Award, 2016. Competitive regional honor for lawyers with impact in the community.

Outstanding Dissertation, 2015 (for PhD dissertation).

Cihui Foundation Fellowship, 2015. Internal Columbia award for graduate research.

Paul F. Lazarsfeld Fellowship, 2012-2015. Competitive Columbia Ph.D. fellowship.

OP-EDS

“Queer Dating Apps Are Unsafe by Design,” *New York Times* (June 13, 2019)

“Facebook’s So-Called Pivot to Privacy Is a Diversion,” *Slate* (March 11, 2019)

“Duties of Loyalty & Care: Sen. Brian Schatz Offers a New Approach to Privacy,” *Medium* (Dec. 13, 2018)

“Harasser-in-Chief: Donald Trump and Steve Bannon Need Angry Young Men. They’re Using Gamergate Culture to Get Them,” *Quartz* (Feb. 3, 2017)

“Cyber mobs Multiply Online Threats and Their Dangers,” *New York Times* (Aug. 3, 2016)

“The Dangers of Online Anonymity,” *Forward* (October 2016)

“For Tyler, How One Man is Taking On Cyberbullies,” *Advocate* (Oct. 8, 2015)

“Ending the Cyberbullying Epidemic Five Years After Tyler Clementi’s Suicide,” *New York Daily News* (Oct. 1, 2015 2:48 PM) (with Jane Clementi)

“*The Case for Uber Data Sharing*,” *Gotham Gazette* (Nov. 19, 2014)

“*When Gays Hold Hands*,” *FourTwoNine Magazine* (Mar. 2014), at 54

POLICY

Board of Directors, Electronic Privacy Information Center (2021-Present)

Member, Board of Directors and Compliance Officer, Cyber Civil Rights Initiative (Feb. 2019-Present)

Board of Advisers, Electronic Privacy Information Center (2017-Present)

Subcommittee Chair, LGBTQ Policy Team & Member, Privacy, Surveillance, and Racism Subcommittee, Innovation Policy Committee Biden for President (July 2020-Present)

Director/Lead, Privacy and Technology Policy Team, Pete For America (April 2019-January 2020)

Policy Adviser, Senator Maria Cantwell (D-WA), Kirsten Gillibrand (D-NY), and Brian Schatz (D-HI) (on privacy legislation)

Testimony, New York State Senate, Standing Committees on Consumer Protection and Science and Technology, Testimony on “Online Privacy and the Role of the New York State Legislature in its Oversight” (June 4, 2019)

Testimony, United States House of Representatives, Committee on the Judiciary, Testimony on “The State of Intellectual Freedom in America” (Sept. 27, 2018)

Testimony, United States House of Representatives, Committee on the Judiciary, Testimony on “Filtering Practices of Social Media Platforms” (April 26, 2018)

Policy Adviser, Congressman Beto O’Rourke (D-TX) (on intermediary liability)

Policy Adviser, Congresswoman Katherine Clark (D-Mass) (on cyberharassment policy)

Adviser, *Privacy* (a play on digital privacy at the Public Theater in NYC)

Data and Tech Advisory Group, Taxi & Limousine Commission, New York City (2015-2018)

CONFERENCES (as host/organizer)

Privacy Law Scholars Conference (Chair, program committee, 2020-2023; member, program committee, 2019-Present)

Joel R. Reidenberg Northeast Privacy Scholars Workshop (Nov. 13, 2020) (co-Founder)

Law & Society Conference (program committee, 2020)

Third Annual Northeast Privacy Scholars Workshop (Nov. 8, 2019) (co-Founder)

Second Annual Northeast Privacy Scholars Workshop (Nov. 9, 2018) (co-Founder)

Eighth Internet Law Works-in-Progress (Mar. 26, 2018)

First Annual Northeast Privacy Scholars Workshop (Oct. 20, 2017) (co-Founder)

Sixth Internet Law Works-in-Progress (Mar. 5, 2016)

Internet Safety Conference (Oct. 3-4, 2015) (Founder)

SELECTED RECENT LECTURES & PRESENTATIONS

On *Disorderly Content*

- UC Hastings School of Law, Faculty Colloquium (via zoom) (Sept. 14, 2021)
- Texas A&M University School of Law, Faculty Colloquium (via zoom) (Sept. 8, 2021)
- Northeastern University School of Law, Faculty Colloquium (via zoom) (June 28, 2021)
- Yale Law School, Information Society Project, Ideas Lunch (via zoom) (June 17, 2021)

On Industry Unbound and *Privacy, Practice, and Performance*

- American Bar Foundation, Public Lecture (via zoom) (Sept. 22, 2021)
- TransAtlantic Seminar on Consumer Law, Technology, and Inequality (Sept. 1, 2021)
- Northeastern University, College of Social Sciences and Humanities, Humanities Center, Faculty Works-in-Progress Colloquium (via zoom) (Feb. 22, 2021)
- NYU School of Law, Privacy Research Group, New York, NY (via zoom) (Oct. 30, 2020)
- Berkeley Law School, Berkeley, CA (via zoom) (Oct. 26, 2020)
- Washington University (St. Louis) School of Law, St. Louis (via zoom) (Sept. 17, 2020)
- Privacy Law Scholars Conference, Washington, DC (via zoom) (June 4, 2020)
- Northeastern University School of Law, Boston, MA (Mar. 13, 2020)
- NYU School of Law, Privacy Research Group, New York, NY (Feb. 5, 2020)
- Northeast Privacy Scholars Workshop, Princeton, NJ (Nov. 13, 2019)

On Misinformation, Law, and Policy

- Cornell Tech, Digital Life Initiative, *Conservatives as Victims* (via zoom) (Mar. 18, 2021)
- Knight Foundation, Misinformation Research Presentation (via zoom) (Dec. 11, 2020)
- Yale Law School, Information Society Project Conference (via zoom) (Dec. 4, 2020)

Invitation Only Policy Roundtables/Discussions

- Roundtable discussion on Between Truth and Power, by Julie Cohen, Notre Dame University School of Law, South Bend, IN (Jan. 31, 2020)
- Amplifying Visibility and Building Capacity for Sexual and Gender Diverse Populations, National Academies of Sciences, Engineering, and Medicine, Washington, DC (Aug. 5, 2019)
- Synthetic Media and the 2020 Election, Carnegie Endowment for International Peace, San Francisco, CA (June 19, 2019)
- Autonomous Vehicle Initiative, Knight Foundation, Portland, OR (May 10, 2019)
- Charting the Way Forward for Information Fiduciaries, Center for Advanced Study in the Social and Behavioral Studies, San Francisco, CA (March 19, 2019)

On *Privacy Law's False Promise*:

- American Sociological Association Conference, New York, New York (Aug. 10, 2019)
- Privacy Law Scholars Conference, Berkeley, California (May 29, 2019)
- Seton Hall School of Law (Apr. 5, 2019)
- International Privacy+Security Forum (Apr. 5, 2019)
- Cardozo Law School, Yeshiva University (Apr. 1, 2019)
- University of Maryland, Francis King Carey School of Law (Feb. 1, 2019)
- Yale Law School, Information Society Project (Jan. 24, 2019)
- New York University School of Law, Privacy Research Group (Sept. 26, 2018)
- Cornell Law School, School of Information Science (Sept. 18, 2018)
- Tel Aviv University School of Law, CyberWeek, Academic Conference, Tel Aviv, Israel (June 18, 2018)

On *Algorithmic Legitimacy and Power, Process, and Automated Decision-Making*:

- Privacy Law Scholars Conference, Berkeley, California (May 30, 2019)
- WeRobot PreConference (Apr. 11, 2019)
- Yale Law School, Information Society Project (Apr. 7, 2019)

On *Safe Social Spaces*:

- Harvard Club of New York City (Nov. 6, 2018)
- Washington University School of Law (Sept. 14, 2018) (also conference host)
- Deirdre G. Martin Memorial Lecture on Privacy, University of Ottawa, Faculty of Law, Ottawa, Ontario, Canada (Feb. 21, 2018)

On *Law, Privacy, and Online Dating*:

- National LGBT Bar Association Conference, New York, NY (Aug. 9, 2018)
- National Association of Women Judges Conference, Brooklyn, NY (Apr. 13, 2018)

On *Designing Without Privacy* and *Privacy By Design*:

- Berlin Centre for Consumer Policies (BCCP) Conference and Policy Forum, Berlin, Germany (June 8, 2018)
- Notre Dame University School of Law, *Privacy's Blueprint Workshop* (Apr. 27, 2018)
- University of California, Berkeley (Feb. 12, 2018)
- Privacy Law Scholars Conference Europe, Brussels, Belgium (Jan. 27, 2018)
- 11th International Conference, Computers, Privacy & Data Protection 2018, Brussels, Belgium (Jan. 24, 2018)
- IAPP, Privacy. Security. Risk., San Diego, CA (Oct. 18, 2017)
- University of Pennsylvania Law School, Junior Faculty Forum on Law and STEM, Philadelphia, PA (Oct. 6, 2017)
- Privacy+Security Forum, Washington, D.C. (Oct. 5, 2017)
- Seton Hall University School of Law, Newark, NJ (Sept. 27, 2017)
- Maurice A. Dean School of Law, Hofstra University, Hempstead, NY: Fall 2017 Intellectual Property Colloquium (Sept. 18, 2017)
- St. John's University School of Law, New York, NY (Sept. 6, 2017)
- Microsoft Corp., Redmond, WA (Aug. 8, 2017)
- Privacy Law Scholars Conference, UC Berkeley, Berkeley, CA (June 2, 2017)

On *Past the Privacy Paradox*:

- Association of Consumer Research Conference, Dallas, TX (Oct. 11, 2018) (with James Mourey)
- Privacy Law Scholars Conference, UC Berkeley, Berkeley, CA (June 1, 2017) (with James A. Mourey)
- Harvard University Kennedy School of Government, Behavioral Insights Group, Harvard
- Privacy and Transparency Workshop (May 15, 2017) (with James Mourey).

Public Lectures, Talks, Panels:

- Advocating Human Rights in the 21st Century, United Nations, New York, NY: *Privacy and Marginalized Populations* (Feb. 27, 2020)

- National Association of Attorneys General Annual Conference, Washington, DC: *Privacy and Artificial Intelligence* (Dec. 11, 2019)
- Never is Now, Anti-Defamation League Annual Conference, New York, NY: *Online Harassment and the LGBTQ Community* (Nov. 21, 2019)
- Between Truth and Power, by Julie E. Cohen, Fordham University School of Law, New York (Nov. 20, 2019)
- MailChimp Privacy Ambassadors, Atlanta, GA (Oct. 2, 2019)
- New York City Citywide Privacy Protection Committee, New York, NY (Sept. 24, 2019)
- Paul Hastings Future of Work Series, San Francisco, CA (June 21, 2019)
- The Battery, San Francisco, CA: *Privacy in the Digital Age* (May 28, 2019)
- AtlanticLive, Washington, DC: *Protecting Privacy* (Sept. 12, 2018)
- JCC of Greater Boston, Jonathan Samen Discussion Series: *Cyber Trolls, Death Threats, and the First Amendment* (Mar. 15, 2017)

OTHER PROFESSIONAL WORK EXPERIENCE

- 2008-2010 **WINSTON & STRAWN LLP**
Senior Associate, Appeals and Critical Motions
- 2007-2008 **The Honorable SCOTT W. STUCKY**
US COURT OF APPEALS FOR THE ARMED FORCES
Law Clerk
- 2005-2007 **FRIED FRANK HARRIS SHRIVER & JACOBSON LLP**
Associate, Litigation and Intellectual Property

PROFESSIONAL & COMMUNITY ORGANIZATIONS

- American Law Institute (ALI), Member, elected July 19, 2019
- Electronic Privacy Information Center (EPIC), Member, Board of Advisers (2019-Present)
- Cyber Civil Rights Initiative (CCRI), Member, Board of Directors (2019-Present) & Founder, LGBTQ Project (2020-Present)
- SCOTUS Theatre, Producer (2019-Present)
- Science, Knowledge, and Technology Section of the American Sociological Association, Member (2018-Present)
- OUT Leadership, Member, Leadership Committee (2014-Present)
- Tyler Clementi Foundation, Member, Board of Trustees (2013-2017)

PERSONAL

Certified group fitness instructor, yoga, personal chef, my dog Peabody

REFERENCES

Danielle Keats Citron

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Distinguished Professor in Law
University of Virginia School of Law
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Julie E. Cohen

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Daniel J. Solove

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Paul M. Schwartz

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Kristin Johnson

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kristin.johnson@emory.edu
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Katherine Jo Strandburg

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Mary Anne Franks

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