

NICHOLAS A. FROMHERZ

Lewis & Clark Law School
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**ACADEMIC
EXPERIENCE**

Lewis & Clark Law School, Portland, OR

Visiting Assistant Professor (Aug. 2012 – present)

Courses: International Environmental Law (Fall 2012 & Fall 2013); Comparative Agricultural Law (Spring 2013); The Law of Environmental Decision-Making: NEPA and Its Foreign Counterparts (Spring 2014)

Universidad Central de Bolivia, Cochabamba, Bolivia

Professor of Law (Spring 2012)

Course: Public International Law

**RESEARCH
INTERESTS**

Environmental Law (with a focus on decision-making regimes and public participation models); Comparative Law; International Law; Civil Procedure; Administrative Law; Empirical Legal Studies; Sustainable Development; Judicial Studies; Agricultural Law; Indigenous Law; Law and Society

**JUDICIAL
CLERKSHIPS**

U.S. Court of Appeals for the Seventh Circuit, Milwaukee, WI

Law Clerk to Circuit Judge Terence Evans (2008 – 2009)

U.S. District Court for the Eastern District of Michigan, Detroit, MI

Law Clerk to District Judge David M. Lawson (2006 – 2008)

**EMPLOYMENT
& INTERNSHIPS**

Adelante Mujeres, Cochabamba, Bolivia

Environmental Law and Policy Scholar (2011 – 2012)

Crowell & Moring LLP, Irvine, CA

Associate (2009 – 2011)

U.S. Court of Appeals for the Ninth Circuit, San Diego, CA

Intern for Circuit Judge Margaret M. McKeown (Spring 2006)

California Court of Appeal, Fourth Circuit, Division One, San Diego, CA

Intern for Justice James A. McIntyre (Fall 2005)

Foley & Lardner LLP, San Francisco, CA

Summer Associate (Summer 2005)

University of San Diego School of Law, San Diego, CA

Teaching Assistant (Fall 2004; Spring 2005)

**LEGAL
EDUCATION**

University of San Diego School of Law, San Diego, CA
J.D., May 2006

*Honors &
Activities*

Summa Cum Laude (Valedictorian)
Class Rank: 1/313
GPA: 4.10
Order of the Coif
CALI Award (highest grade in class): *Civil Procedure I; Civil Procedure II; Federal Land Law; Constitutional Law; Contracts; Criminal Law; Torts*
SAN DIEGO LAW REVIEW: Lead Articles Editor (Vol. 43); Member (Vol. 42)
JOURNAL OF CONTEMPORARY LEGAL ISSUES: Student Editor (Vol. 14)

**PRE-LEGAL
EDUCATION**

University of Oregon, Eugene, OR
B.A., English, June 2003

*Honors &
Activities*

Dean's List
Teaching Assistant for Prof. John Gage
Semester Abroad in Vienna, Austria

**LAW REVIEW
ARTICLES**

From Consultation to Consent: Community Approval as a Prerequisite to Environmentally Significant Projects, 116 WEST VIRGINIA LAW REVIEW __ (2013) (forthcoming)

A Call for Stricter Appellate Review of Decisions on Forum Non Conveniens, 11 WASHINGTON UNIVERSITY GLOBAL STUDIES LAW REVIEW 527 (2012)

The Case for a Global Treaty on Soil Conservation, Sustainable Farming, and the Preservation of Agrarian Culture, 39 ECOLOGY LAW QUARTERLY 57 (2012)

Equal Standing with States: Tribal Standing and Sovereignty after Massachusetts v. EPA, 29 STANFORD ENVIRONMENTAL LAW JOURNAL 130 (2010) (co-authored with Joseph W. Mead)

Foreign Sovereign Immunities Act: 2010 Year in Review, 17 LAW AND BUSINESS REVIEW OF THE AMERICAS 637 (2011) (co-authored with Laurel Pyke Malson et al.)

Assuming Too Much: An Analysis of Brown v. Sanders, 43 SAN DIEGO LAW REVIEW 401 (2006) (student note)

OTHER WORKS

In Bolivia's Quest to Regain the Pacific, Political Posturing is More Afterthought than Motivator, INTERNATIONAL POLICY DIGEST (Jan. 5, 2012).

Neither Scam nor Savior: Probing the Claims Surrounding Judicial Elections in Bolivia (with Dr. Neyer Zapata, Universidad Mayor de San Simon) (work in progress)

Protests Here, Protests There: Mass Demonstrations and the State of Democracy in the U.S. and Bolivia, INTERNATIONAL AFFAIRS FORUM (Nov. 7, 2011).

The Rise and Fall of Bolivia's Evo Morales, FOREIGN AFFAIRS (Oct. 18, 2011).

Clean Technology Deserves Government Support, THE STATESMAN JOURNAL (June 26, 2011).

Getting the Upjohn Warning Right in Internal Investigations, 17 No. 2 PRACTICAL LITIGATOR 59 (2006) (co-authored with Ivonne M. King)

An Inconvenient Forum: Thoughts on the Chevron-Ecuador Case, TERRA NULLIUS: THE HOUSING, LAND, AND PROPERTY WEBLOG (March 5, 2012) (invited blog post)

Waking from a Dream in Bolivia: The TIPNIS Victory that Never Was, TERRA NULLIUS: THE HOUSING, LAND, AND PROPERTY WEBLOG (Feb. 20, 2012) (invited blog post)

What Should Large Employers Do Now? Implications of Dukes v. Wal-Mart, available at <http://www.crowell.com/NewsEvents/Newsletter.aspx?id=145> (2010) (co-authored with Kendra Miller)

Department of Labor's Wage and Hour Division Provides Answers, Raises New Questions, at <http://www.crowell.com/NewsEvents/Newsletter.aspx?id=1506> (2010) (co-authored with Kendra Miller)

PRESENTATIONS *The Role of International and Domestic Law in the Developing World: Insights from Bolivia's TIPNIS Conflict*, Lewis & Clark Law School, Portland, OR (2013) (presentation to IELP class)

Writing as a Natural Process: Thoughts and Strategies for Improved Communication, Universidad Mayor de San Simon, Cochabamba, Bolivia (2011) (with Dr. Neyer Zapata)

Look What the Court Dragged In: Staub v. Proctor Hospital and The Cat's Paw Theory, Crowell & Moring, LLP, Irvine, CA (2011) (with Tom Gies)

Not So Fast: Determining the Citizenship of an LLC and Other Wrinkles in Establishing Diversity Jurisdiction, Crowell & Moring, LLP, Irvine, CA (2010)

Class Action Trends, Including the Recently Decided Ninth Circuit Decision in Dukes v. Wal-Mart, Crowell & Moring, LLP, Irvine, CA (2010) (with Kendra Miller)

Structuring and Preserving Federal Class Action Settlements, Crowell & Moring, LLP, Irvine, CA (2010) (with Kendra Miller)

An Introduction to the U.S. Civil Justice System, Universidad Mayor de San Simon, Cochabamba, Bolivia (2009) (with Dr. Neyer Zapata)

INSTITUTIONAL SERVICE	International Strategy Sub-Committee of the Natural Resources Committee (member); Jessup International Moot Court (judge)
BAR MEMBERSHIPS	California; U.S. Court of Appeals for the Seventh Circuit; U.S. District Court for the Central District of California; U.S. District Court for the Eastern District of Michigan
LANGUAGES	Spanish (fluent)
BLOG	South American Law & Policy (www.southamericanlaw.com)