

## LAUREN HENRY SCHOLZ

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### ACADEMIC APPOINTMENTS

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#### **Florida State University College of Law**

McConaughay and Rissman Professor, September 2020–present  
Associate Professor(with tenure), August 2022–present  
Assistant Professor, May 2017–July 2022

#### **Yale Law School**

Affiliate Fellow, Information Society Project, August 2016–present

#### **Harvard Law School**

Postdoctoral Fellow, Project on the Foundations of Private Law, September 2016–June 2017

#### **Harvard Law School**

Fellow, Berkman Klein Center for Internet & Society, September 2016–September 2017

#### **Yale Law School**

Postdoctoral Fellow, Information Society Project, August 2014–July 2016

### EDUCATION

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#### **Harvard Law School**

J.D., May 2014

#### **Yale University**

B.A., Ethics, Politics and Economics, May 2009

### LAW JOURNAL ARTICLES

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*Punitive Damages for Privacy Wrongs*, 26 YALE J. L. TECH. (forthcoming 2023)

*Private Rights of Action in Privacy Law*, 63 WM. & MARY L. REV. 1639 (2022)

*Two Cheers for Cyborgs*, 2020 U. CHI. L. REV. ONLINE (2022)

*Fiduciary Boilerplate: Locating Fiduciary Relationships in Information Age Transactions*, 46 J. CORP L. 143 (2020)

- Received Privacy Papers for Policymakers Award, which recognizes “the year’s leading privacy research and analytical work that is relevant to policymakers”
- Selected for Michigan Law Junior Scholars Conference

*Indivisibilities in Technology Regulation*, 2020 U. CHI. L. REV. ONLINE (2020)

- Recommended at Legal Theory Blog

*Big Data is Not Big Oil: The Role of Analogy in the Law of New Technologies*, 86 TENN. L. REV. 863 (2020)

- Selected for Stanford-Northwestern-Penn Junior Faculty Forum on Law and STEM

*Privacy Remedies*, 94 IND. L. J. 94 (2019)

- Listed by Future of Privacy Forum as a recommended reading for policymakers for understanding privacy regulation

*Algorithmic Contracts*, 20 STAN. TECH L. REV. 128 (2017)

- Peer reviewed at Jotwell.com as among “the best new scholarship relevant to the law.” Review available at <https://contracts.jotwell.com/smart-rules-for-smart-contracts/>

*Privacy as Quasi-Property*, 101 IOWA L. REV. 1113 (2016)

*Privacy Petitions and Institutional Legitimacy*, 37 CARDOZO L. REV. 891 (2016)

*Information Privacy and Data Security*, 2015 CARDOZO L. REV DE NOVO 107 (2015)

*Institutionally Appropriate Approaches to Privacy: Striking a Balance between Judicial and Administrative Enforcement of Privacy Law*, 51 HARV. J. ON LEGIS. 193 (2014)

## BOOK CHAPTERS

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*Algorithms and Contract Law*, in THE CAMBRIDGE HANDBOOK OF THE LAW OF ALGORITHMS (Cambridge University Press 2020)

*Algorithmic Contracts and Consumer Privacy*, in THE CAMBRIDGE HANDBOOK OF SMART CONTRACTS, BLOCKCHAIN TECHNOLOGY AND DIGITAL PLATFORMS (Cambridge University Press 2019)

*Toward a Consumer Contract Law for an Algorithmic Age*, in LAW AND AUTONOMOUS SYSTEMS (C.H. Beck 2019)

## OTHER WRITINGS

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*Arrested Development: The Decline of Legality in Consumer Contract Law*, JOTWELL REV., Feb. 19, 2021, (reviewing Samuel Issacharoff & Florencia Marotta-Wurgler, *The Hollowed Out Common Law*, 67 UCLA L. REV. 600 (2020)).

*Paying to be the Product*, JOTWELL REV., Oct. 28, 2019 (reviewing Stacy-Ann Elvy, *Commodifying Consumer Data in the Era of the Internet of Things*, 59 B.C. L. REV. 423 (2018))

*On Contract Law's Increasing Distortionary Effect on Substantive Trade Secret Law and How to Stop It*, JOTWELL REV., Dec. 17, 2018 (reviewing Deepa Varadarajan, *The Trade Secret-Contract Interface*, 103 IOWA L. REV. 1543 (2018))

*Law and Autonomous Systems Series: Toward a Consumer Contract Law for an Algorithmic Age*, OXFORD BUS. L. BLOG., Apr. 17, 2018.

## SCHOLARLY PRESENTATIONS

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**University of California, Berkeley, School of Law**, Law and Technology Workshop  
“Punitive Damages for Privacy Wrongs”  
Invited presenter, October 4, 2022

**Notre Dame Law School**, Private Law Workshop  
“Punitive Damages for Privacy Wrongs”  
Invited presenter, September 9, 2022

**Teach Privacy**, Privacy Legislation: How to Create Effective Privacy Laws  
Invited webinar presenter, March 29, 2022

**Georgetown University Law Center**, Technology Law and Policy Colloquium: Data, Algorithms, and Platforms  
“Private Rights of Action in Privacy Law”  
Invited presenter, February 7, 2022, Washington, DC

**University of Chicago Law School**, Symposium on Omri Ben-Shahar and Ariel Porat’s  
“Personalized Law: Different Rules for Different People”  
“Precursors to Personalized Law”  
Invited presenter, November 12-13, 2021, Chicago, IL

**Harvard Law School**, Private Law Workshop  
“The Significance of Private Rights of Action in Privacy Regulation”  
Invited presenter, September 22, 2021, Boston, MA

**Washington University in St. Louis**, The Future of Consent for Privacy and Health  
“Alternatives to Current Consent Models - A Panel Discussion”  
Invited panelist, April 23, 2021

**USC Gould School of Law**, USC Private Law Theory Colloquium  
“Privacy as Private Law”  
Invited presenter, April 30, 2021

**Privacy Law Salon**, Privacy Roundtable  
Invited moderator, February 23-24, 2021

**George Washington Law School**, Faculty Workshop  
“Fiduciary Boilerplate: Locating Fiduciary Relationships in Information Age Transactions”  
Invited presenter, February 12, 2021

**Fordham Law School**, Faculty Workshop  
“Privacy as Private Law”  
Invited presenter, February 11, 2021

**Future of Privacy Forum**, Privacy Papers for Policymakers Award Event  
“Fiduciary Boilerplate: Locating Fiduciary Relationships in Information Age Transactions”  
Invited presenter, February 10, 2021

**American Association of Law Schools**, Annual Conference, Section on Commercial and Consumer Law  
“Privacy as Private Law”  
Accepted paper presenter, January 5–9, 2021

**University of Washington**, Privacy Redress Options Workshop  
“Redressing Privacy Violations: A Conversation with Experts”  
Invited panelist, December 10, 2020

**Harvard Law School**, Obligations Conference  
“The New Consumer Boilerplate”  
Accepted paper presenter, Cambridge, MA (cancelled)

**UCLA School of Law**, Roundtable on AI and Justice in 2035  
Invited presenter, February 28, 2020, Los Angeles, CA

**Tel Aviv University**, AI, Law and Agency in the Age of Machine Learning  
“Peripheral Boilerplate”  
Invited presenter, November 17, 2019, Tel Aviv, Israel

**University of Chicago Law School**, Symposium on Lee Fennell’s “Slices and Lumps: Division and Aggregation in Law and Life”  
“Indivisibilities in Technology Regulation”  
Invited presenter, November 8, 2019, Chicago, IL

**Stanford Law School**, Junior Faculty Forum on Law and STEM  
“Big Data is Not Big Oil”  
Accepted paper presenter, September 27–28, 2019, Palo Alto, CA

**University of Michigan Law School**, Michigan Law Junior Scholars Conference  
“The New Consumer Boilerplate”  
Accepted paper presenter, April 26–27, 2019, Ann Arbor, MI

**Tulane Law School**, 14<sup>th</sup> Annual Conference on Contracts  
“The New Consumer Boilerplate”  
Accepted paper presenter, March 8, 2019, New Orleans, LA

**Stanford Law School**, Faculty Workshop

“Privacy Remedies”

Invited presenter, November 28, 2018, Stanford, CA

**Florida State University**, Collegiate Blockchain Conference

“Introduction to Smart Contracts”

Invited Presenter, November 3, 2018, Tallahassee, FL

**Yale Law School**, Information Society Project Ideas Workshop

“Consumer Algorithmic Contracts”

Invited presenter, October 25, 2018, New Haven, CT

**George Washington University Law School**, Privacy Law Scholars Conference

“Privacy Remedies”

Accepted paper presenter, May 30–31, 2018, Washington, DC

**Lyon Catholic University**, Impact of Technology on International Contract Law: Smart Contracts and Blockchain Technologies

“Smart Contracts and Consumer Privacy”

Invited presenter, May 4–5, 2018, Lyon, France

**Vanderbilt University Law School**, Vanderbilt Law & AI Workshop

“Consumer Algorithmic Contracts & AI”

Invited presenter, April 19–20, 2018, Nashville, TN

**Fordham University School of Law**, Center on Law and Information Policy

“The Big Data Constitution: Constitutional Reform in the Cybersurveillance State”

Invited commentator, March 9, 2018, New York, NY

**Oxford University**, Conference on The Law of Autonomous Systems and the Automation of Law

“Consumer Algorithmic Contracts”

Invited speaker, March 8, 2018, Oxford, United Kingdom

**Barry University School of Law**, 13<sup>th</sup> Annual Conference on Contracts

“Consumer Algorithmic Contracts”

Accepted paper presenter, February 23–24, 2018, Orlando, FL

**Barry University School of Law**, 13<sup>th</sup> Annual Conference on Contracts

“Pseudo-Contract and Shared Meaning Analysis”

Invited commentator, February 23–24, 2018, Orlando, FL

**American Association of Law Schools**, Annual Conference, Contracts Section,

“Algorithmic Contracts”

Invited presenter, January 6, 2018, San Diego, CA

**Wharton School of the University of Pennsylvania**, After the Digital Tornado: Networks, Algorithms, Humanity

Panel: “Digital Governance: Looking to the Future”

Invited presenter, November 17–18, 2017, Philadelphia, PA

**University of Southern California Gould School of Law**, North American Workshop on Private Law Theory

“Privacy Remedies”

Accepted paper presenter, December 1–2, 2017, Los Angeles, CA

**Washington University School of Law**, Southeastern Junior/Senior Faculty Workshop

“Privacy Remedies”

Invited Presenter, October 6–7, 2017, St. Louis, MO

**University of Trento**, Private Law Consortium Conference

“Algorithmic Contracts”

Invited presenter, June 6–7, 2017, Trento Italy

**Yale Law School**, WeRobot Conference

Panel: “Private Law and Public Law Answers to AI: A Discussion of Robotics and Regulation”

Accepted paper presenter, March 31–April 1, 2017, New Haven, CT

**Stanford Law School**, Intellectual Property Scholars Conference

“Algorithmic Contracts”

Accepted paper presenter, August 11–12, 2016, Palo Alto, CA

**George Washington University Law School**, Privacy Law Scholars Conference

“Engineering Humans with Contracts”

Invited commentator, Washington, DC, June 1–2, 2016.

**New York University School of Law**, At the Intersection of Privacy and Property Workshop

“Privacy Remedies”

Invited presenter, May 6, 2016, New York, NY

**Yale Law School**, Unlocking the Black Box: The Promise and Limits of Algorithmic Accountability in the Professions

“Algorithmic Contracts”

Accepted paper presenter, April 1-2, 2016, New Haven, CT

**New York Law School**, Internet Law Works-in-Progress

“Algorithmic Contracts”

Accepted paper presenter, March 5, 2016, New York, NY

**Yale Law School**, Federalism(s) and Fundamental Rights: Europe and the United States Compared

“Comparative Privacy Federalism: United States versus Germany”

Invited speaker, October 29–31, 2015, New Haven, CT

**University of Amsterdam**, Privacy Law Scholars Conference

“Administering Privacy Claims”

Accepted paper presenter, October 26, 2015, Amsterdam, Netherlands

**John Jay College of Criminal Justice**, Mid-Atlantic Law and Society Conference  
“Administering Privacy Claims”  
Accepted paper presenter, October 10, 2015, New York, NY

**University of California Berkeley School of Law**, Privacy Law Scholars Conference  
“Four Levels of Privacy Policy Analysis”  
Accepted paper presenter, June 4-5, 2015, San Francisco, CA

**Yale Law School**, The Future of Privacy in the Digital Era  
“Privacy Claims and Institutional Legitimacy”  
Invited speaker, June 1, 2015, New Haven, CT

**Yale Law School**, Cyberscholars Working Group  
“Information Privacy and Data Security”  
Invited speaker, April 14, 2015, New Haven, CT

**Association for Computing Machinery**, Computers, Freedom, and Privacy Conference  
“Institutionally Appropriate Approaches to Privacy: Striking a Balance between Judicial and Administrative Enforcement of Privacy Law”  
Accepted paper presenter, June 9, 2014, Washington, DC

## **TEACHING EXPERIENCE**

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Contracts, Sales & Leases, Secured Transactions, Privacy, Cybersecurity

## **SERVICE EXPERIENCE**

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**The Journal of Things We Like (Lots) (JOTWELL)**  
Contributing Editor, Contracts Section (2018-present)

**Florida State University College of Law Faculty Governance**  
Appointments Committee (2021-2022)  
Curriculum Committee (2019-2021)  
Academic Enrichment Committee (2017-present)

**Uniform Law Commission**  
Uniform Commercial Code & Emerging Technologies Committee, Observer (2019-present)

## **ACADEMIC SERVICE EXPERIENCE**

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**Cambridge University Press**  
Referee for submissions on private law

**Yale Law Journal**

Referee for submissions on law & technology

**Estonian Research Council**

Referee for grant applications on algorithmic contracts

**National Science Centre Poland**

Referee for grant applications on algorithmic contracts

**RESEARCH GRANTS**

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**Weizenbaum Institute for the Networked Society**, Visiting Fellowship, Summer 2021

**Florida State University**, First Year Assistant Professor Award, 2018

**New America Foundation**, Eric and Wendy Schmidt Fellow, 2016

**Harvard Law School**, Project on the Foundations of Private Law Fellowship, 2013

**AWARDS**

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**Privacy Papers for Policymakers Award**, Future of Privacy Forum, 2021

**Global Privacy Summit Scholarship**, International Association of Privacy Professionals, 2015

**Baden-Württemberg Language Scholarship**, The State of Connecticut, 2008

**LANGUAGES**

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German (advanced working knowledge)

Spanish (advanced working knowledge)

French (reading proficiency)

**BAR ADMISSIONS**

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New York