

MATTHEW C. TURK

Indiana University - Kelley School of Business
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ACADEMIC APPOINTMENTS

Indiana University – Kelley School of Business

Associate Professor, Department of Business Law & Ethics, July 2022 – present
Assistant Professor, Department of Business Law & Ethics, July 2016 – July 2022

EDUCATION

New York University School of Law

J.D., *magna cum laude*, 2010

- Order of the Coif
- Florence Allen Scholar
- Senior Notes Editor, *Journal of International Law & Politics*

University of California, San Diego

B.A., Political Science & Economics, 2006

CLERKSHIP & OTHER LEGAL EXPERIENCE

Financial Industry Regulatory Authority

Public Arbitrator, December 2023 – present

Hon. Ferdinand Fernandez, U.S. Court of Appeals for the Ninth Circuit, Pasadena, CA

Judicial Clerk, September 2013 – August 2014

Sullivan & Cromwell LLP, Palo Alto, CA

Litigation Associate, October 2010 – August 2013; September 2014 – June 2016
Summer Associate, May 2009 – August 2009

RESEARCH & TEACHING

- **Primary Research Areas:** Financial Regulation; Securities Law; International Economic Law
- **Secondary Research Areas:** Corporations; Administrative Law; Law-and-Economics
- **Courses Taught:**
 - L201:** Introduction to Law in a Business Environment
 - L293:** Honors Introduction to Law in a Business Environment
 - L305:** Business Planning & Corporate Law
 - L375:** Introduction to Business Ethics
 - A568:** Applied Leadership Learning Laboratory

SELECTED PUBLICATIONS

- **FINRA Arbitration as Financial Regulation**
77 ALABAMA LAW REVIEW *forthcoming* (2025)
- **Rethinking Countercyclical Financial Regulation** [with Jeremy Kress]
56 GEORGIA LAW REVIEW 495 (2022)
- **A Portfolio Approach to Policymaking Uncertainty**
49 FLORIDA STATE UNIVERSITY LAW REVIEW 381 (2022)
- **The Securities Fraud Class Action After *Goldman Sachs***
59 AMERICAN BUSINESS LAW JOURNAL 281 (2022) [peer-reviewed publication]
- **Too Many to Fail: Against Community Bank Deregulation** [with Jeremy Kress]
115 NORTHWESTERN UNIVERSITY LAW REVIEW 647 (2020)
- **Stress Testing the Banking Agencies**
105 IOWA LAW REVIEW 1701 (2020)
- **Overlapping Legal Rules in Financial Regulation and the Administrative State**
54 GEORGIA LAW REVIEW 791 (2020)
- **Justice Kavanaugh, *Lorenzo v. SEC*, and the Future of Deference at the Post-Kennedy Supreme Court**
71 ADMINISTRATIVE LAW REVIEW 193 (2019) [with Karen Woody]
- **The *Leidos* Mixup and the Misunderstood Duty to Disclose in Securities Law** [with Karen Woody]
75 WASHINGTON & LEE LAW REVIEW 957 (2018) [reprinted in SECURITIES LAW REVIEW (2019)]
- **Securitization Reform after the Crisis: Regulation by Rulemaking or Regulation by Settlement?**
37 REVIEW OF BANKING & FINANCIAL LAW 861 (2018) [invited symposium issue contribution]
- **Reversing the Two Wrong Turns in the Economic Analysis of International Law: A Club Goods Theory of Treaty Membership & European Integration**
36 BERKELEY JOURNAL OF INTERNATIONAL LAW 115 (2018)
- ***Leidos* and The Roberts Court's Improvident Securities Law Docket** [with Karen E. Woody]
70 STANFORD LAW REVIEW ONLINE 89 (2017)
- **Regulation by Settlement**
66 UNIVERSITY OF KANSAS LAW REVIEW 259 (2017)
- **The Banking-Sovereign Nexus: Law, Economics and Policy**
55 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 592 (2017)

- **The Convergence of Insurance with Banking and Securities Industries, and the Limits of Regulatory Arbitrage in Finance**
2015:3 COLUMBIA BUSINESS LAW REVIEW 967 (2015)
- **Reframing International Financial Regulation after the Global Financial Crisis: Rational States and Interdependence, not Regulatory Networks and Soft Law**
36 MICHIGAN JOURNAL OF INTERNATIONAL LAW 59 (2014)
- **A Political Economy Approach to Reforming the Foreign Corrupt Practices Act**
33 NORTHWESTERN JOURNAL OF INTERNATIONAL LAW & BUSINESS 325 (2013)

OTHER WRITINGS

- **Coup for Community Banks Could Spell Disaster for Industry** [with Jeremy Kress]
AMERICAN BANKER (Jan. 28, 2020)
- **Too Many to Fail: Against Community Bank Deregulation**
COLUMBIA LAW SCHOOL BLUE SKY BLOG ON CORPORATIONS & CAPITAL MARKETS (Jan. 2, 2020)
- **Stress Testing the Banking Agencies**
HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE & FINANCIAL REGULATION (May 6, 2019)
- **What Justice Kavanaugh's *Lorenzo* Dissent Means for the Future of Chevron Deference**
COLUMBIA LAW SCHOOL BLUE SKY BLOG ON CORPORATIONS & CAPITAL MARKETS (Nov. 21, 2018)
- **The Underappreciated Dilemmas of Overlapping Financial Regulation**
COLUMBIA LAW SCHOOL BLUE SKY BLOG ON CORPORATIONS & CAPITAL MARKETS (Oct. 25, 2018)
- **The Rise of Financial Regulation by Settlement**
COLUMBIA LAW SCHOOL BLUE SKY BLOG ON CORPORATIONS & CAPITAL MARKETS (Sept. 12, 2017)
- **The Leidos Mixup and the Misunderstood Duty to Disclose in Securities Law**
HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE & FINANCIAL REGULATION (July 21, 2017)
- **Implications of European Disintegration for International Law**
17 COLUMBIA JOURNAL OF EUROPEAN LAW 395 (2011)
- **Why Does the Complainant Always Win at the WTO? A Reputation-Based Theory of Litigation at the World Trade Organization**, 31 NORTHWESTERN J. INTERNATIONAL LAW & BUSINESS 385 (2011)
- **Bargaining and Intellectual Property Treaties: The Case for a Pro-Development Interpretation for TRIPS but not TRIPS Plus**, 42 NYU J. INTERNATIONAL LAW & POLITICS 981 (2010) [student note]
- **Book Review, THE PERILS OF GLOBAL LEGALISM**
Eric A. Posner (U. CHI. PRESS 2009), 42 NYU J. INTERNATIONAL LAW & POLITICS 344 (2010)
- **Book Review, INTERNATIONAL LAW ON THE LEFT: RE-EXAMINING MARXIST LEGACIES**
Susan Marks (CAMBRIDGE PRESS 2008), 41 NYU J. INTERNATIONAL LAW & POLITICS 528 (2009)

PRESENTATIONS

- **FINRA Arbitration as Financial Regulation**
Academy of Legal Studies in Business - Pacific Southwest Conference, Palm Springs, CA (February 2025)
Academy of Legal Studies in Business - Annual Conference, Washington, D.C. (August 2024)
- **Financial Regulation in the Biden Administration: What to Expect** [panel discussant]
Academy of Legal Studies in Business Annual Conference (August 2021)
- **The Securities Fraud Class Action After *Goldman Sachs***
Academy of Legal Studies in Business Annual Conference (August 2021)
- **Rethinking Countercyclical Financial Regulation**
Wharton Conference on Financial Regulation (April 2021)
National Business Law Scholars Conference (June 2021)
- **Ten Years after Dodd-Frank: Is the Financial System Safer?** [panel discussant]
Academy of Legal Studies in Business Annual Conference (Aug. 2020)
- **Too Many to Fail: Against Community Bank Deregulation**
National Business Law Scholars Conference – U. Tennessee Law School (June 2020)
Academy of Legal Studies in Business Annual Conference – Montreal (Aug. 2019)
- **A Portfolio Approach to Policymaking Uncertainty**
Junior Scholars in Legal Studies Lecture Series (July 2020)
Midwest Law & Economics Association Annual Conference - Villanova Law School (Oct. 2019)
- **Financial Crisis Reform: Sovereign Debt, Systemic Risk & Government Insolvency** [panel discussant]
Academy of Legal Studies in Business Annual Conference – Montreal (Aug. 2019)
- **Stress Testing the Banking Agencies**
Canadian Law & Economics Association Annual Conference - Toronto (Sept. 2019)
National Business Law Scholars Conference - Berkeley Law School (June 2019)
Financial Regulation and Innovation Workshop - Indiana Maurer School of Law (April 2019)
Academy of Legal Studies in Business Annual Conference - Portland, Oregon (Aug. 2018)
- **Overlapping Legal Rules in Financial Regulation and the Administrative State**
Midwest Law & Economics Association Annual Conference - University of Alabama Law School (Sept. 2018)
National Business Law Scholars Conference - University of Georgia School of Law (June 2018)
Academy of Legal Studies in Business Annual Conference - Savannah, Georgia (Aug. 2017)
- **Anti-Corruption Regulation by Settlement under the Foreign Corrupt Practices Act**
30th Annual Sokol Colloquium - University of Virginia School of Law (Nov. 2017)
- **The *Leidos* Mixup and the Misunderstood Duty to Disclose in Securities Law**
Faculty Workshop - Indiana University Maurer School of Law (Oct. 2017)
Academy of Legal Studies in Business Annual Conference - Savannah, Georgia (Aug. 2017)
- **Reversing the Two Wrong Turns in the Economic Analysis of International Law**
Institute of International Economic Law Biennial Conference - McGill University (Sept. 2018)

American Law & Economics Association Midwest Conference - Marquette Law School (Oct. 2017)
American Society of International Law Midyear Conference - Washington University Law School (Oct. 2017)
Academy of Legal Studies in Business Annual Conference - Savannah, Georgia (Aug. 2017)
International Society of Public Law Annual Conference - Humboldt University of Berlin (June 2016)

• **Regulation by Settlement**

National Business Law Scholars Conference - University of Utah S.J. Quinney College of Law (June 2017)
Academy of Legal Studies in Business Pacific Southwest Conference - Palm Springs, California (Feb. 2017)
Big Ten Business Law Research Seminar - University of Maryland Carey School of Business (Jan. 2017)

• **The Banking-Sovereign Nexus: Law, Economics, and Policy**

Institute of International Economic Law Biennial Conference - Georgetown Law Center (Oct. 2016)
Invited Scholars Colloquium, *American Business Law Journal* - San Juan, Puerto Rico (Aug. 2016)

• **The Limits of Regulatory Arbitrage in Finance**

Berkeley Law School - Center for Law, Business & Economics (Sept. 2015)
Chapman University - Department of Economics Faculty Workshop (May 2015)

• **Reframing International Financial Regulation after the Global Financial Crisis**

NYU School of Law Junior Scholarship Clinic (April 2014)

PROFESSIONAL AFFILIATIONS & SERVICE

- Research Director, **Institute for Corporate Governance & Ethics**, Kelley School (2024 – present)
- Research Fellow, **Institute for Corporate Governance**, Kelley School (2021 –2024)
- Editorial Reviewer, **American Business Law Journal** (2017 - present) [awarded Outstanding New Reviewer 2018, Best Reviewer 2022]

- Member, **American Bar Association – Dispute Resolution Section** (2023 - present)
- Member, **Academy of Legal Studies in Business** (2016 - present)
- Member, **American Society of International Law** (2016 - present)
- Member, **American Law & Economics Association** (2016 - present)
- Member, **California Bar Association** (admitted 2010)
- Member, **U.S. Ninth Circuit Court of Appeals** (admitted 2018)
- Member, **U.S. District Court for Central District of California** (admitted 2018)

AMICUS BRIEFS

- **Facebook, Inc. v. Amalgamated Bank**, U.S. SUPREME COURT (Brief of *Amici Curiae* Law Professors and Former Officials of the SEC in Support of Petitioners) (April 5, 2024)
- **Murphy v. Securities and Exchange Comm'n.**, U.S. SUPREME COURT (Brief of Securities Scholars and Former SEC Officials as *Amici Curiae* in Support of Petitioners) (July 27, 2023)
- **In re FirstEnergy Corp.**, SIXTH CIRCUIT COURT OF APPEALS (Brief of former SEC Officials and Law Professors as *Amici Curiae*) (April 20, 2023)
- **Goldman Sachs v. Arkansas Teachers Retirement System**, U.S. SUPREME COURT (Brief of former SEC Officials and Law Professors as *Amici Curiae*) (Feb. 11, 2021)
- **In re Volkswagen**, NINTH CIRCUIT COURT OF APPEALS (*Amicus* Brief on behalf of Securities Law Professors) (Feb. 10, 2020)

- ***United States v. Blaszczak***, SECOND CIRCUIT COURT OF APPEALS (*Amicus* Brief on Behalf of Securities Law Professors) (March 12, 2019)
- ***Martoma v. United States***, U.S. SUPREME COURT (Brief for Law Professors as *Amici Curiae* in Support of Petitioner) (Feb. 27, 2019)
- ***Lorenzo v. Securities and Exchange Comm’n***, U.S. SUPREME COURT (Brief of *Amici Curiae* Securities Law Professors in Support of Petitioner) (Aug. 27, 2018)
- ***Homeaway.com, Inc. and AirBnb, Inc. v. City of Santa Monica***, NINTH CIRCUIT COURT OF APPEALS (Brief of *Amici Curiae* Internet, Business, and Local Government Law Professors in Support of Defendant-Appellee) (May 23, 2018)