

SAMUEL N. WEINSTEIN

Benjamin N. Cardozo School of Law
55 Fifth Ave., Room 1004
New York, NY, 10003

Work: 646-592-6470
Cell: 510-326-6039
samuel.weinstein@yu.edu

ACADEMIC EXPERIENCE

Benjamin N. Cardozo School of Law

Associate Professor of Law

2020-Present

Assistant Professor of Law

2017-2020

Co-Director, Heyman Center on Corporate Law & Governance

2018-Present

Courses: Antitrust, Contracts, Corporations

Service: Adjuncts Committee (2017-18); Appointments Committee (2019-20); Clerkship Committee (2018-19); Faculty Development Committee (2017-18)

University of California, Berkeley, School of Law

2015-17

Berkeley Center for Law, Business & the Economy

Academic Fellow

- Research in antitrust, securities and financial regulation, contracts, intellectual property, and legal history.

University of California, Santa Cruz, History Department

1997

Lecturer in American History

- Taught lecture courses and senior seminar.

University of California, Berkeley, History Department

1992-95

Graduate Student Instructor

- Taught senior seminar and led discussion sections.

PROFESSIONAL EXPERIENCE

Curtis, Mallet-Prevost, Colt & Mosle

April 2017-Present

Senior Competition Counsel

- Maintain limited practice advising firms on antitrust matters.

U.S. Department of Justice, Antitrust Division

Attorney, Legal Policy Section

2007-12; 2014-15

Counsel to the Assistant Attorney General

2012-14

- Counseled Assistant Attorney General in charge of the Antitrust Division and other Division leaders on significant investigations, enforcement actions, and policy matters, with particular expertise in financial services, regulated industries, and intellectual property.
- Advised congressional staff and federal regulatory agencies on competition policy and antitrust compliance.
- Pursued investigations and enforcement actions involving financial markets, potential abuse of intellectual property rights, and standard-setting organizations. Formulated Division policy regarding financial services reform.
- Drafted reports, enforcement policy statements, guidelines, and speeches.

- Munger, Tolles & Olson LLP** 2003-07
Litigation Associate
- Practiced complex antitrust and regulatory litigation and counseling.
- U.S. Court of Appeals for the Third Circuit** 2002-03
Law Clerk to Chief Judge Edward R. Becker
- Microsoft Corporation, Redmond, WA** 1998-99
Statistics Editor
- Led production of Microsoft's *Encarta Almanac* product. Planned, researched, and wrote product content.

EDUCATION

University of California, Berkeley, School of Law, J.D., May 2002

- Order of the Coif
- First-Year Moot Court Advocacy Award
- *California Law Review*, Notes and Comments Editor
- *Berkeley Journal of Employment and Labor Law*, Executive Editor

University of California, Berkeley, Ph.D., U.S. History, December 1996

- Dissertation: *The Cause of Our Hard Times: Popular Economic Belief, Popular Economic Movements, Professional Economists, and the Expansion of the American State, 1877-1941*
- Mellon Foundation Dissertation Fellowship
- University of California Max Farrand Fellowship
- University of California Humanities Research Grant
- Distinction on the Ph.D. Examination

University of California, Berkeley, M.A., American History, May 1992

Haverford College, B.A., History, May 1989

SELECTED PUBLICATIONS

Blockchain Neutrality, GEORGIA L. REV. (forthcoming)

Financial Regulation in the (Receding) Shadow of Antitrust, 91 TEMPLE L. REV. 447 (2019).

Rigged Results? Antitrust Lessons from Keyword Auctions, 91 TUL. L. REV. 629 (2017).

When Systemic Risk Meets Antitrust: Dodd-Frank's Impact on Competitive Markets in the Wake of an Economic Crisis, 21 STAN. J. L. BUS. & FIN. 286 (2016).

Fact-Finding in Administrative and Judicial Proceedings: Perspectives of the U.S. Department of Justice (with Rachel Brandenburger & Anne Newton McFadden), INT'L ANTITRUST L. & POL'Y: FORDHAM COMPETITION L. (2011).

The New U.S. Horizontal Merger Guidelines and International Competition Policy Convergence (with Alden F. Abbott), ANTITRUST (Fall 2010).

Bundles of Trouble: The Possibilities for a New Two-Product Rule in Technology Tying Cases, 90 CAL. L. REV. 903 (2002).

United States v. Microsoft: Maintaining the Balance between Innovation and Competition, 17 BERKELEY TECH. L. J. 273 (2002).

WORKS IN PROGRESS

Anticompetitive Merger Review

SELECTED PRESENTATIONS

Presenter, “Anticompetitive Merger Review”

- National Business Law Scholars Conference (June 2020)
- 2020 University of Pennsylvania Journal of Business Law Symposium: The Interplay of Antitrust Laws and our Current Business Environment, University of Pennsylvania Law School (February 2020)

Presenter, “Blockchain Neutrality”

- Boston University School of Law Cyber Alliance (March 2020)
- National Business Law Scholars Conference, University of California, Berkeley (July 2019)
- Governing Innovation and Emerging Technology in Finance Writing Workshop and Roundtable, University of California, Berkeley (July 2019)
- University of Richmond School of Law Junior Faculty Forum (June 2019)
- Junior Faculty Workshop, Benjamin N. Cardozo School of Law (March 2019)

Presenter, “Financial Regulation in the (Receding) Shadow of Antitrust”

- Corporate Law & Finance Meets Antitrust Policy: Old & New Questions Conference, Lund University (June 2018)
- Next Generation of Antitrust Scholars Conference, New York University School of Law (January 2018)
- National Business Law Scholars Conference, University of Utah Law School (June 2017)

Presenter, “Rigged Results? Antitrust Lessons from Keyword Auctions”

- The Fellows’ Workshop, Stanford Law School (July 2016)
- National Business Law Scholars Conference, University of Chicago Law School (June 2016)
- U.C. Berkeley/University of San Diego Business Law Conference (May 2016)

Panelist, U.C. Berkeley School of Law, “The Future of Antitrust” (October 2015)

Presenter, “When Systemic Risk Meets Antitrust: Dodd-Frank’s Impact on Competitive Markets in the Wake of an Economic Crisis,” Bay Area Corporate/Transactional Workshop, U.C. Berkeley School of Law (July 2015)

Panelist, American Bar Association, Intellectual Property Committee, panel on current issues in antitrust and intellectual property law (June 2015; April 2014)

Presenter, “Analyzing Intellectual Property Licensing Arrangements,” National Judicial Academy of India, National Conference of Newly Elevated High Court Judges (January 2015)

Moderator, Joint Department of Justice/Federal Trade Commission Conditional Pricing Practices Workshop (June 2014)

SELECTED MEDIA APPEARANCES

California Regulators a Potential Obstacle to T-Mobile, Sprint Merger WALL ST. JOURNAL (January 26, 2020)

Amazon Falls after Report that the Company Prioritized Profit in its Search Listings, BLOOMBERG NEWS (September 16, 2019)

U.S. Approves T-Mobile-Sprint Merger, WALL ST. JOURNAL (July 26, 2019)

Justice Department Opens Antitrust Review of Big Tech Companies, NEW YORK TIMES (July 23, 2019)

Senate Tech Disclosure Bill Unlikely to Prompt an Antitrust Breakup, BLOOMBERG LAW (June 26, 2019)

Sprint, T-Mobile Merger Chances Take Another Hit, WALL ST. JOURNAL (June 12, 2019)

Sprint and T-Mobile Still Face Their Toughest Hurdle, WALL ST. JOURNAL (June 10, 2019)

Big Tech Braces for Antitrust Crackdown, THE HILL (June 5, 2019)

Facebook's Plans to Integrate WhatsApp, Instagram Raise Antitrust Concerns, KCBS RADIO INTERVIEW (March 10, 2019)

Zuckerberg to Integrate WhatsApp, Instagram and Facebook Messenger: NYT, REUTERS (JAN. 25, 2019)

Trump May Push Antitrust Probe into Google, Facebook, NEW YORK POST (Sept. 22, 2018)

BAR ADMISSIONS

Member of the California Bar