

# Nantiya Ruan

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## TEACHING EXPERIENCE

### **University of Denver Sturm College of Law, Denver, CO**

<i>Professor of the Practice of Law</i>	2014-present
<i>Lawyering Process Professor</i>	2004-14
<i>Faculty Advisor, Homeless Advocacy Policy Project</i>	2016-present
<i>Hartje &amp; Reese Chair in Lawyering Process</i>	2014-17
<i>Director, Lawyering Process Program</i>	2013-14
<i>Interim Director, Workplace Law Program</i>	2011-13; 2019-present

- *Legal Writing Teaching & Program Leadership:* Teach legal writing, research, and legal analysis in two semester, first-year program. Created assignments involving public interest clients. Made presentations on innovative teaching model and diversity in teaching. Mentored junior legal writing faculty. Created Fellowship of Inclusive Excellence. Presented to faculty on assessment, teaching professionalism, and innovations in legal research.
- *Upper-level Teaching in Workplace Law Program:* Created and taught Employment Law Mediation, incorporating substantive wage and hour law and mediation skills in a course for the upper-level writing requirement. Created and taught Poverty Law & Low Wage Work, incorporating service learning. Created and taught Carnegie Integrated Course for Employment Law Survey.
- *Homeless Advocacy:* Created, taught, and supervised upper-level law students in Homeless Advocacy Policy Seminar, focused on researching and drafting policy reports on the criminalization of homelessness; partnered with community advocacy groups; testified in Colorado State Legislature on homeless issues.
- *Student Services Teaching:* Taught and served as Writing Consultant to the Bar Success Program for five years. Taught in the CLEO (Council on Legal Education Opportunity) summer program.
- *School Service:* Served as Chair of the Appointments, Judicial Clerkship, and Loan Repayment Assistant Program Committees and as a member of the Admission, Curriculum, Multicultural, and Public Interest Committees. Served as Faculty Liaison to the Chancellor's Scholar students. Served as Faculty Liaison to JD/MSW dual degree students. Elected to serve on the Faculty Executive Committee.

*Adjunct Professor, Student Law Office, Civil Rights & Disability Law Clinic* 2004-2006

- Worked full-time during summer and winter breaks representing clinic clients in federal litigation of employment discrimination, disability accommodation, and prisoner civil rights claims.

**The Women's College, University of Denver** 2005-2008

*Assistant Director & Adjunct Professor, Law and Society Program.*

- Taught four undergraduate courses per year, including Dimensions of Justice, Legal Literacy, and Law & Society Capstone. Supervised interns in field placements. Incorporated student service learning into program capstone experience.

## EDUCATION

### **University of Denver Sturm College of Law, Juris Doctor**

Chancellor's Scholar: Full-tuition scholarship for academic excellence & commitment to public interest law

Public Interest Law Group (President)

Asian Pacific American Law Students Association

Research Assistant for Professor Keith Harrison on Criminal and Immigration Law

Awards: Colorado Supreme Court Judicial Fellow Award

Student Leadership Award

Dufford & Brown Legal Writing Award

American Jurisprudential Award: Basic Criminal Procedure

**University of Denver Graduate School of Social Work**, Master of Social Work

Alumni Award Recipient

Co-Author: “The Myth of Self-Sufficiency,” a study of low-income Colorado families post-welfare reform

**Villanova University**, Bachelor of Arts, Political Science and Peace and Justice Studies

Dorothy Day/Thomas Merton Most Outstanding Senior Award

### ACADEMIC PUBLICATIONS

#### Books:

DEVELOPING PROFESSIONAL SKILLS: WORKPLACE LAW (with Rachel Arnov-Richman), West Academic Publishing (2016).

THE NEW 1L: FIRST-YEAR LAWYERING WITH CLIENTS (with Eduardo R.C. Capulong, Michael A. Millemann, and Sara Rankin), Carolina Academic Press (2015).

#### Articles:

*Attorney Competence in the Algorithm Age*, ABA Journal of Labor and Employment Law (2021).

*Papercuts: Hierarchical Microaggressions in Law Schools*, 31 Hastings Women’s L. J. 3 (2020).

*No Longer a Second-Class Class Action? Finding Common Ground in the Debate Over Wage Collective Actions* (with Scott Moss), 11 Fed. Cts. L. Rev. 27 (2019).

*Is There a Future for Work?* (with Wendi S. Lazar), 25 Geo. J. on Poverty L. & Pol’y 343 (2018).

*Corporate Masters & Low-Wage Servants: The Social Control of Workers in Poverty*, 24 WASH. & LEE J. CIVIL RTS. & SOC. JUST. 103 (2017).

*Stabilizing Low-Wage Work: Legal Remedies for Unpredictable Work Hours & Income Stability* (with Charlotte Alexander & Dr. Anna Haley-Lock), 50 HARV. C.R. - C.L. L. REV. 1 (2015).

*Student, Esquire?: The Practice of Law in the Collaborative Classroom*, 20 CLINICAL LAW REVIEW 429 (2014).

*Scheduling Shortfalls: Hours Parity as the New Pay Equity* (with Professor Nancy Reichman), 59 VILLANOVA LAW REV. 35 (2014).

*Same Law, Different Day: The Last Thirty Years of Wage Litigation and its Impact on Low-Wage Workers*, 30 HOFSTRA LABOR & EMP. L. J. 355 (2013).

*What’s Left to Remedy Wage Theft? How Arbitration Mandates that Bar Class Actions Impact Low-Wage Workers*, 2013 MICH. STATE L. REV. 1103 (2013).

*The Second-Class Class Action: How Courts Thwart Wage Rights by Misapplying Class Action Rules*, (with Professor Scott Moss), 61 AMER. UNIV. L. REV. 523 (2012).

*Experiential Learning in the First Year Curriculum: The Public Interest Partnership*, 8 LC&R: J. ALWD 191 (2011).

*Facilitating Wage Theft: How Court Use Procedural Rules to Undermine Substantive Rights of Low-Wage Workers*, 63 VANDERBILT L. REV. 727 (2010).

*Accommodating Respectful Religious Expression in the Workplace*, 92 MARQ. L. REV. 1 (2008).

*Bringing Sense to Incentives: An Examination of Incentive Payments to Named Plaintiffs in Employment Discrimination Class Actions*, 10 EMP. RTS. & EMP. POL'Y J. 395 (2006).

Policy Reports:

*Too High a Price: What Criminalizing Homelessness Costs Colorado*, available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3169929](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3169929)

*Too High a Price 2: Move on to Where?*, available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3174780](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3174780)

*Yes, In My Backyard: Building ADUs to Address Homelessness*, available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3173258](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3173258)

*Shifting Gears: Moving Colorado Away from Criminalizing Vehicle Residency and Towards Safe Parking*, available at <https://www.law.du.edu/documents/homeless-advocacy-policy-project/shifting-gears.pdf>

Book Chapters:

Individualized Justice in Class and Collective Actions, BEYOND ELITE LAW: ACCESS TO CIVIL JUSTICE IN AMERICA (Samuel Estreicher & Joy Radice eds., Cambridge University Press, 2016).

Challenges to Non-Selection Screening Devices: The Disparate Impact of Credit and Criminal Background Checks, TITLE VII OF THE CIVIL RIGHTS ACT AFTER 50 YEARS (Samuel Estreicher & Anne Marie Lofaso eds., LexisNexis, 2015).

Title VII Disparate Impact in Pay Equity Cases, TITLE VII OF THE CIVIL RIGHTS ACT AFTER 50 YEARS (Samuel Estreicher & Anne Marie Lofaso eds., LexisNexis, 2015).

Other:

*Hon. Ronald L. Ellis, U.S. Magistrate Judge for the Southern District of New York "No One Makes It on His Own": Widening the Halls of Justice*, Fed. Law. (December 2015).

Chapter Introduction: *Pay Inequality, Access to Work, and Discrimination*, 91 DENV. U. L. REV. 869 (2014).

*"Sexting" and Surveillance: How Smartphones Change Workplace Harassment*, 90 DENV. U. L. REV. ONLINE 7 (2013), available at <http://www.denverlawreview.org/online-articles/2013/2/24/sexting-and-surveillance-how-smartphones-change-workplace-ha.html>.

**PRACTICE PUBLICATIONS**

Editor in Chief, 2019, 2018, 2017 & 2014, Cumulative Supplement to *Fair Labor Standards Act*, 3d Ed. (BNA Books).

Associate Editor, 2020, *Fair Labor Standards Act*, 4th Ed. (BNA Books).

Associate Editor, 2011-2019, Cumulative Supplement to *Fair Labor Standards Act*, 3d Ed. (BNA Books).

Associate Editor, 2009 & 2010, Cumulative Supplement to *Employment Discrimination Law*, 4th Ed. (BNA Books).

Contributor, *Employment Discrimination Law*, 4th Ed. (BNA Books).

*Mandatory Arbitration of Employment Class Action Disputes: From the Perspective of Plaintiffs' Counsel*, 776 PLI/LIT. 255 (2008) (co-authored with Adam Klein).

*When Good Deeds Are Punished: The Legal Landscape of Retaliation and Whistleblowing*, 745 PLI/LIT. 581 (2006) (co-authored with Larry Moy).

*Advanced Litigation Issues Under the Fair Labor Standards Act*, American Bar Association Conference for Section on Labor & Employment (Summer 2003) (co-authored with Adam Klein).

*Marshalling the Evidence in Employment Discrimination Cases: A Perspective from the Plaintiff's Bar*, 657 PLI/LIT. 101 (2001) (co-authored with Wayne Outten, Parisi Filippatos, & Scott Moss).

*Overview of Workplace Claims in New York: Perspective of Employees' Counsel*, 662 PLI/LIT. 1179 (2001) (co-authored with Wayne Outten, Anne Golden, Parisi Filippatos, & Scott Moss).

*Practice Pointers on Opposing the Affirmative Defense that the Employer Took Reasonable Steps to Prevent Sexual Harassment: Perspective of a Plaintiff's Attorney*, 656 PLI/LIT. 187 (2001) (co-authored with Wayne Outten & Scott Moss).

### **PRESENTATIONS**

“Criminalization of Homelessness and Mental Health Issues,” ABA Public Defense Summit Virtual Program (Jan. 22, 2021)

“Getting Out of Our Comfort Zones: Addressing Issues of Race in the LRW Classroom,” Legal Writing Institute, One Day Virtual Workshop at Northeastern University Law School (Dec. 3, 2020)

“Issues of Homelessness in the Next Four Years,” Webinar of the Race, Place, and the Law Program, University of Denver Sturm College of Law (Nov. 10, 2020)

“COVID-19’s Impact on Colorado Workers: A Workplace Law Discussion,” Webinar of the Workplace Law Program, University of Denver Sturm College of Law (Apr. 21, 2020)

“Mass Arbitrations and Reverse Auctions: Impacts on Low-Wage Work,” Law Symposium *Bad Bosses: Turning the Tables on Wage Theft*, Wayne State University Law School (Feb. 28, 2020)

“Hierarchical Microaggressions,” *2020 Vision: Dedicating a Decade to Modernizing the Constitution*, Law Symposium, Hastings Women's Law Journal and Constitutional Law Quarterly (Jan. 17, 2020)

“Opening Remarks,” Applied Legal Storytelling, University of Colorado School of Law (July 6, 2019)

“Hierarchical Microaggressions,” Eighteenth Biennial Conference of the Legal Writing Institute, Milwaukee, WI (July 2018)

“The Case for a Simplified Collective,” Law and Society 2017 Annual Meeting, Mexico City (June 2018)

“The Unique Challenges Faced By Women Experiencing Homelessness,” Invited Keynote Speaker, St. Francis Center PATH Fundraiser, Denver, CO (May 8, 2018)

“Litigating Collective Actions Under the Fair Labor Standards Act,” Wage Justice Day Panel, University of Denver Sturm College of Law (April 2018)

“Hierarchical Microaggressions,” Rocky Mountain Legal Writing Conference, Denver, CO (March 2018)

“Employment Discrimination: Key 2017 Developments,” 34<sup>th</sup> Annual National CLE Conference (LEI), Vail, Colorado (January 2018)

“Collaboration as Resistance: How Law Faculty and Local Activists Can Work Together to Fight the Criminalization of Homelessness,” LatCrit XXI Biennial Conference, Orlando, Florida (September 2017)

“Inclusive Leadership: How LRW Faculty Can Lead in Law School Inclusive Education,” Association of Legal Writing Directors, at University of Minnesota Law School (July 2017)

“Intersectionality and the ‘Right’ to ‘Fair Schedules,’” Law and Society 2017 Annual Meeting, Mexico City (June 2017)

“Litigating Collective Actions Under the Fair Labor Standards Act,” Wage Justice Day Panel, University of Colorado School of Law (April 2017)

“Employment Discrimination: Key 2016 Developments,” 33<sup>rd</sup> Annual National CLE Conference (LEI), Aspen, Colorado (January 2017)

Seventeenth Biennial Conference of the Legal Writing Institute, *The Limits of Advocacy: Understanding Our Responsibilities When Incorporating Social Justice into Legal Writing*, Portland, Oregon (July 12, 2016).

“Litigating Collective Action Cases Under the Fair Labor Standards Act,” Wage Justice Day Panel, Denver Colorado (February 2016).

“The New 1L Year,” AALS Annual Meeting, New York New York (January 2016).

“Employment Discrimination: Key 2015 Developments,” 32<sup>nd</sup> Annual National CLE Conference (LEI), Vail, Colorado (January 2016).

“Program Leadership,” LWI One Day Workshop, University of Denver Sturm College of Law (December 2015).

“Scholarship Groups: How to Start and Maintain Your Own,” LWI Scholarship & Development Committee Webinar (December 2015).

“Diversity and Leadership in Legal Writing,” Association of Legal Writing Directors, at University of Memphis School of Law (June 2015).

“Innovative Teaching Workshop: Mediation in the First Year,” Association of Legal Writing Directors, at University of Memphis School of Law (June 2015).

“At the Intersection of Poverty and Employment Law,” Law and Society 2015 Annual Meeting, Seattle, Washington (May 2015).

“Scheduling Shortfalls: A Study of Unstable and Insufficient Hours in Low-Wage Work,” at Texas A&M Law School (May 2015).

Leadership and Legal Writing 2015 Northwest Regional LWI Conference, *Leadership in Clinical and Experiential Learning*, Eugene, Oregon (April 25, 2015).

Colorado Bar Association Annual Meeting, *FLSA Collective Actions*, Denver, Colorado (April 22, 2015).

32nd Annual National CLE Conference (LEI), *Employment Discrimination Update*, Vail, Colorado (January 7, 2015).

Legal Writing Institute Biannual Meeting, *Tackling Institutional 'Isms' in LWI*, Philadelphia, PA (July 1, 2014).

Legal Writing Institute Biannual Meeting, *Beyond Legal Writing: The Benefits of Engaging Other Academic Organizations and Associations*, Philadelphia, PA (June 30, 2014).

Bringing Outside In: Social Justice Collaborations in the Legal Writing Curriculum conference, *Unauthorized Practice of Law Concerns*, Drexel University School of Law, Philadelphia PA (June 29, 2014).

Law & Society Association Annual Meeting, *Scheduling Inequity*, Milwaukee (May 31, 2014).

31st Annual National CLE Conference (LEI), *Whistleblowing*, Vail, Colorado (January 10, 2014).

Legal Writing Institute One Day Workshop, *Teaching Mediation in the Legal Writing Classroom*, Arizona State University (December 6, 2013).

Class Crits VI, *Rethinking Pay Equity: How Discrimination in Work Scheduling Impacts Low-Wage Workers*, (October 2013)

Applied Legal Storytelling, *Client Storytelling in Mediation*, City University, London (July 24, 2013).

Law & Society Association Annual Meeting, *Rethinking Pay Equity*, Boston (May 30, 2013).

New York Law School Clinical Workshop Series, *First Year "Malpractice": The Unauthorized Practice of Law in the Experiential Classroom*, New York Law School (April 5, 2013).

Rocky Mountain Legal Writing Conference, *First Year "Malpractice": Unauthorized Practice of Law in the First Year Hybrid Classroom*, University of Colorado Law School (March 22, 2013).

Seventh Annual Colloquium on Current Scholarship in Labor & Employment Law, *Rethinking Pay Equity: How Discrimination in Work Scheduling Impacts Low-Wage Workers*, Northwestern Law School (Sept. 15, 2012).

Law & Society Association Annual Meeting, *Silencing Wage Theft: Class Waivers in Arbitration Agreements and Low-Wage Workers*, Hawaii (June 2, 2012) and San Francisco, California (June 4, 2011).

Sixth Annual Colloquium on Current Scholarship in Labor & Employment Law, *Silencing Wage Theft: Class Waivers in Arbitration Agreements and Low-Wage Workers*, Loyola Law School, (Sept. 17, 2011).

28th Annual National CLE Conference (LEI), *Social Media*, Aspen, Colorado (January 7, 2011).

Fifth Annual Colloquium on Current Scholarship in Labor & Employment Law, *Who's Afraid of the Big Wage Suit*, Washington University Law School and St. Louis University Law School (Sept. 25, 2010) (co-presenter with Scott Moss).

27th Annual National CLE Conference (LEI), *RIFs: Overview and Update*, Vail, Colorado (January 9, 2010).

Law & Society Association Annual Meeting, *The Dangers of Rule 68 Offers of Judgment to FLSA Collective Actions*, Denver, Colorado (May 28, 2009).

26th Annual National CLE Conference (LEI), *Employment Mediation*, Vail, Colorado (January 6, 2009).  
Third Annual Colloquium on Current Scholarship in Labor & Employment Law, *The Dangers of Rule 68 Offers of Judgment to FLSA Collective Actions*, University of San Diego College of Law (October 24, 2008).

Joint Annual Meetings of Law & Society Association and Canadian Law & Society Association, *The Hidden Discrimination within Anti-Discrimination Law: How Older and Poor Workers are Further Marginalized by the Class Action Procedure*, Montreal, Quebec, Canada (May 29, 2008).

Second Annual Colloquium on Current Scholarship in Labor & Employment Law, *Redressing the Court's Inconsistent Jurisprudence on Religious Expression in the Workplace and the Public Square*, University of Colorado Law School & University of Denver Sturm College of Law (September 28, 2007).

Law & Society Association Annual Meeting, *Redressing the Court's Inconsistent Jurisprudence on Religious Expression in the Workplace and the Public Square*, Humboldt University, Berlin, Germany (July 27, 2007).

Second Annual Domestic Violence Conference, *Parental Alienation Syndrome and its Effects on Child Custody Agreements in DV Cases*, University of Denver Sturm College of Law (March 17, 2007).

Colloquium on Current Scholarship in Labor & Employment Law, *Incentive Payments to Named Plaintiffs in Employment Discrimination Class Actions*, Marquette University Law School (October 27, 2006).

Legal Writing Institute Conference, *Making it "Matter": Rethinking Legal Writing Problems and Integrating Pro-Bono Briefs into the LRW Classroom*, Georgia State University College of Law (June 9, 2006).

National Latina/o Law Students Association Conference, *Labor Relations and Workers' Rights*, University of Denver Sturm College of Law (October 9, 2004).

### **JUDICIAL CLERKSHIPS**

**The Honorable Ronald L. Ellis, U.S. Magistrate Judge, S.D.N.Y.**, New York, NY 1999-2000  
*Judicial Law Clerk*. Drafted memoranda and judicial opinions. Assisted in management of discovery disputes. Supervised eight law student interns and evaluated each based on criteria provided by their schools.

**The Honorable Rebecca Love Kourlis, Colorado Supreme Court**, Denver, CO Summer 1998  
*Interim Judicial Law Clerk*. Drafted memoranda and judicial opinions.

### **LEGAL EXPERIENCE**

**Outten & Golden LLP**, New York, NY Associate, 2000-2003; Of Counsel, 2004-present  
Counsel at plaintiff-side employment law firm. Represents employees in class action litigation and alternative dispute resolution of minimum/overtime wage and hour claims, discrimination, harassment, contract, and business tort claims. Served as primary attorney in court, negotiations with opposing counsel, and client meetings. Negotiated dozens of settlements, including representing clients in mediations. Briefed discovery, sanctions, and dispositive motions. Held leadership role in mentoring and management of junior legal staff, serving as supervisor of law students and paralegals and also serving as head associate on attorney recruiting committee.

**Goldstein, Demchak, Baller, Borgen & Dardarian**, Oakland, CA 2003-2004  
Litigation associate at employment, civil rights, and class action law firm. Represented plaintiffs in class action and other complex litigation of minimum/overtime wage, gender and race discrimination, disability access, and other public interest claims. Served as lead associate in monitoring a large corporation in relation to a court-ordered consent decree ensuring its compliance with employment discrimination laws.

**Law Office of Addison Adams, J.D., M.S.W.**, Denver, CO 1997-1998  
Conducted investigations, wrote reports, and testified as Special Advocate (court officer) in child custody cases.

**Criminal Defense Clinic, University of Denver Sturm College of Law, Denver, CO** 1997  
Represented indigent clients in criminal misdemeanor matters; responsible for case from intake through trial, including representing client in six-person jury trial.

**Addiction Research and Treatment Services, Denver, CO** 1996  
Created Legal Advocacy Clinic with Public Interest Law Grant; provided direct legal assistance to drug-recovering men and women in areas of family law, housing, benefits, and immigration.

### **PROFESSIONAL SOCIAL WORK EXPERIENCE**

**Sojourner Center for Women, Charleston, SC** 1994-1995  
*Addiction Treatment Specialist.* Provided case management and counseling services in outpatient program for drug-addicted pregnant and post-partum women.

**Casa Vincentia, Oakland, CA** 1993-1994  
*Case Manager.* Provided assessments, progress evaluation, and individual and family counseling to homeless pregnant women.

### **LEGAL COMMUNICATION & RHETORIC: JOURNAL OF ASSOCIATION OF LEGAL WRITING DIRECTORS (LC&R: JALWD)**

**Book Review Editor** 2016–present  
Peer reviewed journal, responsible for selection and editing of book reviews for publication. Participate in policy decisions regarding scholarly direction of journal.

### **LEGAL WRITING INSTITUTE**

**Member** 2004–present  
**Committee Work** 2007–present  
Co-Chair, Scholarship Development and Outreach Committee 2014-2016  
Member, Discipline Building Working Group 2017—present  
Creator, LWI We Write: Scholarship Retreat 2018  
Co-Creator, Writing as Resistance: Scholarship Workshop for LRW Professors of Color 2018—present

### **BAR ADMISSIONS**

- New York
- California
- Colorado
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit