

**TONIA HAP MURPHY**  
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## **EMPLOYMENT**

Mendoza College of Business, University of Notre Dame, Notre Dame, IN

Teaching Professor, 2013-present

Associate Teaching Professor, 2007-2013

Assistant Professional Specialist, 2003-2007

Adjunct Assistant Professor, 1992-2003

6 sections each year of 3-credit Business Law course for undergraduate business students, 1993-present.

1-credit course in Fundamentals of Law for Science and Technology Entrepreneurs for students in ESTEEM graduate science/business degree program, 2010-2016.

Lectures in Executive Education programs for National Structured Settlement Trade Association, 2009-present, and Japanese Managers Program, 2006-2017.

3-credit Environmental Law course for MBA and undergraduate students. 1992-96.

Eli Lilly and Company, Indianapolis, IN

Attorney. 1989-1991. Environmental Law Group.

Baker & Daniels (now Faegre Drinker), Indianapolis, IN

Associate Attorney. 1987-1989. Employment Law Group.

## **EDUCATION**

University of Michigan Law School, Ann Arbor, MI

Juris Doctor, 1987. Contributing Editor, UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM; Instructor, Legal Writing, 1986-87.

University of Notre Dame, Notre Dame, IN

Bachelor of Arts, with honors, 1984. English major; Arts & Letters Program for Administrators.

## **REFEREED PUBLICATIONS**

“The Name Game: Merging the Business and Law of Trademarks” (with Daniel R. Cahoy), JOURNAL OF LEGAL STUDIES EDUCATION, Volume 38, pp. 37-73 (Winter 2021). Winner of Ralph C. Hoeber Award for the Outstanding Article in Volume 38.

“Law in the Time of Coronavirus: How and Why to Cover COVID-19 Disruptions in a Business Law or Legal Environment Course,” *forthcoming in* JOURNAL OF BUSINESS LAW AND ETHICS PEDAGOGY, Volume 3, Issue 1, Fall 2020.

“The Right of Publicity: Worth a Closer Look in the Classroom,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 36, pp. 237-79 (Summer 2019).

“Fostering Civic Knowledge in Introductory Business Law and Legal Environment Courses: A Closer Look at Freedom of Speech,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 35, pp. 195-230 (Summer 2018) (lead article).

“Nondisparagement Clauses in Severance Agreements: A Capstone Contracts Exercise,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 34, pp. 5-40 (Feb. 2017) (lead article). Winner of Ralph C. Hoeber Award for the Outstanding Article in Volume 34.

“Covenants Not to Compete in Employment Contracts: Worth a Closer Look in the Classroom,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 32, pp. 131-71 (Jan. 2015). Winner of Ralph C. Hoeber Award for the Outstanding Article in Volume 32.

“Mandating Use of Predictive Coding in Electronic Discovery: An Ill-Advised Judicial Intrusion.” AMERICAN BUSINESS LAW JOURNAL, Volume 50, pp. 609-57 (Aug. 2013). *Reprinted in* THE COMPUTER AND INTERNET LAWYER, pp. 1-25 (Sept. 2014).

“Nutrisoya v. Sunrich: Anatomy of a Sales Dispute,” JOURNAL OF LEADERSHIP, ACCOUNTABILITY AND ETHICS, Volume 9, pp. 11-18 (May 2012) (lead article).

“Reneging: A Topic to Promote Engaging Discussions About Law and Ethics in a Business Law or Legal Environment Course,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 26, pp. 325-55 (Sept. 2009). Winner of Ralph C. Hoeber Award for the Outstanding Article in Volume 26.

“Michael Novak’s *Business as a Calling* as a Vehicle for Addressing Ethical and Policy Concerns in a Business Law Course.” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 25, pp. 17-49 (Winter-Spring 2008).

### REFEREED CONFERENCE PROCEEDINGS

“Covenants Not to Compete in Employment Contracts: Worth a Closer Look in the Classroom,” 19 pages, ACADEMY OF LEGAL STUDIES IN BUSINESS NATIONAL PROCEEDINGS, Volume 45 (2014).

“Mandating Use of Predictive Coding in Electronic Discovery: An Ill-Advised Judicial Intrusion,” 20 pages, ACADEMY OF LEGAL STUDIES IN BUSINESS NATIONAL PROCEEDINGS, Volume 43 (2012).

### OTHER PUBLICATIONS

“Perspectives on Teaching – On Great Teachers” (invited), JOURNAL OF LEGAL STUDIES EDUCATION, Volume 32, pp. 223-27 (Jan. 2015).

“Editor’s Corner – Insights from the Arts,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 29, Issue 2, pp. v-x (Aug. 2012).

“Editor’s Corner – On Rigor and Brevity,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 29, Issue 1, pp. v-ix (Feb. 2012).

“Editor’s Corner – Work of Consequence,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 28, Issue 2, pp. v-viii (July 2011).

“Editor’s Corner – Civility in the Classroom,” JOURNAL OF LEGAL STUDIES EDUCATION, Volume 28, Issue 1, pp. v-x (Feb. 2011).

Book Review of *Why Don’t Students Like School? A Cognitive Scientist Answers Questions About How the Mind Works and What It Means for the Classroom*, by Daniel T. Willingham. JOURNAL OF LEGAL STUDIES EDUCATION, Volume 27, pp. 357-60 (Aug. 2010).

“The Pope and Pay,” *Asking More Commentary*, Mendoza College of Business Web site, October 19, 2009.

PowerPoint presentations to accompany 54 chapters of Cheeseman, BUSINESS LAW (7<sup>th</sup> ed. 2010), published by Pearson/Prentice-Hall.

**EDITORIAL POSITIONS**

AMERICAN BUSINESS LAW JOURNAL  
Staff Editor, 2013-present.

JOURNAL OF LEGAL STUDIES EDUCATION  
Advisory Editor, 2012-present.  
Editor in Chief, 2010-2012.  
Senior Articles Editor, 2008-2010.  
Articles Editor, 2006-2008.  
Staff Editor, 2004-2006.  
Reviewer, 2003-2004.

**PRESENTATIONS**

“Law in the Time of Coronavirus: How and Why to Cover COVID-19 Disruptions in a Business Law or Legal Environment Course,” Boston College Business Law Faculty (invited), via Zoom, March 5, 2021.

“Law in the Time of Coronavirus: How and Why to Cover Coronavirus Disruptions in a Business Law or Legal Environment Course,” Charles M. Hewitt Master Teacher Competition (refereed), Academy of Legal Studies in Business (ALSB) Annual Meeting, via WebEx, Aug. 4, 2020.

“The Right of Publicity: Worth a Closer Look in the Classroom,” ALSB Annual Meeting, Montreal, Canada, Aug. 10, 2019.

“Fostering Civic Knowledge in Introductory Business Law and Legal Environment Courses: A Closer Look at Freedom of Speech,” ALSB Annual Meeting, Portland, OR, Aug. 12, 2018.

“Successfully Navigating the Appointment, Reappointment, Promotion and Tenure Processes,” panelist, ALSB Annual Meeting, Portland, OR, Aug. 12, 2018.

“Catholic Education in the Holy Cross Tradition,” panelist (invited), Notre Dame Admitted Student Days, April 24, 2017.

“Best Practices for ABLJ/JLSE Scholarship and Reviews,” panelist (invited), ALSB Annual Meeting, San Juan, PR, Aug. 10, 2016.

“So You Want to Go to Law School,” panelist, ALSB Annual Meeting, Philadelphia, PA, August 10, 2015.

“Alternate Law Careers,” panelist (invited), Notre Dame Law School, November 12, 2014.

“Covenants Not to Compete in Employment Contracts: Worth a Closer Look in the Classroom,” ALSB Annual Meeting, Seattle, WA, Aug. 7, 2014. Winner of Jackson Lewis LLP Award for the Outstanding Employment Law Paper presented at conference.

“Mandating Use of Predictive Coding in Electronic Discovery: An Ill-Advised Judicial Intrusion,” ALSB Annual Meeting, Kansas City, MO, Aug. 11, 2012.

“Nutrisoya v. Sunrich: Anatomy of a Sales Dispute,” Charles M. Hewitt Master Teacher Competition (refereed), ALSB Annual Meeting, New Orleans, LA, August 12, 2011.

“Business Education Under Attack: Can the Criticisms in *Academically Adrift* and *Rethinking Undergraduate Business Education* Be Addressed by Strong Business Law and Ethics Programs?,” panelist (invited), ALSB Annual Meeting, New Orleans, LA, August 11, 2011.

“Nutrisoya v. Sunrich: Anatomy of a Sales Dispute (A and B),” Midwest Academy of Legal Studies in Business Best Teaching Case Competition, Chicago, IL, March 24, 2011.

“How to Get Published,” panelist, Midwest Academy of Legal Studies in Business Regional Meeting, Chicago, IL, March 24, 2011.

“Reneging: A Topic to Promote Engaging Discussions About Law and Ethics in a Business Law or Legal Environment Course,” ALSB Annual Meeting, Long Beach, CA, Aug. 15, 2008.

“Teaching Business Law in the Catholic Business School: Opportunities to Embrace the Catholic Mission,” panelist for roundtable discussion, as part of international conference, “Business Education at Catholic Universities: Exploring the Role of Mission-Driven Business Schools,” University of Notre Dame, June 12, 2008.

“Legal Tips for Renters,” Senior Transition Series, University of Notre Dame, Feb. 27, 2008.

“Michael Novak’s *Business as a Calling* as a Vehicle for Addressing Ethical and Policy Concerns in a Business Law Course,” ALSB Annual Meeting, St. Petersburg, FL, August 2006.

## **HONORS AND AWARDS**

Ralph C. Hoeber Award for the Outstanding Article in Volume 38 of the JOURNAL OF LEGAL STUDIES EDUCATION, 2021.

Outstanding Reviewer, AMERICAN BUSINESS LAW JOURNAL, 2020.

Winner, Charles M. Hewitt Master Teacher Competition, Academy of Legal Studies in Business, 2020.

Ralph C. Hoeber Award for the Outstanding Article in Volume 34 of the JOURNAL OF LEGAL STUDIES EDUCATION, 2017.

Ralph C. Hoeber Award for the Outstanding Article in Volume 32 of the JOURNAL OF LEGAL STUDIES EDUCATION, 2015.

Jackson Lewis LLP Award for the Outstanding Employment Law Paper, Academy of Legal Studies in Business Annual Meeting, 2014.

Finalist, Charles M. Hewitt Master Teacher Competition, Academy of Legal Studies in Business, 2011.

Ralph C. Hoeber Award for the Outstanding Article in Volume 26 of the JOURNAL OF LEGAL STUDIES EDUCATION, 2009.

## **OTHER PROFESSIONAL MEMBERSHIPS, SERVICE, AND ACTIVITIES**

Member, Indiana Bar, 1987-present (currently inactive in good standing status).

Member, University Faculty for Life, 2009-present.

Member, Midwest Association of Pre-Law Advisors, 2011-present.

Member, Academy of Legal Studies in Business (ALSB), 2003-present.

Organizer and Host, 2021 Charles M. Hewitt Master Teacher Competition.

Chair 2019-20, Vice Chair 2017-18, ALSB Faculty Achievement Award Selection Committee.

Member, ALSB Executive Committee, 2010-2012.

Member, Committee to develop new ALSB Strategic Plan, 2011-2012.

Judge, Hoeber Award for JOURNAL OF LEGAL STUDIES EDUCATION, 2013, 2014, 2016, 2020.

Judge, Holmes-Cardozo Award for Best Conference Paper, ALSB Annual Meeting, 2014, 2018.

Judge, Best International Case Competition, ALSB Annual Meeting, 2011.

Reviewer, National Proceedings, ALSB Annual Meeting, 2015, 2016.

Reviewer, Student Paper Competition, ALSB Annual Meeting, 2011, 2013.

Reviewer, Proceedings, Midwest ALSB Regional Meeting, 2010.

Co-organizer (with Professor Janine Hiller) and Moderator, Research Colloquium on Legal and Ethical Issues in Predictive Data Analytics, Blacksburg, VA, June 19-20, 2014.

Reviewer, Melvin's *Comprehensive Business Law and Strategy* (2016), published by McGraw-Hill.

Member, Advisory Board of Reviewers for Mayer's *Business Law* (2011), published by Flat World Knowledge. Reviewed 50 draft chapters of new textbook.

Reviewer, 30 first-draft chapters of Kubasek et al.'s *Dynamic Business Law* (2008), published by McGraw-Hill. Advised publisher on changes desirable for second edition of that textbook (2010).

Writer, standardized test questions, for Excelsior College, 2012.

Writer, standardized test questions, for Educational Testing Service, 2005-2006.

### CONFERENCES ATTENDED

Annual Meeting, ALSB, 2003-2021. Tri-State ALSB Regional Meeting, 2008, 2011; Midwest ALSB Regional Meeting, 2011; Southern ALSB Regional Meeting, 2011.

Pre-Law Advisors National Conference, Washington, DC, 2012. Northeast Association of Pre-Law Advisors Annual Meeting, 2015. Midwest Association of Pre-Law Advisors Annual Meeting, 2011, 2013, 2014, 2017, 2018. AccessLex Institute Regional Workshop for Pre-Law Administrators, 2019.

McGraw-Hill Education Business Law Symposium, New Orleans, LA, March 2017; Huntington Beach, CA, Feb. 2007; Las Vegas, NV, Feb. 2005.

### COLLEGE AND UNIVERSITY SERVICE

Mendoza College Pre-Law Advisor, 2011-present.

Team Leader, Notre Dame Business Law Curriculum Review, 2003-present. Coordinate accreditation-related curriculum review.

Member, Department of Accountancy Curriculum Committee, 2008-present.

Member, Department of Accountancy Recruiting Committee, 2020-present.

Sponsor, undergraduate student research paper. "Foul Ball: Major League Baseball's CBA Exploits College Seniors in the MLB Draft," presented by Jonathan Gordon at ALSB Annual Meeting, Seattle, WA, 2014, and published in UNIVERSITY OF TEXAS ENTERTAINMENT AND SPORTS LAW JOURNAL (2015).

Member of team representing Mendoza College of Business, Aspen Institute Undergraduate Business Education Consortium, Evanston, IL, June 2016; Ann Arbor, MI, June 2015; Denver, CO, March 2013; and Washington, DC, March 2012.

Judge, Student International Business Council Political Economy Student Competition, November 2011.

Assisted with planning and execution of Business Law Forum speaker series, 2003-2005

Assisted with planning and execution of guest lectures tied to *Business as a Calling*, 2005-2010.

Prepared and made presentation to College Council on experience of business law faculty with *Business as a Calling*, March, 2006. Presentation to Accountancy Advisory Council, April 2007.

Other College and University activities, including hosting student dinners at my home for Mendoza Student Leadership Association, serving as panelist for Admitted Student Days, leading First-Year Orientation discussion groups, guest lectures for Innovative Products Marketing course, serving as a mentor for Opening Doors program, attendance at activities for Beta Alpha Psi and the Undergraduate Women in Business.