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Vermont Law School
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EDUCATION

U.C. Berkeley School of Law, Boalt Hall **Berkeley, CA**
J.D., June 1992. *California Law Review* - Articles Editor (1991-92) and Member (1990-91);
Ecology Law Quarterly - Member (1990).

Harvard University **Cambridge, MA**
B.A. *magna cum laude* in Biochemistry, 1988. Harvard College Scholarship, Lamont Public
Service Fellowship, Ford Foundation Grant for Undergraduate Research.

LAW TEACHING

Vermont Law School **South Royalton, VT**
*Professor (since 2003, on leave 2004-2005); Associate Professor of Law (1999-2003), Assistant
Professor of Law (1998-1999).* Courses in environmental justice, international environmental law
and policy, global climate change, race and the law, torts, and administrative law. *Director,
Vermont Law School – Sun Yat-sen University Partnership for Environmental Law in China (2007-
present).* (see below)

University of Pittsburgh, School of Law **Pittsburgh, PA**
Visiting Professor (fall 2004). Courses in torts and international environmental law.

FOREIGN & OTHER LAW TEACHING

Tsinghua University School of Law **Beijing, China**
Fulbright Lecturer (fall 2005). Courses in torts and international environmental law.

University of Petrozavodsk **Petrozavodsk, Karelia, Russia**
Vermont Law School/Petrozavodsk Karelia Summer Environmental Law Program Faculty
(Summer 2000). Lectured on pollution trading under the Clean Air Act.

U.S. Dept. of Agriculture Graduate School **Washington, DC**
Co-instructor for Natural Resource Law Course (Spring 1998)

PUBLICATIONS – BOOKS & CHAPTERS

GLOBAL ENVIRONMENTAL LAW, with Robert Percival, under contract with Aspen Publishers (expected publication date September 2008)

Public Environmental Law in the United States, in PUBLIC ENVIRONMENTAL LAW IN THE EUROPEAN UNION AND THE UNITED STATES: A COMPARATIVE ANALYSIS (René Seerden, Michiel Heldeweg and Kurt Deketelaere eds., Kluwer Law International 2002)

International Environmental Protection: Human Rights and the North-South Divide, in JUSTICE AND NATURAL RESOURCES: DEFINING THE ISSUES AND SEEKING SOLUTIONS 87 (Kathryn M. Mutz et al. eds., Island Press 2002).

Chapter 52: Regulation of Transporters of Hazardous Waste and Materials, in CALIFORNIA ENVIRONMENTAL LAW (with J.W. Skow) (Matthew Bender & Co. 1995).

PUBLICATIONS – ARTICLES & ESSAYS

The Implementation Challenge of Mitigating China's Greenhouse Gas Emissions, forthcoming Georgetown International Environmental Law Review (2008).

Introduction: Snapshots of the State of China's Environmental Regulatory System, 8 VT. J. ENV. L. 145 (2006-07) (symposium introduction).

International Treaty Enforcement as a Public Good: The Role of Institutional Deterrent Sanctions in International Environmental Agreements, 27 MICHIGAN JOURNAL OF INTERNATIONAL LAW 1131 (2006).

The Relevance of Treaty Structure: The Case of NAFTA and the Environment, AMERICAN SOCIETY OF INTERNATIONAL LAW ANNUAL MEETING PROCEEDINGS (2006) (essay).

The Prospect of Carbon Markets in the U.S. after Rejection of the Kyoto Protocol: Cap and Trade Carbon Emission Programs and the Problem of Maintaining Emissions "Caps" without Federal Government Leadership, 17 FORDHAM ENVIRONMENTAL LAW REVIEW 255 (2006) (symposium essay).

Choice and Fraud in Racial Identification: The Dilemma of Policing the Integrity of Affirmative Action, the Census, and a Color-Blind Society, 11 MICHIGAN JOURNAL OF RACE AND LAW 367 (2006).

The Effectiveness of the NAFTA Environmental Side Agreement's Citizen Submission Process: A Case Study of the Metales y Derivados Matter, 76 UNIVERSITY OF COLORADO LAW REVIEW 443 (2005); to be reprinted in 36 LAND USE AND ENVIRONMENTAL LAW REVIEW ____ (2006) (selected by environmental law professors as one of the best environmental law articles of 2005).

The International Linkages of an Instance of Urban Environmental Inequity in Tijuana, Mexico, 31 *FORDHAM URBAN LAW JOURNAL* 1321 (2004) (symposium essay).

Of Borders, Fences, and Global Environmentalism, 4 *CHICAGO JOURNAL OF INTERNATIONAL LAW* 237 (2003) (essay).

Melding Civil Rights and Environmentalism: Finding Environmental Justice's Place in Environmental Regulation, 26 *HARVARD ENVIRONMENTAL LAW REVIEW*. 1 (2002); translated into Chinese by Li Zhiping, Dai Xiang Yun, Zhou Yun Huan, Wang Jia Ling, Li Ling Yu, in *INTERNATIONAL AND COMPARATIVE ENVIRONMENTAL LAW REVIEW* (Wang Xi, ed.-in-chief), vol. 2, iss. 2 (2005).

The Form and Substance of Environmental Justice: The Challenge of Title VI of the Civil Rights Act of 1964 for Environmental Regulation, 29 *BOSTON COLLEGE ENVIRONMENTAL AFFAIRS LAW REVIEW* 143 (2002).

Environmental Regulation, Tort Law and Environmental Justice: What Could Have Been, 41 *WASHBURN LAW JOURNAL* 607 (2002).

Balancing Interests and Maximizing Rights in Environmental Justice, 23 *VERMONT LAW REVIEW* 529 (1999) (finalist for inclusion in volume 31 of the *Land Use and Environment Law Review*, a peer reviewed annual publication collecting the best land use and environmental law articles published each year).

Free Trade and the Environment: The NAFTA, the NAAEC, and Implications for the Future, with Ignacia Moreno, James Rubin, and Russell Smith, 12 *TULANE ENVIRONMENTAL LAW JOURNAL* 405 (1999); excerpted in RALPH FOLSOM, MICHAEL GORDON & DAVID GANTZ, *NAFTA AND FREE TRADE IN THE AMERICAS* 706, 728 (Thomson/West, 2d ed., 2005)

Race, Religion, and Cultural Identity: Reconciling the Jurisprudence of Race and Religion, 73 *INDIANA LAW JOURNAL* 119 (1998).

OTHER PUBLICATIONS

History Shows Dangers of Politicized Court, *RUTLAND HERALD*, May 26, 2005 (op-ed).

Feds Should Stay out of this Fight, *HARTFORD COURANT*, August 6, 2004 (op-ed).

The Growing Vermont Law School – China Connection, *LOQUITUR*, Summer 2004.

Unheard Voices from the Border: A Report on Environmental Justice in the U.S.-Mexico Border Region From the Past to the Future (Including the Proceedings of "The International Roundtable on Environmental Justice on the U.S.-Mexico Border (August 19-21, 1999, National City, CA)"), report for EPA National Environmental Justice Advisory Council (2003).

Tribunals on Trial, Rutland Herald, December 19, 2001 (with Stephen Dycus) (op-ed).

Anti-terrorism Laws will Affect Minorities Deeply, Burlington Free Press, October 24, 2001 (op-ed).

The Complete Primary Structure of Apolipoprotein A-I from Rabbit High Density Lipoprotein, EUROPEAN J. OF BIOCHEMISTRY 160, 427-431 (with C.Y. Yang, H.J. Pownall, A. M. Gotto, Jr.)(1986).

SELECTED PRESENTATIONS & PANELS

“The Emergence of Global Environmental Law: Globalization and Vertical Integration of Environmental Legal Principles” and “International Climate Change Litigation: Climate Cases Across the World,” at University of Florida Public Interest Environmental Conference, Gainesville, FL (Feb. 29, 2008).

“International Frameworks to Combat Climate Change: Key Issues of Kyoto Protocol Implementation,” Conference on Climate Change and Future Generations, Vermont Journal of Environmental Law & Vermont Law Review, South Royalton, VT (Feb. 23, 2008).

“The Implementation Challenge of Mitigating China’s Greenhouse Gas Emissions,” Workshop on Climate Change and the Developing World, Georgetown Law Center, Washington, DC (Feb. 7, 2008).

“Climate Change: Current International Developments,” 2008 Association of American Law Schools Annual Meeting, New York, NY (Jan. 5, 2008).

Introductory Remarks, “Promoting Efficient Use of Energy and Resources,” Sun Yat-sen University Law School, Guangzhou, China (May 11-12, 2007).

“An Introduction to Innovative Measures to Improve Compliance with MEAs,” Panel Chair, Fourth IUCN Academy of Environmental Law Worldwide Colloquium, Pace Law School, White Plains, NY (Oct. 17, 2006).

“The Prospect of U.S. Carbon Markets after the Rejection of the Kyoto Protocol” at the Fordham Environmental Law Review Symposium on “Reducing Greenhouse Gases: State Initiatives and Market-based Solutions” (March 20, 2006).

“The Relevance of Treaty Structure: The Case of NAFTA and the Environment” for panel on “Trade, Investment and the Environment: Closed Boxes?,” for the 100th Annual Meeting of the American Society of International Law, Washington, DC (March 30, 2006).

“A Brief Overview of U.S. Environmental Law and International Environmental Law,” Tianjin University in Tianjin, China (December 21, 2005).

“A Brief Overview of U.S. Environmental Law and the Environmental Justice Movement,” Sun Yat-sen University Law School in Guangzhou, China. (December 28, 2005).

“The History of the Environmental Justice Movement” and “International Environmental Justice,” at Vermont Law School BLSA & ELC 25th Anniversary Symposium: “The Good, the Bad, the Ugly . . . The Interchangeable Faces of Environmental Justice” (Feb. 18, 2005).

“The Politics of Kyoto,” New Hampshire Public Radio “The Exchange” (Feb. 17, 2005).

“Environmental Governance at the U.S.-Mexico Border,” 2004 International Law Weekend, New York, New York (Oct. 2004).

“Environmental Justice at the U.S.-Mexico Border,” Panel “Sustainable Development after Earth Summit 2002,” International Law Weekend-West, American Branch of the International Law Association, Loyola Law School, Los Angeles, CA (Feb. 2003).

“Where’s the Justice in Environmental Justice? Has EPA’s EJ program done anything to address the problems?” and “Free Trade, NAFTA and GATT, Oh My: Trading Away the Environment?,” Society of Environmental Journalists Annual Meeting, Baltimore, MD (Oct. 2002).

International Subcommittee meeting, Chair, National Environmental Justice Advisory Council Pollution Prevention Conference, Baltimore, MD (Dec. 2002).

“Environmental Justice at the U.S. Mexico-Border: A Microcosm of the Problems of Globalization, Local Communities, and International Environmental Governance,” Georgetown Law School, Washington, DC (Sept., 2002)

“Environmental Regulation, Tort Law and Environmental Justice,” Ahrens Seminar, Washburn University Law School, Topeka, KS (Oct. 2001).

“The State Department, the US Trade Representative’s Office, and Environmental Justice,” Moderator, International Subcommittee, National Environmental Justice Advisory Council meeting, Alexandria, VA (Dec. 2000).

“Environmental Justice,” Asian Pacific American Bar Association Annual Meeting, Los Angeles, CA (November, 1999).

“Fairness and Distribution in Environmental Regulation,” Asian Pacific American Legal Scholarship Workshop, Marshall, CA (July, 1999).

“Environmental Justice,” Asian American Lawyers Association of Massachusetts, Boston, MA (Apr. 1999).

“Interest-Balancing and Rights-maximizing in Environmental Justice,” National People of Color Legal Scholarship Conference, Chicago, IL (Mar. 1999).

“Interest balancing and Rights in Environmental Justice,” Vermont Law Review Symposium:
“Environmental Justice: Mobilizing for the 21st Century,” Vermont Law School (Oct. 1998).

International Environmental Law Workshop, Environmental Law Seminar, U.S. Department of Justice, Office of Legal Education (1996-97).

FELLOWSHIPS/GRANTS

Approved for Fulbright Senior Specialist Candidate Roster (2006).
Awarded Fulbright Research/Lecturing Grant for China for fall 2005.

Awarded 3-year \$15,000 grant (2004-2007) from Lingnan Foundation, New Haven, CT, to conduct “virtual” student exchanges between Vermont Law School and Sun Yat-sen (Zhongshan) University Law School (Guangzhou, China) centered on collaborative research projects addressing comparative environmental law issues.

JUDICIAL CLERKSHIP

U.S. District Court, Southern District of California **San Diego, CA**
Law Clerk to District Court Judge Rudi M. Brewster (1992-93).

OTHER LAW & PROFESSIONAL BACKGROUND

United States Department of Justice **Washington, D.C.**
Attorney in Policy, Legislation, and Special Litigation Section of the Environment and Natural Resources Division (1994-1998). Developed Justice Department legal and policy positions for interagency consultations on domestic pollution and natural resource law issues, federal Indian law and other indigenous people. Also development of U.S. positions on environmental issues for international negotiations. Involved in U.S. Supreme Court, federal appellate and district court litigation.

Latham & Watkins **San Francisco, CA**
Associate Attorney (1993-94). General business litigation, environmental litigation, pro bono Title VI civil rights litigation, administrative health care litigation; motion practice, client counseling, discovery proceedings

Towers Perrin **Boston, MA**
Actuarial Analyst (1989). Provide actuarial and other analysis for benefits consulting firm.

PROFESSIONAL AND PUBLIC SERVICE

Director (2007-present), *Environmental Studies Component Leader & Steering Committee Member* (2006-2007), **Vermont Law School – Sun Yat-sen University Partnership for Environmental Law in China** (see also above). Manage 3-year \$1.8 million U.S. AID funded program (largest

U.S. government-funded program in Southern China) on environmental and energy law with Sun Yat-sen University law school in Guangzhou, China. Responsible for ensuring compliance with U.S. AID grant requirements, organizing conferences and training workshops, planning of research program, and managing relations with partner institutions and government officials. Also engaged in supplemental fund-raising and finding additional funding and support for program activities.

Peer Review Committee member, **China/Hong Kong/Taiwan Fulbright Program**, Council for International Exchanges of Scholars, Washington, DC (2006-present) (review of application by U.S. scholars); Peer Review Committee member, **China Fulbright Program**, Beijing, China (fall 2005) (interviewing Chinese academics applying for Fulbright grants for research in the U.S.).

Environmental Law Workshop Planning Committee member, **Association of American Law Schools**, Washington, DC, organizing 2004 AALS Conference on Environmental Law “Teaching Environmental Law in a Global Context” (2003-04).

Executive Council Member (1998-2003); International Subcommittee Chair (2002-2003), Vice-chair (2001-2002), Member (1998-2003), **EPA National Environmental Justice Advisory Council**, Washington, DC.

Planning Committee Member, 1999 Annual Meeting, **National Asian Pacific American Bar Association**.

Board Member, **Asian Pacific American Bar Association**, Washington, DC (1995-96).

Board Member, **APABA Educational Fund**, Washington, DC (1995-97)

Faculty advisor to Vermont Journal of Environmental Law and Asian Pacific American Law Students Association.

Berkeley Community Law Center **Berkeley, CA (1989-1990)**
Homeless outreach and general welfare cases.

Phillips Brooks House Association, Inc., Cambridge, MA
Steering Committee Member in non-profit community service organization serving Boston area (1986-88); *Chairman*, Chinatown Committee (1985-87); *Director, Fund-raiser*, Chinatown Adventure, a summer day camp in Boston Chinatown. (1985-87)

HONORS

Special Commendation Award for Outstanding Service, Environment and Natural Resources Division, US Department of Justice (1998).

Certificate of Appreciation for Substantial Contribution to the Mission of the Community Relations Service, US Department of Justice (1997).

BAR ADMISSION

California State Bar (since 1993, currently inactive)

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