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Professor of Law
St. John's University School of Law
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BOOKS

CONSUMER LAW: CASES AND MATERIALS (with Dee Pridgen, & Christopher Peterson)
(5th ed. 2020 West)

SELECTED CONSUMER STATUTES (with Dee Pridgen & Christopher Peterson) (2019 West)

SELECTED CONSUMER STATUTES (with Dee Pridgen & Christopher Peterson) (2015 West)

CONSUMER LAW: CASES AND MATERIALS (with John A. Spanogle, Ralph J. Rohner, Dee
Pridgen, & Christopher Peterson) (4th ed. 2013 West)

SELECTED CONSUMER STATUTES (with John A. Spanogle, Ralph J. Rohner, Dee Pridgen,
& Christopher Peterson) (2013 West)

SELECTED CONSUMER STATUTES (with John A. Spanogle, Ralph J. Rohner & Dee
Pridgen) (2011 Thomson/West)

SELECTED CONSUMER STATUTES (with John A. Spanogle, Ralph J. Rohner & Dee
Pridgen) (2009 Thomson/West)

CONSUMER LAW: CASES AND MATERIALS (with John A. Spanogle, Ralph J. Rohner &
Dee Pridgen) (3d ed. 2007 Thomson/West)

SELECTED CONSUMER STATUTES (with John A. Spanogle, Ralph J. Rohner & Dee
Pridgen) (2007 Thomson/West)

ARTICLES, ETC.

[*Not-So-Smartphone Disclosures*](#), St. John's Legal Studies Research Paper No. 22-0010
(2022).

[*Six Scandals: Why We Need Consumer Protection Laws Instead of Just Markets*](#), 11
Michigan Business & Entrepreneurial Law Review 1 (2021)

[*Validation and Verification Vignettes: More Results from an Empirical Study of
Consumer Understanding of Debt Collection Validation Notices*](#) (with Kate E. Walton &
Nathan Frishberg), 71 Rutgers Law Rev. 189 (2018)

[Free-Market Failure: The Wells Fargo Arbitration Clause Example](#), 70 Rutgers Law Rev. 417 (2018)

[The Content of Consumer Law Classes III](#), 22 J. Consumer & Commercial L. 2 (2018)

[Are Validation Notices Valid? An Empirical Evaluation of Consumer Understanding of Debt Collection Validation Notices](#), 75 SMU Law Review 63 (2017) (with Kate Walton)

['Whimsy Little Contracts' with Unexpected Consequences: An Empirical Analysis of Consumer Understanding of Arbitration Agreements](#), 75 Maryland Law Review 1 (2015) (with Elayne Greenberg, Paul Kirgis, & Yuxiang Liu)

[Can Cost-Benefit Analysis Produce Better Consumer Protection? Or at Least Benefit Analysis?](#) 4 UC Irvine Law Review 1241 (2014)

[Written Notice of Cooling-Off Periods: A Forty-Year Natural Experiment in Illusory Consumer Protection and the Relative Effectiveness of Oral and Written Disclosures](#), 75 University of Pittsburgh Law Review (2014)

Fixing Consumer Protection Laws So Borrowers Understand Their Payment Obligations, 48 Journal of Consumer Affairs 17 (2014)

Encyclopedia entries on Cooling-off Periods and the Magnuson-Moss Warranty Act in Encyclopedia of Consumer Protection and Safety (ABC-CLIO) (2014)

[Law Student Laptop Use During Class for Non-Class Purposes: Temptation v. Incentives](#), 51 University of Louisville Law Review 483 (2013)

[Preventing Future Economic Crises Through Consumer Protection Law or How the Truth in Lending Act Failed the Subprime Borrowers](#), 71 Ohio State Law Journal 761 (2010), reprinted in the Practising Law Institute's 16th Annual Consumer Financial Services Institute Course Handbook (2011). WINNER, AMERICAN COUNCIL ON CONSUMER INTERESTS 2010 APPLIED CONSUMER ECONOMICS AWARD

[The Content of Consumer Law Classes II](#), *The Content of Consumer Law Classes II*, 14 Journal of Consumer and Commercial Law No. 1 at 16 (2010)

[The Coase Theorem and the Power to Increase Transaction Costs](#), 40 McGeorge Law Review 935 (2009)

[The Content of Consumer Law Classes](#), 12 Journal of Consumer and Commercial Law 48 (2008)

[Towards a New Model of Consumer Protection: The Problem of Inflated Transaction Costs](#), 47 William & Mary Law Review 1635-1709 (2006)

Stopping Identity Theft, 38 Journal of Consumer Affairs 233-243 (2004)

[*The Jewel of Their Souls: Preventing Identity Theft Through Loss Allocation Rules*](#), 64 University of Pittsburgh Law Review 343-406 (2003)

[*Protecting Privacy with Deceptive Trade Practices Legislation*](#), 69 Fordham Law Review 1305-1357 (2001)

Helping Consumers Protect Their Personal Information, 12 Advancing the Consumer Interest (American Council on Consumer Interests) No. 2 at 23-30 (2000). WINNER, RUSSELL A. DIXON PRIZE

Opting In, Opting Out, or No Options at All: The Fight for Control of Personal Information, 74 Washington Law Review 1033-1118 (1999)

Implied Warranties of Quality in the Sale of New Homes in ENCYCLOPEDIA OF HOUSING, 307-09 (1998)

Good Will Adjustment Games: An Economic and Legal Analysis of Secret Warranty Regulation, 60 Missouri Law Review 323-414 (1995)

Toward the Regulation of Secret Warranties, 7 Advancing the Consumer Interest (American Council on Consumer Interests) No. 2 at 13-19 (1995)

Creating a Private Cause of Action under the New York Fair Debt Collection Practices Act, 50 Record 345 (1995) (Principal Author of Committee Report)

Toward a Theory of Warranties in Sales of New Homes: Housing the Implied Warranty Advocates, Law and Economics Mavens, and Consumer Psychologists Under One Roof, 1993 Wisconsin Law Review 13-103

Private Actions under Deceptive Trade Practices Acts: Reconsidering the FTC Act as Rule Model, 52 Ohio State Law Journal 437-467 (1991)

Paradigm and Paradox in New York Consumer Credit Law: After Holder in Due Course, 6 Annual Review of Banking Law 119-180 (1987)

REPORT OF THE DISCOVERY OVERSIGHT COMMITTEE OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK, reprinted in 2 Garfinkel, CURRENT PROBLEMS IN FEDERAL CIVIL PRACTICE 495-636 (1986) (with others)

Book Review of LORD'S JUSTICE by Sheldon Engelmayer and Robert Wagman (1985), 35 DePaul Law Review 763-771 (1986)

Reconsidering Federal Civil Rule 9(b): Do We Need Particularized Pleading Requirements in Fraud Cases? 104 Federal Rules Decisions 143-180 (1985)

Enjoining Payment on a Letter of Credit in Bankruptcy: A Tempest in a Twistcap, 38 Business Lawyer 21-33 (1982) (with Helen Davis Chaitman)

Allied Structural Steel v. Spannaus: Added Obligations, the Contract Clause, and Due Process, 16 Columbia Journal of Law and Social Problems 119-128 (1980)

OP-EDS AND OTHER MEDIA APPEARANCES

[Banks Fight for the Right to Discriminate](#), N. Y. Daily News, Oct. 26, 2022

[NYS Consumer Protection Bill Provides Needed Safeguards](#), Newsday, Apr. 18, 2022

[The COVID liability charade: Mitch McConnell's demand is built on dishonest claims](#), N.Y. Daily News, Dec. 15, 2020

[Instead of Liability Waivers, Reduce the Spread of Covid-19](#), Bloomberg Law, Oct. 13, 2020

[Placing Consumers at the Forefront of Relief Efforts](#), The American Prospect, April 5, 2020 (with Norman I. Silber)

[CFPB Should Cut Back on Texts, Emails Debt Collectors Could Send](#), Bloomberg Law insight, June 11, 2019

[Congress is considering privacy legislation – be afraid.](#) The Conversation, May 16, 2019

[Congress should follow California's lead in protecting consumers](#), CNN.com, January 21, 2019

[Why the ABA is Wrong on Amending Debt Collection Bill](#), Bloomberg Law, December 6, 2018 (with Gina Calabrese)

[Mick Mulvaney turned the CFPB into a do-nothing government cog](#), The Conversation, June 29, 2018

[The Consumer Financial Protection Bureau, leaving the public high and dry](#), New York Daily News, May 24, 2018

[Consumers are biggest losers of Trump's ongoing war on regulations](#), The Conversation, February 8, 2018, republished in [the San Francisco Chronicle](#), [Seattle Post-Intelligencer](#), and [Houston Chronicle](#).

[Why we need to save the Consumer Financial Protection Bureau \(with Gina Calabrese and Ann Goldweber\)](#), The Conversation, November 15, 2017, republished in [the San Francisco Chronicle](#), [CNBC.com](#), and [the New York Observer](#), and chosen for inclusion in Former Vice-President Joe Biden's podcast, [Biden's Briefing](#)

[Financial Choice Act Prioritizes Banks over Consumers](#), Morning Consult, July 25, 2017

[How This New Rule Prevents Your Bank from Ripping You Off](#), Fortune.com, July 13, 2017

[Would Wells scandal have come to light with a defanged CFPB?](#) American Banker, May 25, 2017

[Trump Faces Stark Choice: Protect Consumers or Banks](#), NY Times Dealbook, Jan. 18, 2017

[Phantom Debts Plague Collections System](#), American Banker, July 28, 2016

[What Can We Learn from Trump University's Sales Scripts](#), The Hill, July 8, 2016

[Keep Banks from Playing Tricks](#), Pittsburgh Post-Gazette, June 26, 2016

[The war on consumer protection](#), USA Today, March 16, 2016

[CFPB Arbitration Plan Provokes Dubious Industry Claims](#), American Banker, November 13, 2015.

[Arbitration Clauses for Credit Cards Cost Consumers](#), Boston Globe May 25, 2015

[Consumer Knowledge](#), Academic Minute on Northeast Public Radio, May 11, 2015

[Consumers Often Sign Contracts They Don't Read or Understand](#), Pittsburgh Post-Gazette, March 3, 2015

[When Consumers Give Up Their Right to Trial in Financial Disputes](#), N. Y. Times, Dealbook, January 30, 2015

[Arbitration Tricks Consumers into Giving Up Their Rights](#), American Banker, January 22, 2015

[Arbitration Clauses Trap Consumers with Fine Print](#), American Banker, December 2, 2014

Business Forum: Data brokers peddle information for their own selfish interests, Pittsburgh Post-Gazette, May 23, 2014

Consumer contracts should not be secrets (with Theresa Amato), The Hill Congress Blog, March 18, 2014

[To Catch a Creditor](#), N.Y. Times, July 11, 2013 (with Ira Rheingold), reprinted in the [Dallas Morning News](#)

[Make Sure Consumers Use Protection Rules](#), Pittsburgh Post-Gazette, Nov. 17, 2012

[Consumer Protection is a Partisan Issue](#), American Banker, October 24, 2012

[Romney Will Put Business Before Consumers](#), The Hill Congress Blog, October 9, 2012

[Help for the Perplexed Home Buyer](#), New York Times, July 18, 2012

[Holding All the Cards](#), Commonweal, July 11, 2012

[Business Forum: Subprime borrowers need more protection](#), Pittsburgh Post-Gazette, May 12, 2012

[Academic Minute on Northeast Public Radio](#), January 19, 2012

[Don't Let Banking Industry Capture the CFPB](#), American Banker, October 12, 2011

[Fair shake for Obama consumer protection nominee](#), Pittsburgh Post-Gazette, August 13, 2011

[Laptops in Class: How Distracting Are They?](#) Christian Science Monitor, June 6, 2011
reprinted in YahooNews.com and the Alaska Dispatch

[Don't Defund Consumer Financial Protection Bureau](#), Pittsburgh Post-Gazette, March 12, 2011

[What Next?](#) The Hill's Congress Blog, October 21, 2010

[Simple is Better in Consumer Protection Talks](#), The Hill (print edition), June 16, 2010 C

[Why Should Car Dealers be Exempt?](#) Politico, June 22, 2010

[Warren Would Protect Consumers, Not the Banks](#), The Hill Congress Blog, July 28, 2010

[Consumer bureau is Just the First Step](#), Pittsburgh Post-Gazette, July 17, 2010

Let States Set Consumer Protections, on CNN.com, May 18, 2010

[Take Consumer Watchdog off the Fed's Leash: Sen. Chris Dodd's Bill Will Weaken a Critical New Agency](#), New York Daily News, March 25, 2010

[The Importance of CFPB Independence](#), The Hill (online only), March 15, 2010

[Adjustable Mortgage a Pig in a Poke](#), Pittsburgh Post-Gazette, January 23, 2010

News Flash: Lenders Prefer Fragmented Regulation of the Consumer Financial Marketplace, Huffington Post, November 2, 2009 (with Norman I. Silber)

[Could a Consumer Financial Protection Agency Have Prevented the Economic Crisis?](#)

FinReg21, October 8, 2009

[New Credit Card Law Has Teeth](#), Pittsburgh Post-Gazette, June 30, 2009

Borrowers Must Understand Their Obligations, American Banker, May 13, 2009

['Truth in Lending' Needs to be Updated](#), Pittsburgh Post-Gazette, Dec. 16, 2008

[U.S. Needs Agency to Watch Consumer Credit](#), Pittsburgh Post-Gazette, March 18, 2008,

[Consumer Lists Are Not So Innocent If You Can't Opt Out](#), Christian Science Monitor, July 20, 2007

The Missing Branch, The New York Times, July 25, 1999, § 14, *reprinted in* CHICKEN SOUP FOR THE SINGLE PARENT'S SOUL (2005)

Letters published in the New York Times on December 30, 2015, May 6, 2015, August 18, 2014, June 10, 2014, March 7, 2014, November 17, 2013, June 2, 2013, March 8, 2013, August 25, 2012, August 15, 2012, July 8, 2012, June 2, 2012, May 21, 2012, December 31, 2011, August 31, 2011, March 30, 2011, February 13, 2010, August 27, 2009, May 11, 2009, March 29, 2007, December 18, 2006, June 1, 2006, June 23, 2005, October 31, 2004, April 17, 2003, October 12, 2002, June 25, 2002, December 20, 2001, October 2, 2001, March 27, 2001, July 4, 2000, April 24, 2000, October 26, 1999, July 5, 1999, April 20, 1999, February 28, 1999, June 17, 1998, January 4, 1998, July 17, 1997, November 20, 1996, and November 16, 1994.

Interview on Sirius XM Insights Channel, January 13, 2018

Interview on CBS Radio, October 25, 2017

Hour-long interview on the University of California—Irvine's radio show "Privacy Policy," July 26, 2006

Quoted by The New York Times, Wall Street Journal, Consumer Reports, U.S News & World Reports, Newsweek, Philadelphia Inquirer, [Los Angeles Times](#), New York Daily News, Newsday, Associated Press, ABA EJournal, Bloomberg, CBS News, NBC.com, Mother Jones, Politico, Forbes, Cleveland Plain Dealer, Washington Examiner, The Intercept, Law360, Huffington Post, American Banker, The Oregonian, MarketWatch, AdWeek, Women's Day, LegalNewsline, Tampa Bay Times, among others

HONORS

Fellow, American College of Consumer Financial Services Lawyers

Awarded American Council on Consumer Interests 2010 Applied Consumer Economics Award

Awarded American Council on Consumer Interests 2000 Russell A. Dixon Prize

SELECTED SPEAKING ENGAGEMENTS

Using Learning Science to Teach Consumer Law, University of Houston Law Center's and the UC Berkeley School of Law's Center for Consumer Law & Economic Justice Teaching Consumer Law Conference (May 20, 2022)

Six Scandals: Why We Need Consumer Protection Laws Instead of Just Markets, Consumer Law Scholars Conference at the Berkeley Center for Consumer Law and Economic Justice at the University of California—Berkeley Law School (March 5, 2021)

Discussant and Facilitator, Second Consumer Law Scholars Conference at the Berkeley Center for Consumer Law and Economic Justice at the University of California—Berkeley Law School (March 5 & 6, 2020)

Co-moderator, consumer protection discussion, Public Citizen/American Constitution Society Convening on Access to Justice Issues (November 1, 2019)

Do Markets Provide Consumer Protection?, [17th Conference of the International Association of Consumer Law](#) at Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana (June 13, 2019)

Discussant and Facilitator, First Consumer Law Scholars Conference at the Berkeley Center for Consumer Law and Economic Justice at the University of California—Berkeley Law School (February 21 & 22, 2019)

Teaching Consumer Law: What Has Been Included--What Should Be? University of Houston Law Center's Teaching Consumer Law Conference (May 18, 2018)

The CFPB under the Trump Administration: Where is it now and where is it going? Practising Law Institute's Annual Consumer Financial Services Institute (March 26, 2018)

Validation and Verification Vignettes: More Results from an Empirical Study of Consumer Understanding of Debt Collection Validation Notices, Rutgers Law School Center for Corporate Law and Governance Workshop on Consumer Financial Protection Law (February 2018)

The CFPB's Future, New York City Bar Association Committee on Consumer Affairs, (October 2017)

American Bankruptcy Institute podcast, [What Concerns Do Experts Have for Future Debt Collection Practices after the Supreme Court's Decision in Henson v. Santander?](#) (June 2017)

The CFPB's Future, New York City Consumer Advocates Task Force, May 2017

Consumer Arbitration, University of California Irvine Law School Civil Justice Institute Symposium, Practitioners and Scholars in Dialogue: What Do We Know About the Civil Justice System? (April 2017)

Free-Market Economics and Arbitration Clauses in Consumer Contracts: The Wells Fargo Example, Rutgers Law School Symposium on [Resolving the Arbitration Dispute in Today's Legal Landscape](#)

Webinar, 2016 presidential election's effect on consumer financial services, Ballard Spahr (February 2017)

Webinar, Consumer Protection in a Trump Administration, American Bar Association Section on Antitrust Law (January 2017)

Whimsy Little Contracts, New York City Bar Association Committee on Consumer Affairs, (October 2016)

Are FDCPA Validation Notices Valid? University of Houston Law Center Conference on Teaching Consumer Law (May 20, 2016)

"Whimsy Little Contracts" with Unexpected Consequences: Consumer Understanding of Arbitration Clauses in Contracts, American Council on Consumer Interests Annual Conference (May 22, 2015)

"Whimsy Little Contracts" with Unexpected Consequences: Consumer Understanding of Arbitration Clauses in Contracts, Pound Civil Justice Institute's Forum for State Appellate Court Judges (July 26, 2014)

Increasing the Prominence of Consumer Law and Influencing Policy, University of Houston Law Center Conference on Teaching Consumer Law (May 30, 2014)

Grading Fine Print Georgetown Law School conference on consumer law, titled "*Making the Fine Print Fair*" April 4, 2014

Can Cost-Benefit Analysis Help Consumer Protection Laws? University of California-Irvine Law School symposium on cost-benefit analysis (2013)

Practising Law Institute's 18th Annual Consumer Financial Services Institute (2013)

Written Notice of Cooling-Off Periods: A Forty-Year Natural Experiment in Illusory Consumer Protection and the Relative Effectiveness of Oral and Written Disclosures, American Council on Consumer Interests Annual Conference (2013).

Substance and Disclosure in Consumer Law, University of Houston Law Center
Conference on Teaching Consumer Law (2012)

Practising Law Institute's 16th Annual Consumer Financial Services Institute (February –
March 2011)

The Consumer Financial Protection Agency/Bureau, University of Houston Law Center
Conference on Teaching Consumer Law (2010)

Preventing Future Economic Crises through Consumer Protection Law, Annual
Conference of the American Council on Consumer Interests (ACCI), held in partnership
with the Federal Reserve Bank of Atlanta (2010)

Association of American Law Schools Section on Financial Institutions and Consumer
Financial Services Program at the AALS Annual Meeting (2010)

Summer Judicial Seminars for New York State Judges, Program on Consumer Debt
(2009)

Second Annual Privacy Law Scholars Conference presented by George Washington
University and University of California at Berkeley Law Schools at Berkeley (2009)

New York City Consumer Debt Working Conference presented by the Feerick Center for
Social Justice and the New York County Lawyers Association Justice Center at Fordham
University School of Law (2008)

First Annual Privacy Law Scholars Conference presented by George Washington
University and University of California at Berkeley Law Schools at GWU (2008)

Teaching Consumer Law: The Who, What, Where, Why, When, and How presented by
the Center for Consumer Law at the University of Houston Law Center (2008)

Consumer Rights Litigation Conference presented by the National Consumer Law Center
(2007)

Teaching Consumer Law: The Past, Present and Future of Consumer Law presented by
the Center for Consumer Law at the University of Houston Law Center (2006)

Panel on Privacy at the Annual Meeting presented by the Association of American Law
Schools (2001)

OTHER PROFESSIONAL ACTIVITIES

Co-coordinator, [Consumer Law and Policy Blog](#)

Co-editor or editor, LSN Consumer Law eJournal, Volume 1 to date

Former Member, Board of Editors, Advancing the Consumer Interest

Reporter, Discovery Oversight Committee for the United States District Court for the Eastern District of New York (1985-1987)

Former *Pro Bono* Arbitrator for Small Claims Part of Civil Court of the City of New York

CITATIONS

Google Scholar reports more than 1,000 citations to my works and an H-index of 14

HeinOnline reports 492 citations to my works and an H-index of 10

EDUCATION

COLUMBIA UNIVERSITY SCHOOL OF LAW

J.D. 1980

Harlan Fiske Stone Scholar, 1977-78, 1978-79, 1979-80

Administrative Editor, Columbia Journal of Law and Social Problems

COLUMBIA COLLEGE

A.B. 1977

Dean's List

EMPLOYMENT

ST. JOHN'S UNIVERSITY SCHOOL OF LAW, Jamaica, New York

Professor of Law, 1988 to date

Associate Professor of Law, 1985-1988

Assistant Professor of Law, 1983-1985

Tenure Awarded in 1987

Courses Taught: Civil Procedure, Consumer Protection, Payment Systems, Introduction to Law and Legal Profession, Commercial Transactions, Legal Method, Theater Law

PAUL, WEISS, RIFKIND, WHARTON AND GARRISON, New York, New York
Associate, Litigation Department, 1981-83

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND,

Baltimore, Maryland

Law Clerk to the Honorable Frank A. Kaufman, United States District Judge, 1980-81