

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 from Assistant Professor in 2012)

- Teach Torts, Employment Law, Employment Discrimination, and Introduction to Lawyering Skills.
- Service to law school includes:
 - Academic Standards Committee
 - Academic Review Committee
 - Appointments Committee
 - Building Committee
 - Ad Hoc Committee on Restructuring Peer Evaluation of Professors

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

- Taught Legal Rhetoric, Labor & 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

- *Why Whistleblowers Lose: An Empirical and Qualitative Analysis of State Court Cases*, ___ U. Kan. L. Rev. ___ (forthcoming 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).
- *Whistleblowing: The Law of Retaliatory Discharge* (2d ed. BNA 2004 & Supp. 2012) (with Daniel Westman)

PRESENTATIONS

- *Greater Than the Sum of its Parts: Integrating LRW & Doctrinal Instruction in a First Semester Course*, ALWD Biennial Conference 2014.
- *Teaching a Large LRW Class*, LWI Annual Conference 2012.
- Selected to present working draft of *The Garcetti Virus* at the Fifth Annual Seton Hall Labor and Employment Law Scholars Forum, October 2010.

BAR MEMBERSHIP AND OTHER ASSOCIATIONS

- Virginia State Bar, admitted 1996
- Connecticut State Bar, admitted 1998
- Legal Writing Institute

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 in matters pending in federal court as well as before the Equal Employment Opportunity Commission and Merit Systems Protection Board.
- Litigation experience included drafting motions and briefs, including appellate 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

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

- Provided advice to and drafted pleadings, motions, and discovery for large companies 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.