

LEWIS A. GROSSMAN

American University, Washington College of Law
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ACADEMIC APPOINTMENTS

American University, Washington College of Law, Washington, DC

Ann Loeb Bronfman Professor of Law and Affiliate Professor of History

- Associate Dean for Scholarship (2008-2011, 2022)
- Tenured Full Professor (2003-present), Associate Professor (2001-03), Assistant Professor (1997-2001)
- Chair of Faculty Appointments Committee (2020-21)
- Dean Search Committee (2020-21) (elected by faculty)
- Pauline Ruyle Moore Scholar (2023), Edwin A. Mooers Scholar (2016), Emalee C. Godsey Scholar (2014)
- Health Law and Policy Program Faculty (2013-present)
- Member of Executive Committee, American University Neuroscience, Policy & Law Initiative (2022-present)
- Classes Taught: Civil Procedure, Food & Drug Law (both as 1L elective and upper-level class), Advanced Health Law, U.S. Legal History, Introduction to Administrative Law (1L elective)

Harvard Law School, Cambridge MA

Visiting Professor of Law (Winter Term 2025)

Princeton University, Princeton, NJ

Visiting Research Scholar/Law and Public Affairs (LAPA) Fellow (2017-18)

Cornell Law School, Ithaca, NY

Visiting Professor of Law (fall 2015)

Seton Hall Law School Center for Health & Pharmaceutical Law & Policy, Newark, NJ

Distinguished Visiting Scholar (March 2019)

EDUCATION

Yale University, New Haven, CT

Ph.D. in American History, May 2005 (also M.Phil. with distinction, Dec. 1992; M.A., Dec. 1991)

- Ph.D. Dissertation: "The Ideal and the Actual of James Coolidge Carter: Morality and Law in the Gilded Age"
- George Washington Egleston Prize for Best Dissertation in the Field of American History
- Dissertation Committee: David Brion Davis, Morton J. Horwitz, Robert W. Gordon, Cynthia Russett
- Mellon Fellowship in the Humanities, Woodrow Wilson Foundation

Harvard Law School, Cambridge, MA

J.D. *magna cum laude*, June 1990

Yale University, New Haven, CT

B.A. *summa cum laude*, with distinction in history, May 1986

- Phi Beta Kappa, Junior Year, 1985
- Katherine A. Walker Essay Prize
- Rhodes Scholarship competition, New England District finalist, 1986

PUBLICATIONS: BOOKS

Choose Your Medicine: Freedom of Therapeutic Choice in America (Oxford University Press 2021)

- Book talks at University of Pennsylvania, University of Virginia, Yale University, Harvard University, George Washington University
- Featured on NPR broadcast *The Takeaway* and other national media (listed at end of CV)

Food and Drug Law: Cases and Materials, 5th ed. (with Peter Barton Hutt, Richard A. Merrill, Nathan Cortez, Erika Lietzan, & Patricia J. Zettler) (Foundation Press 2022) (also 4th ed. 2014 with Hutt & Merrill, 3rd ed. 2007 with Hutt & Merrill)

Food and Drug Law, Statutory Supplement (with Peter Barton Hutt) (multiple editions)

A Documentary Companion to A Civil Action (with Robert G. Vaughn), 4th ed. (Foundation Press 2008) (also 3rd ed. 2006, rev. ed. 2002 & 1st ed. 1999)

Teacher's Manual for A Documentary Companion to A Civil Action (with Robert Vaughn) (Foundation Press 2000, rev. ed. 2002)

PUBLICATIONS: ARTICLES AND BOOK CHAPTERS

"Lessons from Cannabis: The Regulatory Structure for Psychedelic Therapies," in *The Law and Policy of Psychedelic Medicine* (I. Glenn Cohen, Amy Lynn McGuire, & Mason Marks, eds., Cambridge University Press, 2025)

"*FDA v. Alliance for Hippocratic Medicine* and the Future of Mifepristone Access," 122 *Fertility & Sterility* (2024) (with I. Glenn Cohen & Eli Y. Adashi) (peer reviewed)

"Criminalizing Transgender Care," 110 *Iowa Law Review* 281 (2024)

"The Mifepristone Litigation: Untangling the Implications of the Fifth Circuit's Decision for Abortion Access and FDA," 176 *Annals of Internal Medicine* 1666 (Nov. 7, 2023) (with Patricia J. Zettler, Eli Y. Adashi & I. Glenn Cohen) (peer reviewed)

"Freedom Not to See a Doctor: The Path to Over-the-Counter Abortion Pills," 2023 *Wisconsin Law Review* 101 (2023)

"Pressing Regulatory Challenges for Psychedelic Medicine," 380 *Science* 347 (2023) (with Amy L. McGuire, Holly Fernandez Lynch & I. Glenn Cohen) (peer-reviewed)

"Pushing Back with Pills—Enhancing Access to Reproductive Health Drugs after *Dobbs*," 387 *New England Journal of Medicine* 1056 (2022) (peer-reviewed)

"Life, Liberty, [and the Pursuit of Happiness]: Medical Marijuana Regulation in Historical Context," 74 *Food and Drug Law Journal* 280 (2019)

"AIDS Activists, FDA Regulation, and the Amendment of America's Drug Constitution," 42 *American Journal of Law & Medicine* 687 (2017) (peer-reviewed)

"Enforcement Discretion Under Attack: Implications for FDA," *Administrative & Regulatory Law News*, summer 2016, at 24

"Drugs, Biologics, and Devices: FDA Regulation, Intellectual Property, and Medical Products in the American Healthcare System," in *Oxford Handbook of American Health Law* (I. Glenn Cohen, Allison Hoffman, & William Sage, eds., Oxford University Press, 2016)

"FDA and the Rise of the Empowered Patient," in *FDA in the 21st Century: The Challenges of Regulating Drugs and New Technologies* (I. Glenn Cohen & Holly Lynch, eds., Columbia University Press, 2015)

"The Rise of the Empowered Consumer," *Regulation*, winter 2014-15, at 34

PUBLICATIONS: ARTICLES AND BOOK CHAPTERS (continued)

- “FDA and the Rise of the Empowered Consumer,” 66 *Administrative Law Review* 627 (2014)
- “The Origins of American Health Libertarianism,” 13 *Yale Journal of Health Policy, Law, and Ethics* 76 (2013) (peer-reviewed)
- “Food, Drugs, and Droids: A Historical Consideration of Definitions and Categories in American Food and Drug Law,” 93 *Cornell Law Review* 1091 (2008)
- “The Benefits and Evils of Competition’: James Coolidge Carter’s Supreme Court Advocacy,” in *Festschrift in Honor of Morton J. Horwitz* (Alfred Brophy & Daniel Hamilton eds., Harvard University Press, 2008)
- “Langdell Upside-Down: James Coolidge Carter and the Anticlassical Jurisprudence of Anticodification,” 19 *Yale Journal of Law & the Humanities* 149 (2007)
- “The Story of *Parklane*: The ‘Litigation Crisis’ and the Efficiency Imperative,” in *Civil Procedure Stories* (Kevin Clermont ed., Foundation Press, 2004)
- “James Coolidge Carter and Mugwump Jurisprudence,” 20 *Law and History Review* 577 (2002) (peer-reviewed)
- “Extending the Revisionist Project,” 20 *Law and History Review* 639 (2002)
- “Codification and the California Mentality,” 45 *Hastings Law Journal* 617 (1994)
- “John C. Frémont, Mariposa, and the Collision of Mexican and American Law,” 6 *Western Legal History* 17 (1993), reprinted in 31 *Public Land and Resources Law Digest* 111 (1994) (collection of the year’s best articles in the field of natural resources law)
- “Self-Censorship by Media Industries,” 15 *Columbia-VLA Journal of Law & the Arts* 443 (1991)

PUBLICATIONS: OTHER

- Building Resilience into the Nation’s Medical Product Supply Chains*, National Academies Health & Medicine Division Committee on Security of America’s Medical Product Supply Chain (National Academies 2022) (coauthor as member of committee)
- Review of Daniel Navon, *Mobilizing Mutations: Human Genetics in the Age of Patient Advocacy*, 95 *Bulletin of the History of Medicine* 429 (fall 2021)
- Enhancing Food Safety: The Role of the Food and Drug Administration*, Institute of Medicine/National Research Council Committee on the Review of the FDA’s Role in Ensuring Safe Food (National Academies 2010) (coauthor as member of committee)
- Review of Mark Elliott, *Albion Tourgée and the Quest for Racial Equality from the Civil War to Plessy v. Ferguson*, 28 *Law and History Review* 874 (2010)
- “Codes and Codification: United States Law,” in *Oxford Encyclopedia of Legal History* (Stanley N. Katz, ed., 2009)
- “James Coolidge Carter,” in *Yale Biographical Dictionary of American Law* (Roger K. Newman, ed., 2009)
- “John Norton Pomeroy,” in *Yale Biographical Dictionary of American Law* (Roger K. Newman, ed., 2009)
- Review of Mark Warren Bailey, *Guardians of the Moral Order: The Legal Philosophy of the Supreme Court, 1860-1910*, 92 *Journal of American History* 241 (2005)
- “A Brief and General History of Government Policy Concerning Patent Rights to Federally Funded Pharmaceutical Inventions” (with Peter Barton Hutt), presented by Mr. Hutt at the IOM Roundtable for the Development of Drugs and Vaccines Against AIDS, National Academy of Sciences (Apr. 18, 1994)

BOOK IN PROGRESS

Seeds of Rebellion: How a Worthless Drug from Apricot Pits Launched the War against the Medical Establishment (tentative book title)

CONGRESSIONAL TESTIMONY

Testimony before Senate Labor and Human Resources Committee regarding FDA regulation of tobacco products (Feb. 24, 1998)

PRO BONO LITIGATION

Alliance for Hippocratic Medicine v. FDA: Representing and co-drafting amicus briefs on behalf of national group of food and drug law scholars defending FDA's approval and regulation of abortion medication (U.S. Supreme Court, U.S. Court of Appeals for the 5th Circuit, U.S. District Court for the Northern District of Texas) (2023-present)

PROFESSIONAL SERVICE

National Academies of Sciences, Engineering & Medicine, Health & Medicine Division (formerly Institute of Medicine)

- Member, Workshop Planning Committee, Advancing Regulatory Science for Defining and Evaluating In-Home Safe Disposal Systems for Controlled Substances (2023)
- Member, Committee on the Security of America's Medical Product Supply Chains (2020-22)
- Member, Standing Committee for the CDC Division of Strategic National Stockpile (2015-2017)
- Member, Committee for Review of FDA's Role in Ensuring Safe Food (2009-2010)
- Legal Consultant, Committee on the Framework for Evaluating the Safety of Dietary Supplements (2002-2004)

Coalition for Trust in Health & Science (CTHS)

- Member, Advisory Committee

Food and Drug Law Institute (FDLI)

- Member, Board of Directors (2013-2016)
- Member, Annual Conference Planning Committee (2023-24, 2024-25)
- Member, Publications and Academic Programs Committee (2024-25)
- Member, *Food and Drug Law Journal* Editorial Advisory Board (2020-23)
- Member, Academic Programs Committee (2002-2010, 2017-18)
- Member, Organizing Committee, Food and Drug Law Journal Symposium (2018, 2020, 2021, 2022)
- Member, Writing Awards Committee (2003-2010)

Administrative Law Review

- Faculty Advisory Board (2007-present)

Hillary Clinton for President 2016

- Virginia Voter Protection "Boiler Room" Advocate (2016)

Barack Obama for President 2008, 2012

- Virginia Voter Protection "Boiler Room" Advocate (2012)
- Member, Law & Judiciary Policy Committee (2008)
- Virginia Promote the Vote, Voter Protection Attorney (Manassas Park, VA) (2008)

American Society for Legal History

- Member, Local Arrangements Committee, 2003 Annual Meeting & 2015 Annual Meeting
- Surrency Prize Committee (2009-2011)

PROFESSIONAL SERVICE *(continued)*

China Law Center of Yale Law School

- Met with and lectured to Chinese regulators and academics, in the U.S. and in China, regarding food and drug regulation and government transparency and accountability (2008-2012)

Senator John McCain

- Legal Consultant on S. 812—“To amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals” (generic drug amendments sponsored by Sen. Charles Schumer and cosponsored by Sen. McCain and eleven Democratic senators) (2002)

Supreme Court Historical Society

- Co-Chair for Membership, American University (2008-2010)

Mikva Challenge DC

- Member, Advisory Board (2016-present)

OTHER PROFESSIONAL EXPERIENCE

Covington & Burling LLP, Washington, DC

Of Counsel (part-time, 2003-present), *Associate* (Nov. 1993-Oct. 1994, Mar. 1995-Mar. 1997): Member of the Food and Drug Law Practice Group.

Chief Judge Abner J. Mikva, U.S. Court of Appeals for the D.C. Circuit, Washington, DC *Judicial Clerk* (1992-93)

White House Security Review, U.S. Department of the Treasury, Washington, DC

Assistant Director (Oct. 1994-Feb. 1995): Participated in review of White House security initiated by the Secretary of the Treasury.

Davis, Polk & Wardwell, New York, NY & London, UK

Summer Associate (summer 1989)

Mckenna, Conner & Cuneo, Washington, DC

Summer Associate (summer 1988)

Mayor’s Office of Transportation, New York, NY

Staff Analyst (1986-87) Participated in writing a final report, including an implementation plan, for a city-wide paratransit system to serve transportation-disabled New Yorkers.

CONFERENCE PLANNING

Food and Drug Law Institute (FDLI) 2024 and 2025 Annual Meetings

- Member, Planning Committees (Washington, D.C., Apr. 15-16, 2024)

“The Therapeutic Use of Psychedelic Drugs: Legal, Policy & Neuroscientific Perspectives”

- Co-organizer of major multidisciplinary conference involving leading scientists, policymakers, regulators, activists, attorneys, academics, and entrepreneurs, hosted by the American University Center for Neuroscience and Behavior (Washington, D.C., Apr. 12, 2024)

“FDA: Past, Present, and Future”

- Organizer and chair of major AU/FDLI conference involving four former FDA Commissioners, four former FDA chief counsels, and dozens of leading academics and practitioners (Washington, D.C., Oct. 19, 2018)

American Society for Legal History 2003 and 2015 Annual Meetings

- Member, Local Arrangements Committees (Washington, DC)

PEER REVIEWER

New England Journal of Medicine; Journal of the American Medical Association (JAMA), Bulletin of the History of Medicine; Yale Journal of Health Policy, Law & Ethics; Food and Drug Law Journal; Journal of Law and the Biosciences; Harvard Public Health Review; Law and History Review; Oxford University Press; Cambridge University Press

SELECTED PRESENTATIONS

Panelist, *Seton Hall Law Review Symposium: The End of Chevron Deference: Navigating Federal Administrative Law in the Wake of Loper Bright*, Seton Hall Law School, Newark, NJ (Feb. 14, 2025)

Presenter, “The American People and the Medical Establishment: A History of Mistrust,” Association of American Medical Colleges (AAMC) Annual Meeting: Voices of Medicine and Society Series, Atlanta, GA (Nov. 10, 2024)

Presenter, “Laetrile and the War on Expertise in the 1970s,” on panel titled *Bureaucracy. Bureaucracy? Bureaucracy? Confronting the Administrative State in 1970s America*, American Society for Legal History (ASLH) Annual Meeting, San Francisco, CA (Oct. 25, 2024)

Keynote Speaker, “How We got Here: A Brief History of Americans and Mistrust of Medicine,” Coalition for Trust in Health & Science, Washington, DC (Oct. 17, 2024)

Reader and Mentor, Health Law Scholars Workshop, American Society of Law, Medicine & Ethics (ASLME) & St. Louis University Center for Health Law Studies, St. Louis, MO (Sept. 27-28, 2024)

Panelist, “FDA and the Judicial System,” Practising Law Institute, *Life Sciences 2024: Navigating Legal Challenges in the Drug and Device Industries*, New York, NY (Sept. 19, 2024)

Presenter, “Identifying Core Elements of the Trust Equation,” National Academy of Medicine Leadership Consortium—Culture, Inclusion & Equity Action Collaborative Meeting, *Building Trust as a Common Pathway to Achieving Equitable Care*, Washington, DC (July 18, 2024)

Presenter, “Lessons from Cannabis: Envisioning a Better Regulatory Structure for Psychedelic Therapies,” Petrie-Flom Center Annual Conference, *The Law & Policy of Psychedelic Medicine*, Harvard Law School, Cambridge, MA (June 25, 2024)

Presenter, “Criminalizing Transgender Care,” Stanford Law School Annual BioLaw Conference, Stanford, CA (May 17, 2024)

Moderator, “Surveying the Evolving Regulatory Landscape for Medical Device Sterilization,” Food and Drug Law Institute Annual Conference, Washington, DC (May 15, 2024)

Presenter, “Criminalizing Transgender Care,” UCLA Health Law Scholarship Workshop, Los Angeles, CA (Apr. 19, 2024)

Presenter, “Regulation of Psychedelics Under the Controlled Substances Act: Challenges and Solutions,” *The Therapeutic Uses of Psychedelic Drugs: Legal, Policy and Neuroscientific Perspectives*, American University, Washington, D.C. (Apr. 12, 2024)

Presenter, “The American People and the Medical Establishment: A History of Mistrust,” David Rogers Health Policy Colloquium, Weill Cornell Medical Center, New York, NY (March 13, 2024)

Panelist, “Controlled Substance Scheduling and Regulation,” *Fordham Law Review Symposium, Drug Law for the 21st Century: Learning from 50 Years of DEA-Led Public Health Policy*, Fordham University School of Law (Feb. 16, 2024)

Commentator, Daniel Simon, “Off-Label Preemption,” Association of American Law Schools Annual Meeting, Washington, DC (Jan. 5, 2023)

SELECTED PRESENTATIONS *(continued)*

President's Lecture, American Board of Internal Medicine Foundation Forum, *Reframing Trust: A Path to Address Misinformation*, Asheville, NC (July 22, 2023)

Moderator, "Perspectives on Regulatory Authority," Workshop on Defining and Evaluating In-Home Drug Disposal Systems for Opioid Analgesics, National Academies of Sciences, Engineering, & Medicine, Health & Medicine Division (June 26, 2023)

Presenter, "Freedom Not to See a Doctor: The Path to Over-the-Counter Abortion Pills," 46th Annual Health Law Professors Conference, University of Maryland Francis King Carey School of Law, Baltimore, MD (June 8, 2023)

Workshop Participant, "Freedom Not to See a Doctor: The Path toward Over-the-Counter Abortion Pills," Food and Drug Law Scholars Retreat, Vail, CO (June 2, 2023)

Presenter, "Freedom Not to See a Doctor: The Path to Over-the-Counter Abortion Pills," Stanford Law School Annual BioLaw Conference, Stanford, CA (May 19, 2023)

Lecturer, "Learn from History: The FDA and the Birth of Accelerated Approval," National Breast Cancer Coalition 2023 Advocate Leadership Summit, Washington, D.C. (May 7, 2023)

Presenter, "Webinar: Clashing Court Orders on Mifepristone Access: Implications for FDA and Stakeholders," Food and Drug Law Institute (online) (May 4, 2022)

Panelist, "The Future of Medication Abortion: Regulation and Ongoing Litigation," Yale Law School, Solomon Center for Health Law & Policy, New Haven, CT (Apr. 4, 2023)

Panelist, "Preempting Pregnancy: Federalism, Medication Abortion and Contraceptive Care," DePaul College of Law Jaharis Institute Health Law Symposium (Mar. 1, 2023)

Moderator & Panelist, "The Regulated and Unregulated Marketplace for Medication Abortion," at "Health, Equity, and Law after *Dobbs*," George Washington University Law School, Washington, DC (Feb. 25, 2023)

Commentator, Daniel Aaron, "The Fall of FDA Review," Seton Hall Annual Regional Health Law Works-in-Progress Retreat, Newark, NJ (Jan. 13, 2023)

Book Talk, "Choose Your Medicine: Freedom of Therapeutic Choice in America, George Washington University Law School, Washington, DC (Nov. 14, 2022).

Book Talk, "Choose Your Medicine: Freedom of Therapeutic Choice in America, Harvard Law School Petrie Flom Center (online) (Nov. 3, 2022).

Book Talk, "Choose Your Medicine: Freedom of Therapeutic Choice in America, Yale Law School, Solomon Center for Health Law & Policy, New Haven, CT (Oct. 31, 2022).

Presenter, "Challenges of Interdisciplinary Scholarship," AALS Workshop for New Law School Teachers, Washington, DC (June 4, 2022)

Presenter, "The FDA and Women's Bodies," 45th Annual Health Law Professors Conference, Arizona State University Sandra Day O'Connor College of Law, Phoenix, AZ (June 2, 2022)

Presenter, "Choose Your Medicine: Freedom of Therapeutic Choice in America," Stanford Law School Annual BioLaw Conference, Stanford, CA (May 13, 2022)

Book Talk, "Choose Your Medicine: Freedom of Therapeutic Choice in America," Liberty Fund First Monday Talk, Indianapolis, IN (May 2, 2022)

Book Talk, "Choose Your Medicine: Freedom of Therapeutic Choice in America," Miller Center, University of Virginia (Apr. 14, 2022)

SELECTED PRESENTATIONS *(continued)*

Discussant, “The Use of Food and Drug Laws to Control the Obesity Pandemic,” *Lobes & Robes Podcast* (March 2022)

Moderator, “The *NFIB v. OSHA* Decision and its Impact on U.S. Government Efforts to Combat the COVID-19 Pandemic and Other Public Health Threats,” Administrative Law Review Annual Symposium, *Administrative Law at the Supreme Court: NFIB v. OSHA and the Court’s Current Approach to Reviewing Federal Government Action* (online) (Mar. 4, 2022)

Presenter, John F. Anderson Memorial Lecture, “Choose Your Medicine: Freedom of Therapeutic Choice in America,” University of Virginia School of Medicine Medical Center Hour (online) (Feb. 23, 2022)

Commentator, Adam I. Muchmore, “Marketing Authorization at FDA: Paradigms and Alternatives,” Seton Hall Annual Regional Health Law Works-in-Progress Retreat (online) (Feb. 11, 2022)

Presenter, “*Choose Your Medicine*: A Book Talk with Lewis A. Grossman,” University of Pennsylvania Law School Center for Technology, & Competition and University of Pennsylvania Perelman School of Medicine Department of Medical Ethics & Health Policy, Philadelphia, PA (Nov. 15, 2021)

Moderator & Commentator; Daniel A. Kracov, “Eugenics and the Development of U.S. Food and Drug Law,” Georgetown Law School/FDLI *Food and Drug Law Journal* Symposium, *The Path Forward: Seeking Racial Equity in Food and Drug Law* (online) (Nov. 15, 2019)

Presenter, “Choose Your Medicine: Freedom of Therapeutic Choice in America,” 44th Annual Health Law Professors Conference, ALSME & Northeastern University School of Law (June 7, 2021).

Commentator, David Simon, “Evidence-Based Off-Label Drug Regulation,” Seton Hall Annual Regional Health Law Works-in-Progress Retreat (online) (Feb. 5, 2021)

Commentator, Yaniv Heled, Ana Santos Rutschman & Liza Vertinsky, “Regulatory Reactivity: FDA and the Response to COVID-19,” Georgetown Law School/FDLI *Food and Drug Law Journal* Symposium, Online (Nov. 13, 2020)

Panelist, “COVID and the Law: Lessons Learned,” WCL Law & Government Program, Online (Sep. 8, 2020)

Panelist, “COVID and the Law Teach-In,” WCL Law and Government Program, Online (Apr. 17, 2020)

Moderator, “Opening the CBD Floodgates: Federal Regulation and Prospective Changes,” FDLI Law Over Lunch Series, Washington DC (Dec. 12, 2019)

Commentator, Daren Bakst, “Strengthening the Information Quality Act to Improve Federally Disseminated Public Health Information,” Georgetown Law School/FDLI *Food and Drug Law Journal* Symposium, Washington, DC (Nov. 15, 2019)

Presenter, “Choose Your Medicine: Freedom of Therapeutic Choice in America,” Health Law Workshop, Petrie-Flom Center, Harvard Law School, Cambridge, MA (Nov. 11, 2019)

Moderator, “State Efforts to Rein in Drug Pricing” and “Of Cost and Competition: State Policy Initiatives to Improve Health Care Markets,” Next Steps in Health Reform 2019, American University, Washington, DC (Oct. 10, 2019)

Presenter, “Therapeutic Choice and Health Insurance: The Freedom to be Covered,” Annual Health Law Professors Conference, Loyola Law School, Chicago, IL (June 6, 2019).

Presenter, “Therapeutic Choice and Health Insurance: The Freedom to be Covered,” Stanford Law School Annual BioLaw Conference, Stanford, CA (Mar. 29, 2019)

Presenter, “Life, Liberty [and the Pursuit of Happiness]: The Struggle for Access to Medical Marijuana Regulation in Historical Perspective,” Seton Hall Law School Faculty Colloquium, Newark, NJ (Mar. 13, 2019)

SELECTED PRESENTATIONS *(continued)*

Presenter, “Life, Liberty [and the Pursuit of Happiness]: The Struggle for Access to Medical Marijuana Regulation in Historical Perspective,” Public Lecture at Seton Hall Center for Health and Pharmaceutical Law & Policy Distinguished Visiting Scholar, Seton Hall Law School, Newark, NJ (Mar. 12, 2019)

Presenter, “Life, Liberty [and the Pursuit of Happiness]: The Struggle for Access to Medical Marijuana in Historical Perspective,” on panel titled “Intersections between Legal History and the History of Medicine,” American Society for Legal History Annual Meeting, Houston, TX (Nov. 10, 2018)

Presenter, “Medical Marijuana in Historical Perspective,” Food and Drug Law Journal 2018 Symposium: What is the Path Forward for Federal Regulation of Cannabis? cosponsored by Food and Drug Law Institute and Georgetown Law, Washington, DC (Nov. 2, 2018)

Interviewer, Plenary Panel of Former FDA Commissioners, at conference titled *FDA: Past, Present, and Future*, cosponsored by American University Washington College of Law and Food and Drug Law Institute, Washington, DC (Oct. 19, 2018)

Presenter, “Life, Liberty [and the Pursuit of Happiness]: Medical Marijuana in Historical Perspective,” Princeton University Law and Public Affairs (LAPA) Workshop, Princeton, NJ (May 7, 2018)

Presenter, “Life, Liberty [and the Pursuit of Happiness]: Medical Marijuana in Historical Perspective,” Annual Health Law Professors Conference, Case Western University School of Law, Cleveland, OH (June 8, 2018).

Plenary Panel Discussant, “Policies and Politics—Opportunities and Challenges Facing the FDA,” 2018 Food and Drug Law Institute Annual Conference, Washington, DC (May 3, 2018)

Commentator, Aziza Ahmed, “‘Dead but not Disabled’: A Feminist Legal Struggle for Recognition,” American University WCL Faculty Speaker Series, Washington, DC (Apr. 6, 2018)

Presenter, “The History of the Struggle for Medical Marijuana Access,” Stanford Law School Annual BioLaw Conference, Stanford, CA (Mar. 22, 2018)

Interviewer, David A. Kessler (former FDA Commissioner), American University Health Law and Policy Program Brown Bag Lunch, Washington, DC (Mar. 2, 2018)

Commentator, Myrisha Lewis, “Halted Innovation: The Expansion of Federal Jurisdiction over the Human Body and Medical Practice,” Seton Hall Annual Regional Health Law Works-in-Progress Retreat, Newark, NJ (Feb. 9, 2018)

Presenter, “The Taming of Progressive ‘State Medicine’: Freedom of Therapeutic Choice in the Progressive Era,” Princeton University Law and Public Affairs (LAPA) Seminar, Princeton, NJ (Dec. 11, 2017)

Moderator, “The Future of Medicaid and CHIP: Competing Priorities,” Next Steps in Health Reform 2017 Conference, CO-Sponsored by American University WCL and American Society of Law, Medicine and Ethics, Washington, DC (Oct. 26, 2017)

Presenter, “The Taming of Progressive ‘State Medicine,’” Annual Health Law Professors Conference, Georgia State University Law School, Atlanta, GA (June 9, 2017).

Presenter, “The Origins of Federal Medical Efficacy Regulation,” Law and the Biosciences Conference, Stanford Law School, Stanford, CA (Apr. 21, 2017)

Presenter, “AIDS Activists, FDA, and the Amendment of America’s Drug Constitution,” Georgia State University College of Law Faculty Workshop Series, Atlanta, GA (Feb. 13, 2017) and American University WCL Faculty Speakers’ Series, Washington, DC (Feb. 3, 2017)

Commentator, Craig Konnoth, “Side Effects,” Mid-Atlantic Health Law Works-in-Progress Retreat, Seton Hall University School of Law, Newark, NJ (Feb. 10, 2017)

SELECTED PRESENTATIONS (continued)

Panelist, “FDA Issues Affecting Healthcare Providers,” Health Law Section, New York State Bar Association Annual Meeting, New York, N.Y. (Jan. 25, 2017).

Presenter, “AIDS Activists, FDA, and the Amendment of America’s Drug Constitution,” on panel titled “Transformations in American Consumer Law: The Regulation of Cars, Drugs, and Loans in the Modern Era,” American Society for Legal History Annual Meeting, Toronto, ON (Oct. 29, 2016)

Presenter, “Top 10 cases in Food and Drug Law: *Amarin v. FDA*,” Food and Drug Law Institute Annual Conference, Washington, DC (May 6, 2016)

Organizer and Panel Discussion Leader, “Drug Promotion in the 21st Century: Off-Label Marketing and First Amendment Concerns,” American University Washington College of Law, Washington, DC (March 31, 2016)

Panelist, “FDA in the Twenty-First Century,” 92nd Street Y., New York, NY (Mar. 25, 2016)

Presenter, “Freedom versus Data: AIDS Activists and FDA Drug Regulation,” Cornell Law School Faculty Legal Studies Workshop, Ithaca, NY (Dec. 4, 2015)

Commentator, Anne Fleming, “The Consumer’s Counsel,” Washington, DC-Area Legal History Roundtable, Georgetown Law School, Washington, DC (Sept. 12, 2014)

Participant (by invitation), Brookings Institution discussion about food labeling among “leading policy makers, business officials, and thought leaders,” Washington, DC (June 26, 2014).

Presenter, “FDA Not Acting Badly,” on plenary panel titled “Top 20 Cases in 2013 and Cases to Watch in 2014,” Food and Drug Law Institute Annual Conference, Washington, DC (Apr. 24, 2014)

Presenter, “New Governance, New Challenges,” at Harvard Law School, Petrie-Flom Center Conference, *New Directions in Food Safety: The Food Safety Modernization Act and Beyond*, Cambridge, MA (Feb. 21, 2014)

Moderator, “Compliance Central with FDA Center Compliance Directors,” Food and Drug Law Institute Enforcement, Litigation, & Compliance Conference, Washington, DC (Dec. 10, 2013)

Presenter, “Books that Shaped America: Washington Irving’s *The Legend of Sleepy Hollow*,” Law Library of Congress, Washington, DC (Nov. 21, 2013)

Presenter, “FDA and the Rise of the Empowered Consumer,” Drexel University School of Law Health Law Speaker Series, Philadelphia, PA (Oct. 24, 2013)

Moderator, “Consumer Behavior and FDA Regulation of Food, Drugs and Tobacco: An FDLI Dialogue,” Washington, DC (July 24, 2013)

Presenter, “FDA and the Rise of the Empowered Consumer,” Harvard Law School Petrie-Flom Center Annual Conference, *The Food and Drug Administration in the 21st Century*, Cambridge, MA (May 3, 2013)

Presenter and Panelist, “Food & Drug Law: Past, Present, and Future: Celebrating Peter Barton Hutt’s 20 Years (thus far) at HLS,” Harvard Law School, Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics, Cambridge, MA (Jan. 17, 2013)

Presenter, “Transparency and Public Participation in FDA Regulation of Food Safety,” Food Safety Workshop, Shanghai Food and Drug Administration, Shanghai, China (Dec. 11, 2012)

Presenter, “Transparency and Public Participation in FDA Regulation of Food Safety” and “Food Safety Regulation: Enforcement and Corporate Compliance,” Sino-U.S. Workshop on Food Safety Law, Cosponsored by Law School of Central University of Finance and Economics and Yale Law School China Law Center, Beijing, China (Dec. 9-10, 2012)

SELECTED PRESENTATIONS *(continued)*

Panelist, “Developments in Product Liability: Generic Drugs and the Boundaries of Preemption,” Attorneys General Education Program Public Policy Conference, The Pharmaceutical Industry: Economics, Regulation, and Legal Issues,” George Mason University Law School, Arlington, VA (May 3, 2012)

Presenter, *U.S. v. Caronia*, on plenary panel titled “Cases to Watch,” Food and Drug Law Institute Annual Conference, Washington, DC (Apr. 25, 2012)

Commentator, Victoria Woeste, “Henry Ford’s War on Jews and the Legal Battle Against Hate Speech,” Washington, DC-Area Legal History Roundtable, Columbus School of Law, Catholic University, Washington, DC (Apr. 13, 2012)

Moderator, “Regulating Informally: Agency Use of Good Guidance, Warning Letters, and Other Nonbinding Means of Regulation,” at Administrative Law Review Annual Conference, *Interbranch Control of Regulation: Executive, Legislative, and Judicial Influence and Agency Response*, American University, Washington, DC (Feb. 17, 2012)

Presenter, “You Can Choose Your Medicine: Therapeutic Freedom in American Law and History,” on panel titled “Practicing Law in the Shadow of Medicine: The Regulatory State and Medical Practice in the 20th-Century United States,” Annual Meeting of the American Association of the History of Medicine, Philadelphia, PA (May 1, 2011)

Panelist, “A Century in Food: Evolving Trends Affecting the U.S. Food Supply,” Government Accountability Project Conference, *Empowering Employees to Protect Food Integrity*, American University, Washington, DC (Feb. 11, 2011)

Presenter, *West Virginia ex rel. McGraw v. Johnson and Johnson*, on plenary panel titled “Cases to Watch,” Food and Drug Law Institute Annual Conference, Washington, DC (Apr. 6, 2011)

Presenter, “The Varieties of Medical Freedom: A History of Therapeutic Libertarianism,” Washington, DC-Area Legal History Roundtable, Washington, DC (Apr. 30, 2010)

Panelist, “Plenary Panel on FDA Enforcement,” Food and Drug Law Institute Annual Conference, Washington, DC (Apr. 22, 2010)

Panel Chair, “Biography and Legal History,” American Society for Legal History Annual Meeting, Dallas, TX (Nov. 14, 2009)

Moderator, “The Family Smoking Prevention and Tobacco Control Act,” Tobacco Legislation and Regulation Conference, Food and Drug Law Institute, Washington, DC (Nov. 10, 2009)

Commentator, Morton Horwitz, “*Brown v. Board of Education*,” American University WCL Faculty Speaker Series, Washington, DC (Apr. 3, 2009)

Presenter, “‘From Savigny through Sir Henry Maine’: Roscoe Pound’s Flawed Portrait of James Coolidge Carter’s Historical Jurisprudence,” on panel titled “Transatlantic Connections in Late Nineteenth-Century Legal Thought,” American Society for Legal History Annual Meeting, Ottawa, ON (Nov. 15, 2008)

Presenter, “‘The Benefits and Evils of Competition’: James Coolidge Carter’s Supreme Court Advocacy,” Conference in Honor of Professor Morton Horwitz, Harvard Law School, Cambridge, MA (Sept. 26, 2008)

Commentator, Laura Kalman, *Right Star Rising: American Politics and the Limits of Leadership in the Seventies, 1974-79*, American University WCL Faculty Speakers Series, Washington, DC (Mar. 28, 2008)

Colloquium Participant, “Law, Liberty and Custom in James C. Carter,” Liberty Fund Colloquium, Indianapolis, IN (Mar. 13-16, 2008)

Presenter, “Mugwump Lawyering: James Coolidge Carter as Attorney,” George Washington University Law School Scholarship Roundtable: Legal History, Washington, DC (Sept. 29, 2006)

SELECTED PRESENTATIONS *(continued)*

Colloquium Participant, “Hayek: The Common Law and Liberty,” Liberty Fund Colloquium, Arlington, VA (July 13-16, 2006)

Presenter, “The Moral Common Law of the Gilded Age Anticodifiers,” on panel titled “The Moral Judiciary in the Gilded Age”, American Society for Legal History Annual Meeting, Austin, TX (Oct. 30, 2004)

Presenter, “Legal Issues in Long-Term Follow-Up of Gene Therapy Trials,” American Society of Gene Therapy Workshop on Long Term Follow-Up of Gene Therapy Clinical Trials, Minneapolis, MN (June 1, 2004)

Presenter, “Civil Procedure: The Historical Perspective,” on panel titled “Putting Procedure in Perspective,” Association of American Law Schools Mid-Year Meeting, New York, NY (June 18, 2003)

Presenter, “UnLangdellian Orthodoxy: The Common Law Jurisprudence of the Late Nineteenth Century Anticodification Movement,” Southeastern Association of Law Schools Annual Meeting, Amelia Island, FL (July 25, 2003)

Presenter, “James Coolidge Carter,” Supreme Court Historical Society Research Colloquium, Washington, DC (May 8, 2003)

Presenter, “James Coolidge Carter and Mugwump Jurisprudence,” on panel titled “Intellectual Biography and Intellectual History: The Example of Gilded Age Legal Thought,” American Society for Legal History Annual Meeting, Princeton, NJ (Oct. 20, 2000)

Presenter, “Regulation of Genetically Modified Foods,” The U.S. Food and Drug Administration Comes to Stanford, Stanford Law School, Stanford, CA (Mar. 24, 2000)

Presenter, “Categorical Definitions of FDA-Regulated Products,” The U.S. Food and Drug Administration Comes to Stanford, Stanford Law School, Stanford, CA (Mar. 23, 2000)

Presenter, “FDA Regulation of Tobacco,” Mealy Tobacco Conference, Chicago, IL (Sept. 18, 1997)

Presenter, “Teaching from *A Civil Action*,” Annual Conference of the American Association for Paralegal Education, Boston (Oct. 14, 1999)

Presenter, “Untold Procedural Stories from *A Civil Action*,” Lessons from Woburn: The Conference, Harvard Law School, Cambridge, MA (Jan. 30, 1999)

EXTENDED INTERVIEWS IN PODCASTS AND OTHER MEDIA

Distillations Podcast, “ALS Patients Take on the FDA,” Science History Institute (July 20, 2024)

Turn on the Lights Podcast: Simplifying Health Care, Accelerating Change (winter 2024)

Searching for Medicine’s Soul (Jan. 4, 2024)

New Books Network (Dec. 2, 2021) (*Choose Your Medicine* designated “New Book of the Day”)

ABA Journal’s Modern Law Library (Nov. 24, 2021)

The Takeaway, WNYC Studios (national NPR broadcast) (Nov. 23, 2021)

Rebecca Onion, “The COVID Anti-Vax Movement Has History on Its Side,” *Slate* (Nov. 18, 2021)

Jeremy Conrad, “Author Spotlight: Lewis Grossman Traces America’s Stance on Medical Freedoms,” DC Bar Website (Oct. 22, 2021)

Top of Mind with Julie Rose, BYU Radio (Oct. 7, 2021)

DarshanTalks (Sept. 2, 2021)

The Week in Health Law, “Activating the FDA” (Sept. 8, 2017)

OTHER MEDIA APPEARANCES

Quoted frequently in newspapers and online publications, including the *New York Times*, *Washington Post*, *Los Angeles Times*, *Boston Globe*, *Chicago Tribune*, *USA Today*, *CNN*, *Vanity Fair*, *Wired*

Radio and television appearances include National Public Radio, MSNBC, Court TV

Featured and quoted in Gideon-Lewis Krauss, "When Dying Patients Want Unproven Drugs," *The New Yorker*, June 19, 2023.

Featured and quoted in Ron Charles, "The Remarkable Persistence of *Sleepy Hollow*," *Washington Post*, Nov. 15, 2013 (online)

Featured and quoted in William Glaberson, "Best-Seller Account of a Lawsuit Spurs Law School Change," *New York Times*, Dec. 26, 1998, at A1.

BAR ADMISSIONS

District of Columbia, New York, Connecticut (retired), Pennsylvania (retired)