

Nancy M. Modesitt
Associate Professor
University of Baltimore School of Law
1420 N. Charles St.
Baltimore, MD 21201
(410) 837-1902
Nmodesitt@ubalt.edu

EDUCATION

University of Virginia School of Law, J.D., 1996
Essay and Book Review Editor, *Va. J. of Soc. Pol. & Law*

Drew University, B.A., *summa cum laude*, *Phi Beta Kappa*, Sociology and
Political Science, 1993

TEACHING EXPERIENCE

2007 - present University of Baltimore School of Law
Associate Professor (promoted in 2012)

- Teach Employment Law, Torts, Introduction to Lawyering Skills, and Employment Discrimination.
- Current service to law school includes:
 - ABA Self-Study Committee (Co-Chair)
 - Adjunct Committee (Chair)
 - Ad Hoc Committee on Student Success and Assessment (Chair)
 - Dean's Advisory Committee

2003 - 2006 American University, Washington College of Law
Legal Rhetoric Program
Acting Academic Coordinator, 2005-2006

- Taught Legal Rhetoric, Employment Law, and Contracts.
- Developed the research curriculum for Legal Rhetoric, the first-year legal research, analysis, and writing program.
- Service to law school included:
 - Admissions Committee
 - Moot Court Committee
 - Faculty Advisor, *Journal of Gender, Social Policy & the Law*
 - Faculty Advisor, ATLA student chapter
 - Supervising note/comment writing and externships

PUBLICATIONS

- *Could Knowing How Much Your Co-Worker Earns Help Close the Gender Pay Gap?* The Conversation, May 1, 2016, available at <https://theconversation.com/could-knowing-how-much-your-coworker-earns-help-close-the-gender-pay-gap-58570>.
- Whistleblowing: The Law of Retaliatory Discharge (3d ed. 2015) (with Janie Schulman & Daniel Westman).
- *Causation in Whistleblowing Claims*, 50 U. Rich. L. Rev. 1193 (2016).
- *Why Whistleblowers Lose: An Empirical and Qualitative Analysis of State Court Cases*, 62 U. Kan. L. Rev. 165 (2013).
- *The Garcetti Virus*, 80 U. Cinn. L. Rev. 161 (2011).
- *Reinventing the EEOC*, 63 S.M.U. L. Rev. 1237 (2010).
- *The Hundred-Years War: The Ongoing Battle Between Courts and Agencies over the Right to Interpret Federal Law*, 74 Mo. L. Rev. 949 (2009).
- *Wrongful Discharge: The Use of Federal Law as a Source of Public Policy*, 8 U. Penn. J. Lab. & Empl. 623 (2006).

SELECTED PRESENTATIONS

- Panelist, Current Issues in Whistleblowing, Southeastern Law School Association Conference, July 2015.
- Provided testimony at the invitation of the Equal Employment Opportunity Commission on the development of its Strategic Enforcement Plan, July 12, 2012.
- *Greater Than the Sum of its Parts: Integrating LRW & Doctrinal Instruction in a First Semester Course*, ALWD Biennial Conference 2014.
- *The Garcetti Virus*, Fifth Annual Seton Hall Labor and Employment Law Scholars Forum, October 2010.

BAR MEMBERSHIP AND OTHER ASSOCIATIONS

- Virginia State Bar, admitted 1996
- Legal Writing Institute
- Association of Legal Writing Directors

PROFESSIONAL EXPERIENCE

2002 - 2003 **Attorney-Advisor, U.S. Department of Justice
Executive Office for United States Attorneys,
General Counsel's Office, Washington, DC**

- Represented United States Attorneys' Offices before the Equal Employment Opportunity Commission and Merit Systems Protection Board.

- Litigation experience included drafting motions and briefs, as well as taking and defending depositions.
- Advised United States Attorneys and senior managers on handling employment discrimination claims, employee disciplinary matters, and ethical obligations of attorneys.

**2002 Contract Attorney, Akin, Gump, Strauss, Hauer & Feld
McLean, VA, 2002**

- Provided advice to large companies and drafted pleadings, motions, and discovery requests with regard to employment disputes pending in federal and state courts, including claims of sex, race, and national origin discrimination, as well as claims involving sexual harassment, unfair trade practices, defamation, and malicious prosecution.

**1999 - 2001 Associate, Cooley Godward LLP
Reston, VA**

- Represented technology companies and venture capitalists in employment law matters.
- Negotiated and drafted employment agreements, non-competition agreements, and intellectual property assignment agreements.
- Advised clients on the applicability and interpretation federal wage and hour laws, employment discrimination laws, the Family and Medical Leave Act, and trade secret and non-competition matters.
- Litigated employment cases involving stock option issues, defamation claims, non-competition agreements, and employment discrimination claims.

**1998 - 1999 Associate, Hunton & Williams
McLean, VA**

- Litigated employment cases in federal and state courts, including cases involving sex discrimination, enforcement of non-competition covenants, and unfair business practices.

**1996-1998 Law Clerk, Alexandria Circuit Court
Alexandria, VA**

- Prepared bench memoranda and assisted in handling all civil and criminal matters, including cases involving domestic relations, child and spousal support matters, general commercial litigation, and Fourth Amendment issues.
- Organized and maintained docket for civil motions practice.