

ANTHONY J. COLANGELO

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EXPERIENCE

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW,

Professor of Law

Gerald J. Ford Research Fellow and Professor of Law 2014-2015

Associate Professor of Law 2012-2015

Assistant Professor of Law 2007-2012

- Courses taught: Conflict of Laws, Civil Procedure I & II, Seminar on Extraterritorial Jurisdiction (edited writing), International Law Colloquium (general writing), International Human Rights

COLUMBIA LAW SCHOOL,

Associate in Law, 2005-2007

CLEARY GOTTlieb STEEN AND HAMILTON, LLP,

Litigation Associate, New York Office, 2004-2005; Summer Associate, Rome Office, 2002

THE HONORABLE RALPH K. WINTER, United States Court of Appeals for the Second Circuit,
Law Clerk, 2003-2004

EDUCATION

COLUMBIA LAW SCHOOL

J.S.D., 2009

LL.M., 2006

NORTHWESTERN UNIVERSITY SCHOOL OF LAW

J.D., *magna cum laude*, 2003

- Order of the Coif
- GPA 4.04 (A+/4.3, A/4.0, A-/3.67)
- *Northwestern University Law Review*, Note and Comment Editor
- Philip C. Jessup International Law Moot Court Team

MIDDLEBURY COLLEGE

B.A., *summa cum laude*, 2000

- *Phi Beta Kappa*; *Alpha Gamma Gamma*
- GPA 3.83 (A+, A/4.0, A-/3.7)
- Majors in History and Italian; Highest Honors in History
- *Virginia M. Osher History Prize* for best senior thesis and best overall academic performance

REPRESENTATIVE PUBLICATIONS

- *The Duty to Disobey Illegal Nuclear Strike Orders*, 9 HARVARD NATIONAL SECURITY JOURNAL, no. 2, 2018, at 84-120
- *Absolute Conflicts of Law*, 91 INDIANA LAW JOURNAL 718-790 (2016)
- *What Is Extraterritorial Jurisdiction?*, 99 CORNELL LAW REVIEW 1303-1352 (2014)
- *Spatial Legality*, 107 NORTHWESTERN UNIVERSITY LAW REVIEW 69-125 (2012)
- *A Unified Approach to Extraterritoriality*, 97 VIRGINIA LAW REVIEW 1019-1109 (2011)
 - Selected for presentation at 2011 Stanford/Yale Junior Faculty Forum
- *The Foreign Commerce Clause*, 96 VIRGINIA LAW REVIEW 949-1041 (2010)
 - Cited in *Bastón v. United States*, 137 S. Ct. 850, 859 (2017) (Thomas, J., dissenting from denial of certiorari)
 - Cited in *United States v. Durham*, 902 F.3d 1180, 1248 (10th Cir. 2018) (Hartz, J., dissenting)
 - Cited in *United States v. Pepe*, 895 F.3d 679, 689 (9th Cir. 2018)
 - Cited in *United States v. Reed*, No. 15-188, 2017 WL 3208458 *8 (D. D.C. July 27, 2017)
 - Cited in *Ananda Marga Universal Relief Team of India v. Foundation Amurt*, Opposition No.s 91125116, 91161067, 2016 WL 10571076 *16 (Trademark Tr. & App. Bd., May 11, 2016)
 - Selected for presentation at 2010 Stanford/Yale Junior Faculty Forum
- *Double Jeopardy and Multiple Sovereigns: A Jurisdictional Theory*, 86 WASHINGTON UNIVERSITY LAW REVIEW 769-857 (2009)
 - Selected for presentation at 2008 Stanford/Yale Junior Faculty Forum

OTHER PUBLICATIONS AND SYMPOSIA CONTRIBUTIONS

- *An International Tribunal for the Use of Nuclear Weapons*, 2 JOURNAL FOR PEACE AND NUCLEAR DISARMAMENT 219-252 (2019) (with Peter Hayes)
- *A Systems Theory of Fragmentation and Harmonization*, 49 NYU JOURNAL OF INTERNATIONAL LAW & POLITICS 1-61 (2016)
- *The Frankenstein's Monster of Extraterritoriality Law*, 110 AMERICAN JOURNAL OF INTERNATIONAL LAW, Agora: Reflections on *RJR Nabisco v. European Community* 51-56 (2016) (invited contribution)
- *International Law in State Courts: Extraterritoriality and "False Conflicts" of Law*, 108 AM. SOC. INT'L L. PROC. 346 (invited contribution), reprinted in 48 INT'L L. 1-15 (2014)
- *Post-Kiobel Procedure: Subject Matter Jurisdiction or Prescriptive Jurisdiction?*, 49 UCLA J. INT'L L. & FOR. AFF. 50-62 (with Christopher Knight) (2014) (invited contribution)

- *A Brief Primer on the Rule of Law in Multistate Systems*, 67 SMU LAW REV. 835-846 (2014) (invited contribution)
- *Jurisdiction, Immunity, Legality, and Jus Cogens*, 49 CHICAGO JOURNAL OF INTERNATIONAL LAW 53-91 (2013) (invited contribution)
- *Spatial Legality, Due Process, and Choice of Law under U.S. State Law*, 3 UC IRVINE LAW REVIEW 63-79 (with Kristina Kiik) (2013) (invited symposium contribution)
- *The Alien Tort Statute and the Law of Nations in Kiobel and Beyond*, 44 GEORGETOWN JOURNAL OF INTERNATIONAL LAW 1329-1346 (2013) (invited contribution)
- *Kiobel: Muddling the Distinction between and Prescriptive versus Adjudicative Jurisdiction*, 27 MARYLAND JOURNAL OF INTERNATIONAL LAW 65-75 (2013) (invited symposium contribution)
- Book Chapter, *The Legal Limits of Universal Jurisdiction*, in GLOBALIZATION AND COMMON RESPONSIBILITIES OF STATES IN INTERNATIONAL LAW 205-255 (2013) (Ashgate)
- Book Chapter, *Universal Jurisdiction as an International "False Conflict" of Laws*, in INTERNATIONAL LAW: CONTEMPORARY ISSUES AND FUTURE PROBLEMS 63-92 (Westview) (2011)
- Report, *Extraterritorial Jurisdiction over Dual Use Nuclear Commodity Smuggling*, in COOPERATION TO CONTROL NON-STATE NUCLEAR PROLIFERATION: EXTRA-TERRITORIAL JURISDICTION AND UN RESOLUTIONS 1540 AND 1373, held by the Nautilus Foundation with the Stanley Foundation and the Carnegie Endowment for International Peace (2011)
- "De Facto Sovereignty": Boumediene and Beyond, 77 GEORGE WASHINGTON LAW REVIEW 623-676 (2009)
 - Cited in *Risinger v. SOC LLC*, Case No. 2:12-cv-00063-MMD-PAL, 2013 U.S. Dist. LEXIS 45645 (D. Nev. March 2013)
- *Universal Jurisdiction as an International "False Conflict" of Laws*, 30 MICHIGAN JOURNAL OF INTERNATIONAL LAW 881-925 (2009) (invited symposium contribution)
- *The Supreme Court's Role After 9/11: Continuing the Legal Conversation in the War on Terror*, 62 SMU LAW REVIEW 17-23 (2009) (invited contribution)
- *Constitutional Limits on Extraterritorial Jurisdiction: Terrorism and the Intersection of National and International Law*, 48 HARVARD INTERNATIONAL LAW JOURNAL 121-201(2007)
 - Cited in *United States v. Emmanuel (a.k.a. Chuckie Taylor)*, No. 06-20758-CR, 2007 WL 2002452 (S.D. Fla. 2007)
 - Cited and quoted parenthetically in *United States v. Hamdan*, Ruling on Motion to Dismiss (Ex Post Facto) 5-6 (July 14, 2008)
 - Cited and quoted parenthetically in *Goldberg v. UBS, Ltd.*, 690 F. Supp. 2d 92 (E.D.N.Y. 2010)
 - Cited in *United States v. Hasan*, 747 F. Supp. 2d 599 (E.D. Va. 2010)
 - Cited in *United States v. Ali*, Criminal No. 11-0106, 2012 U.S. Dist. LEXIS 96889 (D.D.C. 2012)
 - Cited in *Risinger v. SOC LLC*, Case No. 2:12-cv-00063-MMD-PAL, 2013 U.S. Dist. LEXIS 45645 (D. Nev. March 2013)

- *The Legal Limits of Universal Jurisdiction*, 47 VIRGINIA JOURNAL OF INTERNATIONAL LAW 149-198 (2006)
 - Cited and quoted parenthetically in *In re S. Afr. Apartheid Litig.*, 617 F. Supp. 2d 228 (S.D.N.Y. 2009)
 - Cited and quoted parenthetically in *United States v. Hasan*, 747 F. Supp. 2d 599 (E.D. Va. 2010)
 - Cited and quoted parenthetically in *United States v. Ali*, Criminal No. 11-0106, 2012 U.S. Dist. LEXIS 96889 (D.D.C. 2012)
 - Cited and quoted parenthetically in *United States v. Bellaizac-Hurtado*, 700 F.3d 1245 (11th Cir. 2012) (Barkett, J., concurring)
- *The New Universal Jurisdiction: In Absentia Signaling Over Clearly Defined Crimes*, 36 GEORGETOWN JOURNAL OF INTERNATIONAL LAW 537-603 (2005)
- *The Unitary Executive in the Modern Era, 1945-2004*, 90 IOWA LAW REVIEW 601-731 (with Christopher S. Yoo & Steven G. Calabresi) (2005)
 - Cited and quoted parenthetically in *Judicial Watch, Inc. v. Dep't of Energy*, 412 F.3d 125 (D.C.Cir.2005)
- Comment, *Manipulating International Criminal Procedure: The Decision of the ICTY Office of the Independent Prosecutor not to Investigate NATO Bombing in the Former Yugoslavia*, 97 NORTHWESTERN UNIVERSITY LAW REVIEW 1393-1436 (2003)

CASES

- Brief of *Amicus Curiae* Anthony J. Colangelo, International Law Scholar, *In re Warrant To Search a Certain E-mail Account Controlled & Maintained by Microsoft Corp.*, No. 14-2985-CV (2d Cir. 2016)
- Author, Petition for Writ of Certiorari to the United States Supreme Court, *United States v. Bollinger*, S. Ct. No. 14-4086 (Dec. 2015)
- Coauthor on Brief for Appellant; Author, Reply Brief for Appellant, *United States v. Bollinger*, 798 F.3d 201 (4th Cir. 2014)
- Coauthor (with Anthony D'Amato) on Brief for *Amici Curiae* Law of Nations Scholars, *Kiobel v. Royal Dutch Petroleum*, S. Ct. No. 10-1491 (2012)
- On Brief for *Amici Curiae* Law Professors, *British American Tobacco Inv. Ltd. v. United States*, S. Ct. No. 09-980 (March 2010)
- On Brief for *Amici Curiae* Professors of International and U.S. Foreign Relations Law, *In re S. Afr. Apartheid Litig.*, No. 02 MDL 1499 (2d Cir. 2009)

PRESENTATIONS

“Absolute Conflicts of Law” Notre Dame Law School (March 2015)

“Absolute Conflicts of Law” Boston College Law School (November 2014)

“Extraterritorial Financial Regulation” Panel Presenter and Moderator, American Bar Association Annual Meeting, Boston (August 2014)

“State Courts and International Law” American Society of International Law Annual Meeting, Washington, D.C. (April 2014)

“What is Extraterritorial Jurisdiction” Association of American Law Schools Annual Meeting, New York City (January 2014)

“The Curious Role of the D.C. Circuit” Conversations and Coffee with the Honorable Thomas B. Griffith, United States Court of Appeals for the District of Columbia Circuit, Bush Presidential Library, Dallas (November 2013)

“Conflict of Laws and Public International Law: Evaluating Jurisdictional Competences,” American Society of Comparative Law Annual Meeting, Little Rock, Arkansas (October 2013)

“The Alien Tort Statute and Adjudicative versus Prescriptive Jurisdiction,” University of Maryland Law School, Maryland Journal of International Law, Symposium (November 2012)

“Immunity, Jurisdiction, Legality,” International Law Association Weekend, New York City (October 2012)

“Spatial Legality, Due Process, and Choice of Law under U.S. State Law,” UC Irvine Law School, UC Irvine Law Review, Symposium: Human Rights Litigation in U.S. State Courts and under State Law (March 2012)

“Spatial Legality,” Vanderbilt Law School, Law and Government Workshop (January 2012)

“International Law as Expander and Reducer of Domestic Rights and Powers,” International Law Association Weekend, New York City (October 2011)

“Constitutional Law and the War on Terrorism,” Roundtable Reflections on September 11, 2001: Ten Years Later, World Affairs Council of Dallas/Ft. Worth and University of North Texas (September 2011)

“A Unified Approach to Extraterritoriality,” Stanford Law School, Stanford/Yale Junior Faculty Forum (June 2011)

“Universal Jurisdiction over Nuclear Arms Smuggling,” Carnegie Endowment for International Peace, workshop: Legal Cooperation to Control Non-State Nuclear Proliferation: Extra-Territorial Jurisdiction and UN Resolutions 1540 and 1373 (April 2011)

“A Unified Approach to Extraterritoriality,” Association of American Law Schools, Annual Conference “Hot Topics” Panel (January 2011)

“A Unified Approach to Extraterritoriality,” Appellate Judges Education Institute, Annual Conference (November 2010)

“A Unified Approach to Extraterritoriality,” Southwestern Law School, Symposium on Extraterritorial Jurisdiction (November 2010)

“The Foreign Commerce Clause,” Yale Law School, Stanford/Yale Junior Faculty Forum (June 2010)

“The Foreign Commerce Clause,” Brown University, Law, Culture and the Humanities Conference (March 2010)

“The Foreign Commerce Clause,” Hastings Law School, JILSA Annual Conference (February 2010)

“The Foreign Commerce Clause,” Columbia Law School, Associates Workshop (October 2009)

“The Foreign Commerce Clause,” International Law Association Weekend, New York City (October 2009)

“The Foreign Commerce Clause,” Central American States Law Conference, Capital Law School, Columbus, Ohio (October, 2009)

“Universal Jurisdiction as an International ‘False Conflict’ of Laws,” SMU Faculty Forum, SMU Law School (April 2009)

“International Human Rights and Universality,” 2009 State Bar of Texas International Law Section, 21st Annual Institute (March 2009)

“Universal Jurisdiction as an International ‘False Conflict’ of Laws,” Michigan Law School, Symposium, *Michigan Journal of International Law*, “Territory without Borders” (February 2009)

“Universal Jurisdiction and Double Jeopardy” Global Law Forum, conference: Ending Impunity or Decreasing Accountability? London, England (November 2008)

“The Supreme Court’s Role After 9/11: Continuing the Legal Conversation in the War on Terror,” SMU Law School (November 2008) (remarks following talk by Erwin Chemerinsky to Dallas and SMU Law chapters of American Constitution Society)

“‘De Facto Sovereignty’: *Boumediene* and Beyond,” Law and Citizenship Colloquium, SMU Law School (November 2008)

“International Law, Extraterritoriality, and U.S. Courts” International Law Association Weekend, New York City (October 2008)

“Double Jeopardy and Multiple Sovereigns: A Jurisdictional Theory,” Yale Law School, Stanford/Yale Junior Faculty Forum (June 2008)

“Double Jeopardy and Multiple Sovereigns: A Jurisdictional Theory,” Law, Culture and the Humanities, Boalt Hall, University of California at Berkeley (March 2008)

“Double Jeopardy and Multiple Sovereigns: A Jurisdictional Theory,” SMU Faculty Forum, SMU Law School (March 2008)

“Double Jeopardy and Multiple Sovereigns: A Jurisdictional Theory,” Marquette Faculty Forum, Marquette Law School (February 2008)

“Double Jeopardy and Multiple Sovereigns: A Jurisdictional Theory,” Texas Junior Scholars Conference, Texas Wesleyan Law School (August 2007)

“Constitutional Limits on Extraterritorial Jurisdiction,” International Law Section of the Dallas Bar, Belo Mansion, Dallas, Texas (January 2008)

“Constitutional Limits on Extraterritorial Jurisdiction,” HILJ Author Series, Harvard Law School (November 2007)

“Constitutional Limits on Extraterritorial Jurisdiction,” Associates Workshop, Columbia Law School (September 2007)

“The Legal Limits of Universal Jurisdiction,” Law and Society Conference, Berlin, Germany (July 2007)

Introductory Remarks and Discussion Leader following screening of *The Reckoning*, at the Dallas Holocaust Museum (January 2010)

“Overview of U.S. Civil Procedure” for Vietnam NOIP Officials, SMU Law School (October 2007)

“Extraterritorial Jurisdiction” Chinese Rule of Law Forum, SMU Law School (November 2007)

PROFESSIONAL AFFILIATIONS

Admitted to practice, New York, 2004

American Society of International Law

Executive Committee Member, AALS Section on Conflict of Laws

Other

Husband to Carrie Rief; Father to Maren Altea Colangelo, Rosalyn Ilaria Colangelo, and Isolde Arabel Colangelo

Fluent in Italian

Interests include painting, charcoals, poetry, tennis, running, and biking

