

# CURRICULUM VITAE

Michael L. Seigel

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## EDUCATION

Harvard Law School, J.D., *Magna Cum Laude*, June 1984

Editor,	HARVARD LAW REVIEW
Editor,	HARVARD LAW RECORD
Mediator,	Small Claims Court
Advisor,	First Year Ames Moot Court Competition

Princeton University, A.B., *Magna Cum Laude*, Phi Beta Kappa, June 1981

Major:	The Woodrow Wilson School of Public and International Affairs
Senior Thesis:	<i>Negotiations for an International Trade Organization, 1946-50: Implications for the New International Economic Order</i>

## EMPLOYMENT

Since May 2009	University of Florida Research Foundation Professor of Law, Gainesville, Florida
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Since Sept. 2008	Professor of Law, Alumni Research Scholar, University of Florida Levin College of Law, Gainesville, Florida
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2008-09 Academic Year	Visiting Professor of Law, Stetson University College of Law, Tampa, Florida
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Since August 1995	Professor of Law, University of Florida Levin College of Law, Gainesville, Florida (on leave May 1995 - October 1999)
	Teaching Areas: Evidence, Criminal Law, White Collar Crime, Ethics
June 2008	Recipient of The Supreme Court's Commission on Professionalism and the Florida Bar's Standing Committee on Professionalism Faculty Award on Professionalism
Spring 2007	Professor of the Year, University of Florida Fredric G. Levin College of Law (voted upon by student body)
Summers 2008, 2006 & 2004	Visiting Professor of Law, Stetson University College of Law, Tampa, Florida
Summers 2010, 2007 & 2003	Visiting Professor of Law, Faculté de Droit de Montpellier, France (Co-Director of UF's Summer Program in France)
Nov. 2004 – Dec. 2005	Interim Director, Clinical and Simulation-Based Skills Programs, University of Florida Levin College of Law, Gainesville, Florida
Summer 2005	Visiting Professor of Law, University of San Diego School of Law, San Diego, California
July 2000-02	Associate Dean for Academic Affairs, University of Florida Levin College of Law, Gainesville, Florida
May 1995 -- Oct. 1999	First Assistant United States Attorney, Middle District of Florida, Tampa, Florida
Aug. 1993 -- Aug. 1995	Associate Professor of Law, University of Florida Levin College of Law, Gainesville, Florida
Jan. 1994 -- May 1994	Visiting Professor of Law, University of British Columbia Faculty of Law, Vancouver, British Columbia
Jul. 1990 -- Aug. 1993	Assistant Professor of Law, University of Florida Levin College of Law, Gainesville, Florida
Jan. 1990 -- Jul. 1990	Assistant United States Attorney, United States Attorney's Office, Organized Crime Strike Force, Philadelphia, Pennsylvania

Sept. 1985 -- Dec. 1989	Special Attorney, United States Department of Justice, Organized Crime and Racketeering Section, Philadelphia Strike Force
Aug. 1984 -- Aug. 1985	Judicial Law Clerk, The Honorable Edward R. Becker, United States Court of Appeals for the Third Circuit, Philadelphia, Pennsylvania

## **PUBLICATIONS**

### **Books and Book Chapters**

WHITE COLLAR CRIME: LAW, PROCEDURE, PRACTICE, AND THEORY (Aspen Publishers forthcoming October 2011)

LAWYERS CROSSING LINES, 2d ed. (with James L. Kelley, deceased) (Carolina Academic Press 2010)

RACE TO INJUSTICE: LESSONS LEARNED FROM THE DUKE LACROSSE RAPE CASE, (Carolina Academic Press) (M. Seigel, ed. 2009)

*The Facts and Only the Facts* (with Robert Luck), chapter in RACE TO INJUSTICE: LESSONS LEARNED FROM THE DUKE LACROSSE RAPE CASE, (Carolina Academic Press) (M. Seigel, ed. 2009)

*The Moment of Truth: The Decision to Institute Charges in a Rape Case*, chapter in RACE TO INJUSTICE: LESSONS LEARNED FROM THE DUKE LACROSSE RAPE CASE, (Carolina Academic Press) (M. Seigel, ed. 2009)

*Prosecuting Martha: Federal Prosecutorial Power and the Need for a Law of Counts* (with Christopher Slobogin), chapter in MARTHA STEWART'S LEGAL TROUBLES: A DOMESTIC DIVA'S INTERACTION WITH LAW AND THE LEGAL SYSTEM (Joan Heminway, ed. 2006)

IMPROBABLE EVENTS: MURDER AT ELLENTON HALL (iUniverse, Inc. 2005) (mystery novel)

### **Law-Related Articles**

*An Unsettling Outcome: Why the Florida Supreme Court Was Wrong to Ban All Settlement Evidence in Saleeby v. Rocky Elson Construction, Inc.*, 3 So.3d 1078 (Fla. 2009), \_\_\_\_ UNIVERSITY OF FLORIDA JOURNAL OF LAW AND PUBLIC POLICY \_\_\_\_ (forthcoming Spring 2010) (with Robert J. Houser and Allison Sirica)

"*Criminalizing Corporate Conduct: How Far Is Too Far?*" Manhattan Institute August 2009 "Featured Discussion," available at <http://www.pointoflaw.com/feature/> (with Prof. John Hasnas of McDonough School of Business, Georgetown University)

*Corporate America Fights Back: The Battle Over Waiver of the Attorney-Client Privilege*, 49 BOSTON COLLEGE LAW REVIEW 1 (2008)

*The Admissibility of Co-Conspirator Statements in a Post-Crawford World*, 34 FLORIDA STATE UNIVERSITY LAW REVIEW (2007) (with Daniel Weisman)

*Bringing Coherence to Mens Rea Analysis for Securities-Related Offenses*, 2006 WISCONSIN LAW REVIEW 1563 (2006)

*The Effective Use of War Stories in Teaching Evidence*, 50 ST. LOUIS UNIVERSITY LAW REVIEW 1191 (2006)

*Prosecuting Martha: Federal Prosecutorial Power and the Need for a Law of Counts* (with Christopher Slobogin), 109 PENNSYLVANIA STATE LAW REVIEW 1107 (2005)

*Rethinking Adversariness in Nonjury Criminal Trials*, 23 AMERICAN JOURNAL OF CRIMINAL LAW 1 (1995) (with Sean Doran and John D. Jackson)

*Pragmatism Applied: Imagining a Solution to the Problem of Court Congestion*, 22 HOFSTRA LAW REVIEW 567 (1994)

*A Pragmatic Critique of Modern Evidence Scholarship*, 88 NORTHWESTERN UNIVERSITY LAW REVIEW 995 (1994)

*Rationalizing Hearsay: A Proposal for a Best Evidence Hearsay Rule*, 72 BOSTON UNIVERSITY LAW REVIEW 893 (1992)

*Separation of Powers -- Legislative Veto*, 97 HARVARD LAW REVIEW 185-93 (1983) (Case Comment)

*Use of Privileged Information for Attorney Self-Interest: A Moral Dilemma*, 3 BUSINESS AND PROFESSIONAL ETHICS JOURNAL 1-12 (1983) (Awarded First Prize: "Best paper from a Graduate Student")

## **Collegiality-Related Articles**

*Measuring the Value of Collegiality Among Law Professors*, 1 FAULKNER LAW REVIEW 257 (2010) (with Kathi Miner-Rubino, PhD.)

*Some Preliminary Statistical, Qualitative, and Anecdotal Findings of an Empirical Study of Collegiality Among Law Professors*, 13 WIDENER LAW REVIEW 1 (2006) (with Kathi Miner-Rubino, PhD.)

*On Collegiality*, 54 Journal of Legal Education 406 (2004)

Miner-Rubino, K., Seigel, M. L., & Brady, C. *The Collegiality Climate Scale (CCS): A psychometric investigation* (in progress)

Miner-Rubino, K., Settles, I. H., Cortina, L. M., Seigel, M. L., Windhorst, S. M., & Oatley, G. *Workplace incivility and the low-status target* (in progress)

Miner-Rubino, K., & Seigel, M. L. *Mediators of observing the mistreatment of women at work and employee well-being* (in progress)

## **OPINION EDITORIALS**

*The Best, the Brightest and Binge Drinking*, THE ORLANDO SENTINEL (April 17, 2007)

*Executive Privilege Must Not Derail Probe*, THE ORLANDO SENTINEL (March 29, 2007)

*Corporate America Fights Back*, THE WASHINGTON POST (February 26, 2007)

*Down With the Ship*, AMERICAN BAR ASSOCIATION JOURNAL (Letter to the Editor, February 2007)

*Make speed limits more realistic*, THE ORLANDO SENTINEL (November 3, 2004)

*Ring around white collar: Why is Stewart so alone?* THE ORLANDO SENTINEL (October 13, 2004)

*Ex-prosecutor: Main witness lacks charisma: Courtroom advice for John Kerry's tepid campaign*, THE ORLANDO SENTINEL (September 22, 2004)

*Reality Check*, JURIST, <http://jurist.law.pitt.edu/forumnew6.htm> (July 2000)

*Substantial Assistance*, 7 HILLSBOROUGH C'NTY BAR ASSOC. LAWYER 9 (October 1996)

*Violence Against Women: A Pressing Social (and Legal) Problem*, UNIVERSITY OF FLORIDA LAWYER 16 (Spring 1991)

## PROFESSIONAL BOARD POSITIONS

*Editorial Board Member with Responsibility for International Collaboration and Review*, DE JURE and MPMG JURIDICO (Procuradoria-Geral de Justiça, Belo Horizonte, Minas Gerais, Brazil) (a semi-annual journal and quarterly newsletter, respectively, published by the Prosecutor General's Office for the State of Minas Gerais) (Spring 2008 - )

*Member*, National Federation of Paralegal Association's Ethics Board (2 year term ending July 2009)

*Member*, Florida Bar Task Force on the Attorney-Client Privilege (2006 - 2009)

*Member*, Florida Bar Standing Committee on Professionalism (2007-2008)

## LECTURES AND PRESENTATIONS

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| Sept. 2010 | <i>Invited Witness</i> , United States Senate Committee on the Judiciary, regarding a hearing entitled, entitled, <i>Restoring Key Tools to Combat Fraud and Corruption After the Supreme Court's Skilling Decision</i> |
| Sept. 2010 | <i>Ethical Lessons Learned from the Duke Lacrosse (non)Rape Case</i> , Saint Louis University School of Law Faculty Luncheon Series, St. Louis, Missouri  |
| Sept. 2009 | <i>The Duke Lacrosse Case: Lessons Learned</i> , University of Florida Community Campus Breakfast, Gainesville, Florida   |
| June 2009  | <i>Framing Issues Related to DNA Collection and Use</i> , Florida Department of Children and Families Task Force on Fostering Success, Tampa, Florida   |
| May 2009   | Law School Graduation Speaker (elected by senior class), Gainesville, Florida   |
| Apr. 2009  | <i>Ethical Lessons Learned from the Duke Lacrosse Rape Case</i> , University of Florida Centennial Celebration CLE, Gainesville, Florida  |

Apr. 2009	<i>White Collar Implications of the Current Economic and Financial Crises</i> , Nimmons Federal Practice Seminar, Jacksonville, Florida
Apr. 2009	<i>The Professionalism and Ethics of Practicing in Federal Court: AN EXHORTATION</i> , The Florida Bar Young Lawyers Division CLE, Miami and Tampa, Florida
Mar. 2009	<i>Navigating Through the Corporate Attorney-Client Privilege</i> , The Florida Bar CLE Committee Topics in Evidence 2009 Course, Tampa, Florida
Mar. 2009	<i>Recent Developments in Florida Evidence Law</i> , The Florida Bar CLE Committee Topics in Evidence 2009 Course, Tampa, Florida
Nov. 2008	<i>Collegiality Among Law Professors</i> , Presentation to Stetson University College of Law Faculty, Gulfport, Florida
Oct. 2008	<i>Panelist</i> , Tax Policies of the Presidential Candidates, Stetson University College of Law's Student Tax Society, Gulfport, Florida
Sept. 2008	<i>Tax Fraud</i> , Stetson University College of Law's Student Tax Society, Gulfport, Florida
July 2008	<i>U.S. Law and Procedure for White Collar Criminal Cases</i> , Brazilian Judges' and Prosecutors' Training Program, Tampa, Florida
Feb. 2008	<i>Establishing and Maintaining a Norm of Collegiality in the Law School Setting</i> , Florida International University Law School Faculty Luncheon, Miami, Florida
Oct. 2007	<i>Exhortation: The Four 'R's' of Ethical Behavior By Which Every Lawyer and Paralegal Should Live</i> , National Federation of Paralegal Associations, Tampa, Florida
Sept. 2007	<i>Invited Witness</i> , United States Senate Committee on the Judiciary, regarding a hearing entitled, <i>Examining Approaches to Corporate Fraud Prosecutions and the Attorney-Client Privilege under the McNulty Memorandum</i>
Sept. 2007	<i>Lessons Learned from the Prosecution of White Collar Crime in the United States: Pro and Con</i> , presented as a guest of the Public Ministry of the State of Minas Gerais during the Ministry's Commemorative Week of 2007

Mar. 2007	<i>Small Group Leader</i> , Eighth Judicial Circuit Annual Professionalism Symposium, Gainesville, Florida
Feb. 2007	<i>Career Opportunities in the Law</i> , Phi Alpha Delta Pre-Law Fraternity, University of Florida Chapter, Gainesville, Florida
Dec. 2006	<i>Panelist</i> , Florida Law Review's Symposium on the Reporter's Privilege, Gainesville, Florida
Oct. 2006	<i>Update on the Federal Rules of Criminal Procedure</i> , Stetson University College of Law Teaching Series – Presentation IV, Gulfport, Florida
Sept. 2006	<i>Exhortation: The Four 'R's' of Ethical Behavior By Which Every Lawyer and Paralegal Should Live</i> , Tampa Bay Paralegal Association 2006 Education Seminar, Tampa Florida
July 2006	<i>Prosecuting White Collar Crime in the United States</i> , Brazilian Prosecutors' Training Program, Tampa, Florida
June 2006	<i>Managing Information</i> , Plenary Session Panel Presentation, American Bar Association Conference for Associate Deans, Englewood, California
Mar. 2005	<i>Writing IMPROBABLE EVENTS</i> , University Professors' Book Talk, Goering's Book Store, Gainesville, Florida
Feb. 2005	<i>Panelist, The Ambushed Grand Jury: How the Justice Department Covered Up Government Nuclear Crimes and How We Caught Them Red Handed</i> , at the Public Interest Environmental Conference, Gainesville, Florida
Feb. 2005	<i>Career Paths in Prosecution</i> , Criminal Law Association, Levin College of Law, Gainesville Florida
July 2004	<i>Prosecuting White Collar Crime in the United States</i> , Brazilian Prosecutors' Training Program, Tampa, Florida
July 2001	<i>Policing Improper Argument and Another Look at the Hearsay Rule</i> , 2001 Annual Business Meeting of the Florida Conference of County Court Judges, Naples, Florida



July 2001	<i>Prosecuting White Collar Crime in the United States</i> , Brazilian Prosecutors' Training Program, Gainesville, Florida
Feb. 2001	<i>Another Look at the Hearsay Rule</i> , Gainesville Federal Bar Association, Gainesville, Florida
Apr. 2000	<i>Panelist</i> , Professionalism Conference, University of Florida and Eighth Judicial Circuit Bar Association, Gainesville, Florida
June 1999	<i>Panelist</i> , Privileges Seminar, The Florida Bar 50 <sup>th</sup> Anniversary Annual Meeting, Boca Raton, Florida
May 1998	<i>Substantial Assistance Departures</i> , Federal Bar Association and the United States Sentencing Commission's Seventh Annual National Seminar on the Federal Sentencing Guidelines, Clearwater Beach, Florida
May 1997	<i>Panelist</i> , <i>Role of the Probation Officer</i> , Federal Bar Association and the United States Sentencing Commission's Sixth Annual National Seminar on the Federal Sentencing Guidelines, San Francisco, California
Oct. 1995	<i>Issues and Trends in Federal Criminal Prosecution</i> , University of Florida College of Law Alumni Luncheon, Tampa, Florida
Aug. 1994	<i>Ethical Issues Commonly Faced by Criminal Defense Attorneys</i> , presented at the Florida Public Defender Association, Inc.'s Annual Summer Conference and Training Program, Sawgrass, Florida
Mar. 1994	<i>The Abbreviated Jury Trial: A Potential Solution to the Problem of Court Congestion</i> , presented at a Legal Studies Dinner Seminar sponsored by the University of British Columbia Faculty of Law
Dec. 1993	<i>Comments Regarding the Free Evaluation of Evidence in Criminal Trials: For and Against</i> , paper presented at the International Conference on Rights of the Accused, Crime Control, and Protection of Victims, Jerusalem, Israel
Dec. 1993	<i>A Pragmatic Critique of Modern Evidence Scholarship</i> , Faculty Seminar at Hebrew University, Jerusalem, Israel

Dec. 1993	<i>Fourth and Fifth Amendment Considerations in White Collar Cases</i> , presented as part of a White Collar Crime Seminar sponsored by the Florida Prosecuting Attorneys Association, Sarasota, Florida
May 1993	<i>The Kaye Scholer Affair: Implications for the Future</i> , delivered to the Eighth Circuit Chapter of the Florida Association of Women Lawyers, Gainesville, Florida
Nov. 1992	<i>Using Experts: Evidentiary Issues</i> , presented as part of a Florida Bar Continuing Legal Education Seminar, Miami, Florida
Nov. 1992	<i>Another Look at the Hearsay Rule</i> , presented as part of a Federal Practice Seminar sponsored by the Jacksonville Chapter of the Federal Bar Association
Sept. 1990	<i>Latest Trends in the Federal Rules of Evidence</i> , delivered as part of a Federal Practice Seminar sponsored by the Jacksonville Chapter of the Federal Bar Association

#### **UNIVERSITY and COMMUNITY SERVICE**

Sept. 2007-May 2008	Member, UF Ad Hoc Committee on a Safe, Open & Civil Environment (the “Taser Task Force”)
Aug. 2007 -	Member, National Federation of Paralegal Association’s Ethics Board
July 2007-10	Law School Representative, University of Florida Faculty Senate (elected by peers)
July 2007-10	Member, UF Faculty Senate Honorary Degree Committee
April 2004	Member, Selection Committee, Jack Kent Cooke Scholarship
Dec. 2000-May 2003	Member, University Steering Committee for Southern Association of Colleges and Schools (SACs) Accreditation
Sept.-Dec. 2000	Member, Graduate and Professional Admissions Task Force
June 2000-July 2002	Member, University Curriculum Committee

May 1999-2000                      Programming Vice President  
Member, Executive Committee and Board of Trustees  
Congregation Kol Ami, Tampa, Florida

May 1997-99                        Chair, Religious School Board  
Member, Board of Trustees  
Congregation Kol Ami, Tampa, Florida

## PROFESSIONAL ASSOCIATIONS

Member,                              Advisory Board for the Association of American Law Schools  
Evidence Section (1994-6, 2001-05)

Member,                              American Bar Association (1985- )

Affiliate Member,                The Bar of the State of Florida (1993- )

Member,                              Hillsborough County Bar Association (1995-2004, 2009-)

Member,                              Federal Bar Association, Tampa Chapter (1995-99 )

Admitted,                            The Bar of the Commonwealth of Pennsylvania (1985- )

Admitted,                            United States Court of Appeals for the Third Circuit (1985- )

Admitted,                            United States District Court, Eastern Dist. of Pennsylvania (1985- )

## HONORS AND AWARDS

June 2008                      The Supreme Court's Commission on Professionalism and the Florida  
Bar's Standing Committee on Professionalism *Faculty Award on  
Professionalism*

Spring 2007                      *Professor of the Year*, University of Florida Fredric G. Levin College of  
Law, presented by the student body, "In Recognition of Your Outstanding  
Contributions to the Students of the Levin College of Law, 2006-07"

Jul. 1999                        *Special Act Award*, U.S. Attorney Charles R. Wilson, for discharging "the  
almost overwhelming supervisory responsibilities of First Assistant with  
great distinction"

Oct. 1998                        *Time-Off As Incentive Award*, U.S. Attorney Charles R. Wilson, for

“outstanding achievement on three important office matters”

- Jan. 1996     *Time-Off As Incentive Award*, U.S. Attorney Charles R. Wilson, for  
“outstanding efforts in connection with the administrative details of  
responding to the recent period of budget discord”
- Sept. 1989     *Special Achievement Award*, U.S. Dept of Justice, "in appreciation and  
recognition of Meritorious Acts or Service"
- March 1989     *Special Accommodation for Outstanding Service in the Criminal Division  
of the United States Department of Justice*
- June 1988     *Outstanding Performance Rating Award*, U.S. Department of Justice, "in  
appreciation and recognition of superior performance of official duties"

## **PERSONAL**

- Born:             October 10, 1959
- Spouse:          Sharon M. Dabrow, M.D., F.A.A.P.; Clinical Professor of Pediatrics and  
Associate Residency Program Director, University of South Florida and  
All Children's Hospital
- Children:        Nicole, age 22; Jessica, age 18