

**JONAH B. GELBACH**  
**CURRICULUM VITAE**  
**MAY 11, 2020**  
gelbach@berkeley.edu

**EDITORSHIPS & BOARD MEMBERSHIPS**

DIRECTOR, AMERICAN LAW AND ECONOMICS ASSOCIATION	2017-present
CO-EDITOR, JOURNAL OF LAW, ECONOMICS, AND ORGANIZATION	2016-2020
SECTION CHAIR, AALS SECTION ON LAW AND ECONOMICS	2017-2018

**EDUCATION**

YALE LAW SCHOOL, J.D.	2013
MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Ph.D. (Economics)	1998
UNIVERSITY OF MASSACHUSETTS AT AMHERST, B.A. (Major: Economics)	1993

**TENURE-TRACK APPOINTMENTS**

UNIVERSITY OF CALIFORNIA AT BERKELEY LAW SCHOOL Professor of Law	2019-present
UNIVERSITY OF PENNSYLVANIA LAW SCHOOL Professor of Law	2016-2019
Associate Professor of Law (untenured)	2013-2016
UNIVERSITY OF ARIZONA, ELLER COLLEGE OF MANAGEMENT Associate Professor of Economics (tenured)	2007-2010
UNIVERSITY OF MARYLAND AT COLLEGE PARK Associate Professor of Economics (tenured)	2005-2007
Assistant Professor of Economics	1998-2005

**PUBLISHED OR FORTHCOMING ACADEMIC ARTICLES AND BOOK CHAPTERS**

1. *Power and Statistical Significance in Securities Fraud Litigation*, \_\_\_ **HARVARD BUSINESS LAW REVIEW** \_\_\_ (forthcoming) (with Jill E. Fisch)
2. *Legal Tech, Civil Procedure, and the Future of American Adversarialism*, 169 **UNIVERSITY OF PENNSYLVANIA LAW REVIEW** \_\_\_ (forthcoming) (with David Engstrom)
3. *Estimation Evidence*, 168 **UNIVERSITY OF PENNSYLVANIA LAW REVIEW** 549 (2020)
4. *A Bayesian Approach to Event Studies for Securities Litigation*, 176 **JOURNAL OF INSTITUTIONAL & THEORETICAL ECONOMICS** 86 (2020) (with Jenny Rae Hawkins)
5. *The Reduced Form of Litigation Selection Models and the Plaintiff's Win Rate*, 61 **JOURNAL OF LAW AND ECONOMICS** 125 (2018)
6. *Rethinking Judicial Review of High Volume Agency Adjudication*, 96 **TEXAS LAW REVIEW** 1097 (2018) (with David Marcus)
7. *Error Costs, Legal Standards of Proof and Statistical Significance*, 25 **SUPREME COURT ECONOMIC REVIEW** 1 (2017) (with Michelle M. Burtis and Bruce H. Kobayashi)

8. *The Logic and Limits of Event Studies in Securities Fraud Litigation*, 96 **TEXAS LAW REVIEW** 553 (2018) (with Jill E. Fisch and Jon Klick)
9. *American Pipe Tolling, Statutes of Repose, and Protective Filings: An Empirical Study*, 69 **STANFORD LAW REVIEW ONLINE** 92 (2017) (with David Freeman Engstrom)
10. *Crushed: Social Security Litigation in the Federal Courts*, 101 **JUDICATURE** 65 (2017) (with David Marcus)
11. *The Triangle of Law and The Role of Evidence in Class Action Litigation*, 165 **UNIVERSITY OF PENNSYLVANIA LAW REVIEW** 1807 (2017)
12. *Can Variation in Subgroups' Average Treatment Effects Explain Treatment Effect Heterogeneity? Evidence from a Social Experiment*, 99 **REVIEW OF ECONOMICS & STATISTICS** 683 (2017) (with Marianne Bitler and Hilary Hoynes)
13. *Empirical Law and Economics*, **OXFORD HANDBOOK** series, edited by Francesco Parisi (2017) (with Jonathan Klick)
14. *The Law and Economics of Proportionality in Discovery*, 50 **GEORGIA LAW REVIEW** 1093 (2016) (with Bruce Kobayashi)
15. *Can Simple Mechanism Design Results be Used to Implement the Proportionality Standard in Discovery?* 172 **JOURNAL OF INSTITUTIONAL & THEORETICAL ECONOMICS** 200 (2016)
16. *Material Facts in the Debate over Twombly and Iqbal*, 68 **STANFORD LAW REVIEW** 369 (2016)
17. *When Do Covariates Matter? And Which Ones, and How Much?* 34 **JOURNAL OF LABOR ECONOMICS** 509 (2016)
18. *Uncontrolled Experiments From the Laboratories of Democracy: Traditional Cash Welfare, Federalism, and Welfare Reform*, **The Law and Economics of Federalism**, edited by Jonathan Klick, Edward Elgar Publishing Ltd. (2017)
19. *Can We Learn Anything About Pleading Changes from Existing Data?*, 44 **INTERNATIONAL REVIEW OF LAW & ECONOMICS** 72 (2015)
20. *Can the Dark Arts of the Dismal Science Shed Light on the Empirical Reality of Civil Procedure?* 2 **STANFORD JOURNAL OF COMPLEX LITIGATION** 223 (2014)
21. *Rethinking Summary Judgment Empirics: The Life of the Parties*, 162 **UNIVERSITY OF PENNSYLVANIA LAW REVIEW** 1663 (2014)
22. *Expert Mining and Required Disclosure*, 81 **UNIVERSITY OF CHICAGO LAW REVIEW** 131 (2014)
23. *Valid Inference in Single-Firm, Single-Event Studies*, 15 **AMERICAN LAW & ECONOMICS REVIEW** 495 (2013) (with Eric Helland and Jonathan Klick)
24. Note, *Locking the Doors to Discovery? Assessing the Effects of Twombly and Iqbal on Access to Discovery*, 121 **YALE LAW JOURNAL** 2270 (2012)
25. *Robust Inference with Multiway Clustering*, 29 **JOURNAL OF BUSINESS & ECONOMIC STATISTICS** 238 (2011) (with A. Colin Cameron and Douglas L. Miller)
26. *Passive Discrimination: When Does It Make Sense to Pay Too Little?* 76 **UNIVERSITY OF CHICAGO LAW REVIEW** 797 (2009) (with Jonathan Klick and Lesley Wexler)
27. *Bootstrap-Based Improvements for Inference with Clustered Errors*, 90 **REVIEW OF ECONOMICS & STATISTICS** 414 (2008) (with A. Colin Cameron and Douglas L. Miller)
28. *Distributional Impacts of the Self-Sufficiency Project*, 92 **JOURNAL OF PUBLIC ECONOMICS** 748 (2008) (with Marianne Bitler and Hilary Hoynes)

29. *Welfare Reform and Children's Living Arrangements*, 41 **JOURNAL OF HUMAN RESOURCES** 1 (2006) (with Marianne Bitler and Hilary Hoynes)
30. *What mean impacts miss: Distributional effects of welfare reform experiments*, 96 **AMERICAN ECONOMIC REVIEW** 988 (2006) (with Marianne Bitler and Hilary Hoynes)
31. *Are Less-Educated Women Crowding Less-Educated Men Out of the Labor Market?* in **BLACK MALES LEFT BEHIND**, 87 (Ronald B. Mincy, ed., 2006) (with Rebecca Blank)
32. *Welfare Reform and Health*, 40 **JOURNAL OF HUMAN RESOURCES** 309 (2005) (with Marianne Bitler and Hilary Hoynes)
33. *Migration, the Life Cycle, and State Benefits: How Low Is the Bottom?*, 112 **JOURNAL OF POLITICAL ECONOMY** 1091 (2004)
34. *The Impact of Welfare Reform on Marriage and Divorce*, 41 **DEMOGRAPHY** 213 (2004) (with Marianne Bitler, Hilary Hoynes, and Madeline Zavodny)
35. *Some Evidence on Race, Welfare Reform, and Household Income*, 93 **AMERICAN ECONOMIC REVIEW, PAPERS AND PROCEEDINGS OF THE ONE HUNDRED FIFTEENTH ANNUAL MEETING OF THE AMERICAN ECONOMIC ASSOCIATION, WASHINGTON, DC** 293 (2003) (with Marianne Bitler and Hilary Hoynes)
36. *Public Schooling for Young Children and Maternal Labor Supply*, 92 **AMERICAN ECONOMIC REVIEW** 307 (2002)
37. *Is More for the Poor Less for the Poor? The Politics of Means-Tested Targeting*, 2 **TOPICS IN ECONOMIC ANALYSIS & POLICY** (2002) (with Lant Pritchett)
38. *Indicator Targeting in a Political Economy: Leakier Can Be Better*, 4 **JOURNAL OF POLICY REFORM** 113 (with Lant Pritchett)

#### **BOOK REVIEWS AND OTHER COMMENTS**

1. *Maybe there Is No Bias in the Selection of Disputes for Litigation: Comment*, 174 **JOURNAL OF INSTITUTIONAL & THEORETICAL ECONOMICS** 171 (2018)
2. *Debunking the Myth of the Copyright Troll Apocalypse*, 101 **IOWA LAW REVIEW BULLETIN** 43 (2016) (with Shyamkrishna Balganesh)
3. *The Sheriff of Nottingham Hypothesis: A Tribute to Theodore Eisenberg: Comment*, 171 **JOURNAL OF INSTITUTIONAL & THEORETICAL ECONOMICS** 141 (2015)
4. *Welfare Reform: Effects of a Decade of Change*, 44 **JOURNAL OF ECONOMIC LITERATURE** 1056 (2006)

**LITIGATION WRITINGS**

## LEAD AMICUS CURIAE/PRINCIPAL AUTHOR

Brief for *Amicus Curiae* Jonah B. Gelbach in Support of Plaintiffs-Appellants, *In Re: Lipitor (Atorvastatin calcium) Marketing, Sales Practices and Products Liability Litigation*, Nos. 17-1140(L), 17-1136, 17-1137, 17-1189 (CA4, April 28, 2017)

Brief of *Amici Curiae* Civil Procedure Professors in Support of Respondents, *Tyson Foods, Inc. v. Bouaphakeo*, No. 14-1446 (U.S. Sept. 29, 2015), 2015 WL 5719742

## SIGNATORY TO AMICUS BRIEFS

Brief of 44 Election Law, Scientific Evidence, and Empirical Legal Scholars as *Amici Curiae* in support of Appellees, No. 16-1161 (U.S., September 1, 2017), 2017 WL 3948430

Brief for Civil Procedure and Securities Law Professors as *Amici Curiae* in Support of Petitioner, *California Public Employees' Retirement System v. ANZ Securities, Inc., et al.*, No. 16-373 (U.S., March 6, 2017), 2017 WL 929693

Brief for Civil Procedure and Securities Law Professors as *Amici Curiae* in Support of Petition for a Writ of Certiorari, *DeKalb County Pension Fund v. Transocean Ltd., Robert L. Long, Jon A. Marshall, and Transocean Inc.*, No. 16-206 (U.S., September 14, 2016)

Brief of *Amici Curiae* Civil Procedure Scholars in Support of Petitioner on Petition for a Writ of Certiorari, *Kosilek v. O'Brien*, No. 14-1120 (U.S., April 15, 2015), 2015 WL 1776459

Brief of Civil Procedure and Securities Law Professors as *Amici Curiae* in Support of Petitioner, *Public Employees' Ret. Sys. of Mississippi v. IndyMac MBS, Inc., et al.*, No. 13-640 (U.S., May 28, 2014), 2014 WL 2361893

**GOVERNMENT CONSULTING**

## SOCIAL SECURITY ADMINISTRATION

Member, Technical Expert Panel for the Claimant Representative Demonstration (April 2019)

## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

*A Study of Social Security Litigation in the Federal Courts*, Final Report (July 28, 2016) (with David Marcus) (led to formal ACUS recommendation to the Judicial Conference of the United States to develop special procedural rules for review of final administrative decisions taken pursuant to 42 U.S.C. § 405(g)), available at <https://www.acus.gov/report/report-study-social-security-litigation-federal-courts>

## UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Provided pro bono consulting services to the District Court's Jury Committee (2016-2019)

**PRIVATE CONSULTING**

[Global Trade Secrets Misappropriation Litigation]: Provided advice on legal arguments and analysis.

*ATA Airlines, Inc., v. Federal Express Corporation*

Provided economic and statistical advice to Haynes and Boone LLP (petitioner's counsel) for preparation of petition for rehearing *en banc* by the United States Court of Appeals for the Seventh Circuit. The petition appealed a three-judge panel's reversal of the \$66 million damage award petitioner won at a jury trial (2012).

Baker McKenzie: Provided event study analysis related to a U.S. pharmaceutical firm (2012).

## International Center for Law &amp; Economics:

Provided survey of statistical research on sugar-sweetened beverages (2010).

## COURSES TAUGHT

UNIVERSITY OF CALIFORNIA AT BERKELEY SCHOOL OF LAW (2019-present)

Full classes: Civil Procedure

UNIVERSITY OF PENNSYLVANIA LAW SCHOOL (2013-2019)

Full classes: Civil Procedure; Legislation; Evidence

Seminars: Theories of Statutory Interpretation; Advanced Topics in Procedure and Litigation;  
Law, Economics & Psychology; Statutory Interpretation and Legislation; Public Law

UNIVERSITY OF PENNSYLVANIA FELS INSTITUTE OF GOVERNMENT (2018)

*Executive MPA*: Economic Principles of Public Policy

UNIVERSITY OF ARIZONA (2007-2010)

*Doctoral*: Linear Econometrics, Nonlinear Econometrics

*Undergraduate*: Law & Economics, Individuals & Society (basic microeconomics)

*Executive MBA*: Selected lectures in Strategy courses

FLORIDA STATE UNIVERSITY COLLEGE OF LAW (2006-2007)

Law and Statistics, Law and Economics, Social Insurance,  
Writing Workshop in Empirical Law and Economics

UNIVERSITY OF MARYLAND (1998-2006)

*Doctoral*: Empirical Microeconomics, Public Economics (both tax and social  
insurance programs)

*Undergraduate*: Introductory Microeconomics, Economics of the Gambling Industry

**PRESENTATIONS SINCE 2016-2017 ACADEMIC YEAR**Law schools and economics departments*2019-2020 AY:*

Washington University School of Law  
Columbia Law School

*2018-2019 AY:*

University of British Columbia Department of Economics  
Paris 2

*2017-2018 AY:*

Harvard Law School  
Stanford Law School  
U.C. Berkeley School of Law  
Georgetown University Law Center  
Wake Forest University School of Law  
St. John's University School of Law

*2016-2017 AY:*

University of Witwatersrand, Johannesburg  
University of Arizona James E. Rogers College of Law  
Penn Law School  
George Mason University  
Boston University School of Law  
Duke University School of Law  
NYU School of Law  
Temple University Beasley School of Law

Conferences (whether as discussant or presenter)*2019-2020 AY:*

How Law Changes What You Want (Conference in Honor of Bob Cooter, Berkeley Law)  
QuantLaw (University of Arizona James E. Rogers College of Law)  
Civil Procedure Workshop (University of Texas School of Law)  
Duke Civil Justice Symposium Planning Meeting (Duke University School of Law)  
Midwestern Law & Economics Association (Villanova University Charles Widger School of Law)  
Journal of Law, Finance, and Accounting Conference (NYU Stern/NYU Law Schools)

*2018-2019 AY:*

American Law and Economics Association (NYU Law School)  
FutureLaw (Stanford Law School)  
Civil Procedure Workshop (Stanford Law School)  
NBER Summer Institute Economics of Crime Workshop  
Journal of Institutional and Theoretical Economics Conference, Porto

*2017-2018 AY:*

Legislation Roundtable, Yale Law School, March 2018  
Civil Litigation Reform in the Trump Era: Threats & Opportunities, Fordham L.R. Symposium, February 2018  
Civil Procedure Workshop, University of Arizona, October 2017  
Conference on Empirical Legal Studies, October 2017

*2016-2017 AY:*

Journal of Institutional and Theoretical Economics Conference, Sicily, June 2017  
American Law and Economics Association Meeting (also served as Area Organizer for "Methodology; Theoretical and Empirical Foundations of Law and Economics"), May 2017  
NBER Law & Economics Program, Discussant, March 2017

**REFEREING AND PEER REVIEW SERVICE (SELECTED JOURNALS)**

American Economic Journal: Applied Economics	Journal of Human Resources
American Economic Journal: Economic Policy	Journal of Labor Economics
American Economic Review	Journal of Law and Economics
American Journal of Political Science	Journal of Law, Economics and Organization
American Law and Economics Review	Journal of Legal Analysis
Demography	Journal of Legal Studies
Economic Journal	Journal of Policy Analysis and Management
Empirical Economics	Journal of Political Economy
European Journal of Law and Economics	Journal of Quantitative Criminology
International Economic Review	Journal of Public Economics
International Review of Law and Economics	Quarterly Journal of Economics
Journal of the American Statistical Association	Review of Economic Studies
Journal of Applied Econometrics	Review of Economics and Statistics
Journal of Business and Economic Statistics	Stanford Journal of Complex Litigation
Journal of Development Economics	University of Pennsylvania Law Review
Journal of Econometrics	Yale Law Journal
Journal of the European Economic Association	