

MARCO J. JIMENEZ
1401 61st Street South
Gulfport, FL 33707
majimene@law.stetson.edu

ACADEMIC EMPLOYMENT

STETSON UNIVERSITY COLLEGE OF LAW, Gulfport, FL 2006-Present
Professor of Law, August 2006 - Present

Courses Taught: Contracts; Remedies; Jurisprudence, International Sales and Arbitration; Western Legal History and Thought; Roman Law, and the Honors Colloquium. I have also taught Overview of the Legal System (Remedies) in Stetson's Master of Jurisprudence in International and Comparative Business Law program.

Awards: Dickerson-Brown Award for Excellence in Faculty Scholarship for 2010-2011 academic year; Outstanding Faculty Service Award for 2010-2011, Branton Excellence in Teaching Award for 2009-2010 academic year; Golden Apple Award for Best Full-Time Program Professor for 2006-2007 academic year.

Other Appointments: Leroy Highbaugh Sr. Research Chair (2011-2012 and 2012-2013 academic years); Resident Director, Fall "Semester Abroad in London" Program, Stetson University College of Law (2014).

EDUCATION

YALE LAW SCHOOL, New Haven, CT 2000
Juris Doctor

Honors: Olin Fellow

Activities: Yale Journal on Regulation; Yale Journal of International Law; Puerto Rico Conference, Organizer and Board Member; Student Representative; Morris Tyler Moot Court; Latino Law Students' Association; Jerome N. Frank Legal Services Organization, Student Advocate in Immigration Clinic

UNIVERSITY OF SOUTHERN CALIFORNIA, Los Angeles, CA 1997

Bachelor of Arts, *magna cum laude*, International Relations, *with Honors*

Bachelor of Science, *magna cum laude*, Finance and Business Economics

Thesis: *The Ethics of Capitalism and the Multinational Corporation: A Comparative Analysis*. Awarded the Dean of Research's Award for Excellence in Undergraduate Research

Honors: Phi Beta Kappa; Golden Key National Honor Society; Beta Gamma Sigma Honor Society; Recipient of Union Bank Foundation Scholarship; Recipient of USC Associates Endowed Scholarship in Business Administration

Activities: Joint Educational Project, Teaching Assistant and Tutor for Vermont Elementary School; Latino Business Students' Association; Emerging Leaders Program; Inroads Los Angeles

PUBLICATIONS

- *On Measuring Damages Where a Contract Breach Benefits the Promisee: Response to Mark Giancaspro, Quantifying Damages in Cases of Advantageous Breach: The Curious Case of McDonald's Milkshakes*, Stetson Law Review Forum, Spring (2021)
- CONTRACT LAW: A CASE- AND PROBLEM-BASED APPROACH (2nd edition, Aspen Casebook Series 2021)
- *Rethinking National Injunctions*, JOTWELL (October 14, 2020) (reviewing Russell L. Weaver, *Nationwide Injunctions*, 14 FIU L. Rev. 103 (2020)).
- *Making Punitive Damages More Predictable*, JOTWELL (August 14, 2019) (reviewing Benjamin J. McMichael & W. Kip Viscusi, *Taming Blockbuster Punitive Damages Awards*, 2019 University of Illinois Law Review 171 (2019)).
- *Retribution in Contract Law*, 52 U.C. Davis Law Review (2018)
- *Bridging the Property-Contract Divide: Testing the Endowment Effect in Contract Law*, 68 DePaul Law Review 27 (2018)
- *The Value of Identity*, JOTWELL (August 1, 2018) (reviewing Sarah Dadush, *Identity Harm*, 89 University of Colorado Law Review 863 (2018)).

- CONTRACT LAW: A CASE- AND PROBLEM-BASED APPROACH (Aspen Casebook Series 2017)
- *Hohfeld and Distributive Justice in Contract Law*, 43 Florida State University Law Review 1265 (2016).
- *Justifying the Law-Equity Divide*, JOTWELL (June 16, 2016) (reviewing Samuel Bray, *The System of Equitable Remedies*, 63 UCLA L. REV. 530 (2016)).
- *Remedial Consilience*, 62 Emory Law Journal 1309 (2013)
- *Towards a Borgean Theory of Constitutional Interpretation*, 40 Pepperdine Law Review 1 (2012), *reprinted in* *Borges en el Espejo de los Juristas Derecho Literature Borgeana* 185-212 (José Calvo González ed. 2016).
- *Finding the Good in Holmes' Bad Man*, 79 Fordham Law Review 2069 (2011)
- *The Many Faces of Promissory Estoppel: An Empirical Analysis Under the Restatement (Second) of Contracts*, 57 U.C.L.A. Law Review 669 (2010)
- *The Value of a Promise: A Utilitarian Approach to Contract Law Remedies*, 56 U.C.L.A. Law Review 59 (2008), *reprinted in part in* *Perspectives on Contract Law* 59-70 (Randy E. Barnett ed., 4th ed. 2009).

PRESENTATIONS

- 8/2018: Southeastern Association of Law Schools Annual Meeting (Ft. Lauderdale, Florida)
Presented Paper *Punitive Damages as Protective Damages* and participated as a Discussant on *Controversial Remedies Panel*
- 8/2018: Southeastern Association of Law Schools Annual Meeting (Ft. Lauderdale, Florida)
Facilitator: *Prospective Law Teachers Workshop*
- 2/2018: 13th Annual International Conference on Contracts (Orlando, Florida)
Presented Paper *A Defense-Based Theory of Contract Law*
- 8/2016: Southeastern Association of Law Schools Annual Meeting (Amelia Island, Florida)
Discussant: *Workshop on Scholarship, Book Creation*
- 8/2016: Southeastern Association of Law Schools Annual Meeting (Amelia Island, Florida)
Commentator and Mentor: *New Scholars Workshop*
- 6/2015: Southeastern Association of Law Schools Annual Meeting (Boca Raton, Florida)
Moderator: *New Law Teachers Workshop*
- 11/2013: Junior Scholars Forum (Gulfport, Florida)
Facilitator, Commentator, and Mentor
- 11/2012: 11th Circuit Legal Scholarship Forum (Gulfport, Florida)
Facilitator, Commentator, and Mentor
- 11/2011: 5th Annual Florida Legal Scholarship Forum (Gulfport, Florida)
Facilitator and Commentator
- 7/2011: Southeastern Association of Law Schools Annual Meeting (Hilton Head, South Carolina)
Moderator: *Instant Culture and the Law*
- 4/2011: Presented Paper *Testing the Endowment Effect in Contract Law* before faculty at Stetson University College of Law as part of the Faculty Scholarship Series
- 2/2011: 6th Annual International Conference on Contracts (Gulfport, Florida)
Moderator: *Restitution and Contracts*
- 10/2010: Presented Paper *The Four Remedial Interests* before faculty at University of Florida Frederic G. Levin College of Law.

- 8/2009: Southeastern Association of Law Schools Annual Meeting (Palm Beach, Florida)
Moderator: *Working with IRB Boards, Seeking Funding/Grants for Empirical Projects, and Conducting Qualitative Empirical Research*
- 4/2009: Presented Paper *The Many Faces of Promissory Estoppel: An Empirical Analysis* before student body and faculty at Stetson University College of Law as part of the Faculty Scholarship Series
- 11/2008: Presented Paper *The Many Faces of Promissory Estoppel: An Empirical Analysis* at Junior Faculty Forum for Florida Law Schools
- 11/2008: Presented Paper *The Many Faces of Promissory Estoppel: An Empirical Analysis* before Honors Colloquium at Stetson University College of Law
- 7/2008: Presented Paper *The Many Faces of Promissory Estoppel: An Empirical Analysis* at New Scholars Workshop before Southeastern Association of Law Schools Annual Meeting (Amelia Island, Florida)
- 11/2007: Presented Paper *The Value of a Promise: A Utilitarian Approach to Remedies for the Breach of Contract* before Florida State-Miami-Stetson Junior Faculty Forum
- 11/2007: Presented Paper *The Value of a Promise: A Utilitarian Approach to Remedies for the Breach of Contract* before Honors Colloquium at Stetson University College of Law
- 11/2007: Panelist/commentator/advisor for student presentation before Stetson University College of Law Board of Trustees *The Uses and Misuses of the Bible in Judicial Decision-Making*
- 10/2007: Presented Paper *The Value of a Promise: A Utilitarian Approach to Remedies for the Breach of Contract* before Mercer Law School Faculty
- 7/2007: Southeastern Association of Law Schools Annual Meeting (Amelia Island, Florida)
Moderator: *Whither Dr. Miles: After 95 years, Is a Per Se Rule on Resale Price Fixing Still Necessary?*

OTHER SCHOLARLY EXPERIENCE

PROFESSOR BRUCE ACKERMAN, New Haven, CT Spring 1999
Research Assistant

- Researched and drafted memoranda on numerous topics, including 1960s civil rights movement for forthcoming book

OTHER LEGAL EMPLOYMENT EXPERIENCE

SIDLEY AUSTIN BROWN & WOOD LLP, Los Angeles, CA 2003-2006
Associate

- Advocated, researched, and drafted briefs and legal memoranda on antitrust, securities, contract, and healthcare cases
- Drafted portions of Wells submission to SEC in an investigation of accounting firm's audit of publicly traded company
- Supervised attorneys in organizing and conducting document review in civil and criminal investigations
- Prepared presentation on Current Pleading Standards in Securities Laws for conference on Private Securities Litigation Reform Act ("PSLRA") before the Los Angeles County Bar Association

U.S. DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA, Miami, FL 2002-2003
Law Clerk to the Honorable James Lawrence King

- Drafted judicial orders and opinions
- Prepared bench memoranda for hearings on pretrial, trial, and post-trial motions
- Researched and analyzed pleadings and motions in civil and criminal cases
- Attended judicial proceedings

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP, Los Angeles, CA 2000-2002
Associate

- Drafted motions and legal memoranda on intellectual property, real estate, bankruptcy, contract, fraud, and indemnity cases
- Deposed witnesses
- Prosecuted a criminal case in conjunction with the Pasadena Prosecutor's Office
- Performed document review and prepared filings

PROFESSIONAL AND COMMUNITY SERVICE

Coach, VIS Competition Team, 2008-present
Coach, Negotiation Team, 2007

Law School Committee Service:

Director, Bruce R. Jacob Visiting Assistant Professor Program (2019-present)
Law Review Advisor, Stetson Law Review, 2018-present
Member, Coif Committee, 2010-11
Member, Admissions Committee (2016-18)
Member, Appointments Screening Committee (2009-11, 2018-present)
Co-Chair, Appointments Screening Committee (2016-17, 2019-20)
Co-Chair, Decanal Review Committee (2017-2018 and 2021-22)
Member, Honors, Awards, and Financial Aid Committee (2006-08)
Chair, Judicial Clerkship & Faculty Scholarship Committee (2007-09, 2011-12, 2015-17, 2018-19)
Member, Judicial Clerkship & Faculty Scholarship Committee (2012-15, 2017-18, 2019-present)
Member, Curriculum Committee (2008-09, 2012-13)
Member, Dean Search Committee (2011-2012)
Coordinator, Honors Program (2010-12)
Member, SEALS Call for Paper Committee (2011-present)
Member, Strategic Planning Committee (2013-14)
Chair, Tenure Conversion Committee (2017-18) (Professor Vaughan)
Member, Conduct Code Committee (2021-present)
Member, Tenure Conversion Committee (2017-18) (Professor Palmer)
Chair, Tenure Committee (2017-18) (Professor Bent)

BAR ADMISSION

California