

AVIVA ABRAMOVSKY

William J. Magavern Faculty Scholar and Professor of Law
 University at Buffalo School of Law
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CURRENT POSITION

UNIVERSITY AT BUFFALO LAW SCHOOL, THE STATE UNIVERSITY OF NEW YORK
 Buffalo, NY June 2017- Present

William Magavern Faculty Scholar and Professor of Law July 2023-Present
 Professor of Law June 2017-Present

Areas of expertise – Commercial Law, Insurance Law, Contracts, Sales & Leases, Professional Responsibility, Disaster Recovery

Awards:

- *Professor David D. Siegel Award* for outstanding academic contribution to New York Law by the Torts, Insurance and Compensation Law Section of the New York State Bar Association (NYSBA) (January 2020)
- *Outstanding Women in Law Award (Lamplighter)*, Eighth Judicial District's Women in the Courts/Gender Racial Fairness Committee (May 2019)

Dean, University at Buffalo School of Law June 2017-June 2023
 The State University of New York

Chief academic, budget, policy, advancement, and administrative leader at the University at Buffalo School of Law, the only law school in the State of New York (SUNY) system. Responsible for over 700 students (JD, LLM and BA), more than 82 faculty and staff members plus part-time adjunct faculty, interdisciplinary research center and programs, law library, 95,015 square feet of facility space, and an operating budget of more than \$16 million. Recent accomplishments and initiatives include the expansion of the law school's diversity, equity and inclusion office and initiatives; expansion of the office of student service and bar support; advancement of domestic and international student recruitment efforts; further development of alumni outreach efforts to increase mentoring and career placement opportunities for current students; implementation of an undergraduate program in law, several 3+3 accelerated BA/JD programs with partner schools and a new doctorate in juridical science; the development of new clinical legal education programs including a Criminal Justice Advocacy Clinic and a Community Engagement Legal Clinic; revitalization of the law school's Innocence and Justice Project; and several capital improvements.

PRIOR EXPERIENCE

SYRACUSE UNIVERSITY COLLEGE OF LAW, Syracuse, NY

Kaufman Professor of Entrepreneurship and Innovation, 2011-2017
 Associate Dean for International Initiatives 2012-2017
 Founder and Director of LL.M. Program for Foreign Lawyers 2012-2017
 Associate Dean for Special Projects, 2010-2012
 Director of SU Law in London: Clinical Internships 2008-2017
 Associate Professor of Law, 2008-2010
 Assistant Professor of Law, 2004-2008

FLORIDA STATE UNIVERSITY COLLEGE OF LAW, Tallahassee, FL

Visiting Assistant Professor of Law 2003-2004

ANDERSON KILL & OLICK P.C, New York, NY

Law Firm Insurance Coverage Group
 Associate and Shareholder 2000-2003

U.S. COURT OF APPEALS, SECOND CIRCUIT, Judge Joseph McLaughlin, New York, NY

Law Clerk (Summer) 1998

EDUCATION

UNIVERSITY OF PENNSYLVANIA, Philadelphia, PA

J.D., May 2000
University of Pennsylvania Journal of Constitutional Law, Managing Editor
 Peggy Browning Fellow
 Philadelphia Bar Association, Women's Issues Pro Bono Scholar

CORNELL UNIVERSITY, Ithaca, NY

B.S. in Industrial & Labor Relations, June 1997

GOVERNMENT SERVICE AND PROFESSIONAL MEMBERSHIP POSITIONS

- Member, New York State Independent Review Committee for Nominations to the Commission on Ethics and Lobbying in Government (May 2022-June 2023)
- Board Member, Erie County Bar Foundation (May 2021- Present)
- Member, American Law Institute (2019-present)
- Fellow, American Bar Association (2019-2020)
- Advisory Committee Member, Rockefeller Institute of Government, Center for Law & Policy Solutions (2017-2020)
- Chair, Committee on Autonomous Cars and the Law, New York State Bar Association (2019-2020)
- American Association of University Women (AAUW), International Fellowships Panel (2017-2019)
- Executive Board Member, Section on Insurance Law, AALS (2010-2018)
- Chair, Committee on Sections and the Annual Meeting, AALS (2015-2016)
- Member, Committee on Special Programs for 2015 Annual Meeting, AALS (2014-2015)

- Consultant for European Reconstruction Development Bank, Institute for the Development of Legal Organizations, Commercial Law Judicial Training Program in Mongolia (2013) (onsite training in Ulaan Battur alongside continued yearlong capacity building)
- Chair, Insurance Law Section, AALS (2010)
- American Bar Association, Standing Committee on Federal Judiciary, Academic Reading Group Member for evaluation of Sonia Sotomayor to Associate Justice of U.S Supreme Court (2008-2009)
- American Bar Association, Standing Committee on Federal Judiciary, Academic Reading Group Member for evaluation of Samuel A. Alito, Jr. to Associate Justice of U.S. Supreme Court (2005-2006)

BAR ADMISSIONS

- New York State Bar, Second Department (admitted 2001)
- Southern and Eastern Districts of New York (admitted 2002)

EDITORIAL POSITIONS AND HONORS

- Editor, *LSN Insurance Law, Legislation, & Policy eJournal* (with R. Malloy) (2007-Present)
- Editor, *LSN Housing & Community Law eJournal* (with R. Malloy) (2023-Present)
- Editorial Board of the National Ministry of Public Prosecutorial Ethics Council, *Journal of Brazil* (2016-2018)
- Board of Editors, Insurance Titles Group, Mathew Bender (Lexis) (2010-2015)
- Editor and Academic Advisor, *Connecticut Insurance Law Journal* (2010-2011)
- Reviewer for *Connecticut Insurance Law Journal*, *American Business Law Journal*, Mathew Bender, West, Springer, Lexis, among others
- BILA Book Prize 2013, *Research Handbook on International Insurance and Regulation* (Chapter Author)

COMMUNITY HONORS

- *Female Trailblazer in Erie County*, Buffalo Rising (March 2022)
- *Power Women*, Buffalo Business First (July 2018, 2019, 2020, 2021, 2022)
- *Power List for Law*, Western New York Daily Record (April 2021)
- *Legal Elite Leader*, Buffalo Law Journal/Business First (September 2018, 2019, 2020)
- *Power 250*, Buffalo Business First (March 2019)

ACADEMIC PUBLICATIONS

Treatises and Books

Author, UNIFORM COMMERCIAL CODE, WEST'S MCKINNEY'S FORMS FOR NEW YORK, the definitive set on the New York Uniform Commercial Code and official companion to MCKINNEY'S CONSOLIDATED LAWS OF NEW YORK ANNOTATED (updated annually) (2016-Present).

Editor, Volume 4: Specific Types of Liability Insurance (Chs. 24-40), *NEW APPLEMAN ON INSURANCE LAW LIBRARY EDITION* by Mathew Bender (2010- present).

Contributing Editor, *NEW APPLEMAN INSURANCE LAW NEW YORK, SECOND EDITION*, by Mathew Bender (2008- present).

Articles and Book Chapters

Enforcement: A survey of the approaches taken to insurance regulatory enforcement in the United States of America and in the United Kingdom, in RESEARCH HANDBOOK ON INTERNATIONAL INSURANCE AND REGULATION (2nd Edition) (Julian Burling and Kevin Lazarus eds.) (with Dan D. Kohane, Farhaz Kan KC, and Paul Bonner Hughes) (Edward Elgar Publishing forthcoming 2023)

Transparency and the Insurance Contract in the United States in TRANSPARENCY IN INSURANCE LAW AND REGULATION (Pierpaolo Marano & Kyriaki Noussia, eds.) (Springer) (2020) (with Peter Kochenburger).

Insurance Online: Regulation and Consumer Protection in a Cyber World in "DEMATERIALIZED" INSURANCE (Pierpaolo Marano et al. Eds) (Springer) (2016) (with Peter Kochenburger).

Justice for Sale: Contemplations on the "Impartial" Judge in a Citizens United World, 2012 MICH. ST. L. REV. 713 (2014).

Enforcement, in RESEARCH HANDBOOK ON INTERNATIONAL INSURANCE AND REGULATION (Julian Burling and Kevin Lazarus eds.) (Edward Elgar Publishing 2012) (with Ian Mason, Robert Tischner and Stefan Bessman) (Winner of the BILA Book Prize 2013).

Managing the Next Deluge: A Tax System Approach to Flood Insurance, 18 CONN. INS. L. J. 1 (2011) (with Charlene Luke).

Reinsurance: The Silent Regulator?, 15 CONN. INS. L. J. 345 (2009) (Northwestern Law Searle Center on Law, Regulation and Economic Growth selected paper with honorarium) (a Lexis "ligation essential" article).

Insurance and the Flood in LAW AND RECOVERY FROM DISASTER: HURRICANE KATRINA (Robin Malloy, ed.) (Ashgate Press) (2009).

An Unholy Alliance: Institutionalized Insurance Industry Engagement in Fraud Prosecutions as Threat to Prosecutorial Neutrality, 98 J. CRIM. L. & CRIMINOLOGY 2 (2008).

The Enterprise Model of Managing Conflicts of Interest in the Tripartite Insurance Defense Relationship, 27 CARDOZO L. REV. 193 (2005).

Comment, *Traitors in Our Midst: Attorneys Who Inform on Their Own Clients*, 2 U. PA. J. CONST. L. 676 (2000).

Book Review

The Phantom Capitalists: The Organization and Control of Long-Firm Fraud, 4 ASIAN J. CRIMINOLOGY 195 (2009).

Other Publications

Editorial, *Bailouts Are Nothing But Moral Hazards*, Albany Times-Union, Monday, April 13, 2009.

Why a California Court of Appeals Held that Scott Peterson Won't Be Collecting on the Insurance Policy for His Wife Laci, Find Law, Tues. Nov. 27, 2007.

The Rogue Trader . . . Do You Have to Chase Him to Timbuktu Before Your Insurance Pays? 6-1 MEALEY'S EMERGING INSURANCE DISPUTES 16 (2001) (with R. Mark Keenan).

Select Presentations

Q&A Moderator: *UB Distinguished Speaker Series* featuring former President and Director-Counsel of NAACP Legal Defense and Educational Fund, Sherrilyn Ifill, Buffalo, New York, February 16, 2023.

Speaker: National Association of Women Judges, New York Chapter, Sisters in Law Spring Retreat Celeron, NY, May 2, 2022

Keynote: *Advancing the Rule of Law Now*, Niagara County Bar Association's Law Day Luncheon, Lockport, New York, October 15, 2021

Panel Co-Host & Facilitator: Democracy & Division: *Are There Core Values We Can Agree Upon?*, Dean's Forum, American Association of Law Schools Conference, January 8, 2021

Panel Leader: *Torts & Insurance*, American Association of Law Schools Conference, Washington DC, January 3, 2020

Guest Presenter: *Miranda Warnings Podcast with David Miranda*, Autonomous Vehicles and the Law, September 23, 2019

Moderator: *A Discussion with the Hon. Ruth Bader Ginsburg*, Buffalo, New York, August 26, 2019.

Keynote: *Women in Law and Order*, 9th Annual Women's Luncheon, Buffalo, New York, April 26, 2019.

Moderator: *UB Distinguished Speaker Series* featuring former U.S. Secretary of State Condoleezza Rice, Buffalo, New York, April 17, 2019.

Commentator: *The Restatement Context*, The ALI's Restatement of Law Liability Insurance: The World Turned Upside Down?, University of Connecticut Law School, Hartford, Connecticut, April 5, 2019.

Keynote: Disaster Recovery: The Need for a Holistic Approach, La Industria de Seguros Post Huracán María, University of Puerto Rico School of Law, San Juan, Puerto Rico, February 15-16, 2019.

21st Century Challenges in American Legal Education, Office of the Public Prosecutors of Brasilia DC, Brasilia, Brazil, April 27, 2015, Office of the Federal Prosecutors of Brazil, Brasilia, Brazil, April 29,

2015, Office of the Attorney General of the Federal Republic of Brazil, Brasilia, Brazil. April 30, 2015, Federal Circuit Court of the 3rd Circuit, Sao Paulo, Brazil, May 5, 2015.

Justiça Penal nos EUA: Delação Premiada (Criminal Justice in the USA: Plea Bargaining), Office of the Public Prosecutors of the State of Minas Gerais, Belo Horizonte, Brazil, April 24, 2015. Office of the Public Prosecutors of the State of Espirito Santo, Vitoria, Brazil, April 27, 2015, and Office of the Public Prosecutors of the State of Rio de Janeiro, Brazil, May 04, 2015.

Responsibilities and Opportunities of Section Leadership, Section Officers Breakfast and Section Officers Section Meeting, AALS Annual Meeting, Washington DC, January 2015 (Chair, Committee of Sections and the Annual Meeting).

Challenges to Property Causality Insurance Rutgers-Camden Insurance Scholars Workshop, Rutgers Center for Risk and Responsibility, September 12, 2014 (works in progress workshop with respondents).

Comparative International Insurance Law Techniques Presentation to Judicial Conference of Mongolia on Development of Insurance Law, June 5-6 2014.

Future of US Legal Education, International Association of Korean Lawyers European Section, Madrid, Spain May 28, 2013.

Development of Insurance Law and Treatises, European Reconstruction Development Bank, Institute for the Development of Legal Organizations, Commercial Law Judicial Training Program in Mongolia, April 2013.

Legal Ethics and the Pro Bono Requirement CLE, Syracuse University February 2013.

Panelist, *Regulating the Attorney Politician*, International Association of Korean Lawyers, Seoul, S. Korea, September 2013.

E-Marriage? AALS Hot Topic Panel, AALS Annual Meeting, New Orleans, LA, January 7, 2011.

Panelist, *Lawyers as Conservators: Will 21st Century Business, Regulatory, and Educational Challenges Destroy the Lawyer's Role as Guardian of Legal Institutions and the Rule of Law?* and *Regulating the Attorney Politician*, Faculty Colloquium, Michigan State University and Lansing, MI September 5-9, 2011.

Contemporary Concerns in Insurance Legal Ethics CLE, 15th Annual Policyholders Advisor Conference, AKO, New York, NY, November 2011.

Regulating the Attorney Politician, Faculty Colloquium Durham Law School, Durham, UK, June 2011.

Keynote: *American Insurance Law and Our Liability Culture*, Third Annual International Conference on Torts, University of San Buenaventura, Cartagena, Colombia, May 2010, (by invitation).

Panel Chair, *AIG in the Age of Economic Disaster*, AALS Section on Insurance, New Orleans, January 2010.

Modern Legal Ethics, Monroe County Bar Association, Rochester, NY, October 2009.

Reinsurance: The Silent Regulator? Insurance Markets and Regulation Research Symposium, Searle Center, Northwestern University, (April 2008). Paper presented,

Panelist, *Can the Commercial General Liability Policy Survive?* NYSBA CLE, Syracuse, NY, April 2008.

Racial Targeting in Insurance Fraud Prosecutions, LatCrit, Miami, Florida, October 2007.

Commentator, Angela S. Cooney Colloquium on Law and Humanities, *Responsive Comment to The Rhetorical and Ritual Contexts of Biblical Law*, Syracuse, NY, December 2006.

Panelist, *Review of the National Flood Insurance Program in the Wake of Katrina*, Third Annual PCSE Workshop, Washington, D.C., November 10-11 2006.

Recent Katrina Decisions: What Effect for Homeowner's Insurance? Law Live! @ Lubin, New York, NY, November 2006.

Panelist, *On Life, Death and Taxes*, 9th Annual Conference of the Association for the Study of Law, Culture, and the Humanities (ASLCH), Syracuse, NY, March 17-18, 2006.

Moderator, *Panel on Legislation*, University of Connecticut, Insurance Law Center, Symposium on Asbestos: Anatomy of A Mass Tort, Hartford, CT, November 2005.

Panelist, *Overview of US Coverage Law: Recent Cases*, Second Annual International Insurance Training Program, Baker & McKenzie, Zurich, Switzerland, September 2005.

Panelist, *Laws of Commerce: Financial Markets' Croupier or Are They Just Craps?*, Law & Society, Las Vegas, NV, June 2005. *Conflicts of Interest in the Tripartite Relationship*, Florida State University College of Law Faculty Colloquium, October 2003.

Panelist, *A US-Canada Comparative Analysis of the Origins of "Bad-Faith" Causes of Action*, Ontario Trial Lawyers Association, Toronto, Canada, April 2003.

UNIVERSITY AND COLLEGE SERVICE

- University at Buffalo Dean of the School of Architecture and Planning Search Committee, 2023
- University at Buffalo Dean of the School of Social Work Search Committee, Chair, 2021
- University at Buffalo Vice Provost of International Education Search Committee, 2021
- University at Buffalo Committee for Academic Continuity, Retention and Completion: Graduate and Professional, 2020-2021
- SUNY Honorary Degree Committee, 2019-2021
- University at Buffalo Law School Committee on Committees, 2017-2023
- University at Buffalo Faculty Staff Campaign, Co-Chair, 2018-2019
- Syracuse University Financial Conflicts of Interest Committee, 2011- 2016
- Syracuse University Senate Representative, 2006-2016
- Syracuse University Strategic Plan Working Group 4: Internationalization, 2015
- Syracuse University Vice Chancellors Task Force on Faculty Salaries, 2012-2013
- Syracuse University Vice Chancellors Task Force on Benefits, 2011
- Syracuse University Speaker's Committee, 2010
- SU College of Law Academic Standards Committee 2006-2008, Chair 2013-2014
- SU Commencement Committee, 2010-2016
- SU College of Law Ad Hoc Committee on Special Projects, 2012
- SU College of Law Faculty Appointments and Leaves Committee, 2008-2011
- SU College of Law Promotion and Tenure Committee, 2012-2013
- SU College of Law Curriculum Committee 2004-2006, 2011-2012
- SU College of Law Honor Code- Assistant Prosecutor, 2005-2010