

# ALEXANDER I. PLATT

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## ACADEMIC APPOINTMENTS

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**University of Kansas School of Law**, Lawrence, KS  
Associate Professor of Law, 2020 – present  
*Courses:* Business Associations; Securities Regulation; Contracts

**Harvard Law School**, Cambridge, MA  
Climenko Fellow and Lecturer on Law, 2018 – 2020  
*Courses:* Legal Research and Writing; Index Funds and the Concentration of Corporate Ownership (Reading Group)

## EDUCATION

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**Yale Law School**, New Haven, CT  
J.D., 2012  
*Yale Law Journal*, Articles Editor

**Columbia University**, New York, NY  
B.A., *magna cum laude* in Philosophy, 2006

## PUBLICATIONS

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*Legal Guardrails for a Unicorn Crackdown*, MICH. L. REV. ONLINE (forthcoming 2022).

*Beyond “Market Transparency”: Investor Disclosure and Corporate Governance*, 74 STAN. L. REV. (forthcoming 2022).

*Unicorniphobia*, HARV. BUS. L. REV. (forthcoming 2022)

*The Non-Revolution Door*, 46 J. CORP. L. 751 (2021).

*Is Administrative Summary Judgment Unlawful?*, 43 HARV. J. L. & PUB. POL’Y 235 (2021).

*Gatekeeping in the Dark: SEC Control Over Private Securities Litigation Revisited*, 72 ADMIN. L. REV. 27 (2020).

*Index Fund Enforcement*, 53 U.C. DAVIS L. REV. 1453 (2020).

*Unstacking the Deck: Administrative Summary Judgment and Political Control*, 34 YALE J. REG. 439 (2017).

*SEC Administrative Proceedings: Backlash and Reform*, 71 BUS. LAW. 1 (2016).

*Deciding Not To Decide: A Limited Defense of the Silent Concurrence*, 17 J. APP. PRAC. & PROCESS 141 (2016).

*The Temptation of Martinez v. Ryan: Legal Ethics for the Habeas Bar*, 8 CRIM. L. BR. 1 (2013) (with Larry Kornreich).

*Debiasing Statutory Interpretation*, 39 OHIO N. U. L. REV. 275 (2013).

Note, *Preserving the Appointments Safety Valve*, 30 YALE L. & POL'Y REV. 255 (2011).

Case Comment, *Roundup Ready Regulations: Center for Food Safety v. Vilsack*, 37 ECOLOGY L.Q. 773 (2010).

## **CLERKSHIPS**

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**U.S. Court of Appeals for the D.C. Circuit**, Washington, DC  
Law Clerk for Judge Stephen F. Williams, 2014 – 2015

**U.S. District Court for the District of Columbia**, Washington, DC  
Law Clerk for Chief Judge Royce C. Lamberth, 2012 – 2013

## **EXPERIENCE**

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**Boies Schiller Flexner LLP**, Washington, DC  
Associate, 2013 – 2014, 2015 – 2018

## **ACADEMIC PRESENTATIONS AND CONFERENCES**

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“Unicorniphobia”

Midwestern Law and Economics Association Conference, BYU Law School (Oct. 2021)

Chicagoland Junior Scholars Workshop, Loyola University Chicago School of Law (Oct. 2021)

Law and Society Association, Corporate and Securities Online Workshop (Sept. 2021)

Drake Law School, Faculty Workshop (Sept. 2021)

Central States Law Schools Association Conference (Sept. 2021)

National Business Law Scholars Conference, University of Tennessee School of Law (Jun. 2021)

“Beyond ‘Market Transparency’: Investor Disclosure and Corporate Governance”

BYU Winter Deals Conference, Park City, UT (Mar. 2022)

Emerging Voices Panel, Section on Securities Regulation, AALS Annual Meeting (Jan. 2022)

Works-in-Progress Panel, Section on Business Associations, AALS Annual Meeting (Jan. 2022)

Corporate Law Academic Workshop Series (“CLAWS”) (Harvard/BU/NYU/Duke) (Nov. 2021)

Rocky Mountain Junior Scholars Forum, BYU Law School (Nov. 2021)

Midwestern Law and Economics Association Conference, BYU Law School (Oct. 2021)

Central States Law Schools Association Conference, Washburn University School of Law (Sept. 2021)

Finance Faculty Seminar, University of Kansas School of Business (Sept. 2021)

National Business Scholars Conference, University of Tennessee School of Law (Jun. 2021)

Wharton Financial Regulation Conference, Wharton School of Business (Apr. 2021)

Faculty Colloquium, University of Nebraska School of Law (Apr. 2021)

Faculty Workshop, University of Kansas School of Law (Feb. 2021)

“Is Administrative Summary Judgment Unlawful?”

Emerging Voices in Administrative Law, AALS Annual Meeting (Jan. 2021)

Civil Procedure Workshop, Northwestern University School of Law (Oct. 2020).

“The Non-Revolutionary Door”

Emerging Voices in Business Law, AALS Annual Meeting (January 2021).

Emerging Voices in Securities Regulation, AALS Annual Meeting (January 2021).

University of Oregon School of Law Faculty Workshop (Oct. 2020).

Corporate and Securities Litigation Workshop (July 2020).

National Business Law Scholars Conference, University of Tennessee College of Law (June 2020).

University of Michigan Law School, Junior Scholars Conference (Apr. 2020).

Harvard Law School, Corporate Law Fellows Workshop (Feb. 2020).

“Gatekeeping in the Dark: SEC Control of Private Securities Litigation Revisited”

New Voices in Administrative Law, AALS 2020, Washington, DC (Jan. 2020).

Harvard Law School, Corporate Law Faculty Workshop (Nov. 2019).

“Index Fund Enforcement”

University of Richmond School of Law, Seminar on Corporate Governance (Feb. 2020).

Boston University School of Law, Corporate & Securities Litigation Workshop (Sept. 2019).

Southeastern Association of Law Schools, 2019 Annual Conference (Jul. 2019).

Berkeley Law, University of California, National Business Law Scholars Conference (Jun. 2019).

University of Richmond Law School, Richmond Junior Faculty Workshop (May 2019).

Harvard Law School, Corporate Law Faculty Workshop (Apr. 2019).

Harvard Law School, Corporate Law Fellows Workshop (Apr. 2019).

Harvard Law School, ClimenkoFest (Mar. 2019).

“SEC Administrative Proceedings: Backlash and Reform”

Yale Law School, Center for the Study of Corporate Law, Weil, Gotshal & Manges Roundtable on SEC Enforcement (Mar. 2016) [invited participant].

## OTHER SELECTED WRITINGS

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*Legal Guardrails for a Unicorn Crackdown*, THE CLS BLUE SKY BLOG (Feb. 17, 2022) <https://clsbluesky.law.columbia.edu/2022/02/17/legal-guardrails-for-a-unicorn-crackdown>.

*Regulating in the Shadow of Theranos*, YALE JOURNAL ON REGULATION NOTICE & COMMENT BLOG (Dec. 11, 2021) <https://www.yalejreg.com/nc/regulating-in-the-shadow-of-theranos-by-alexander-i-platt>.

*Unicorniphobia*, THE CLS BLUE SKY BLOG (Sept. 20, 2021), <https://clsbluesky.law.columbia.edu/2021/09/20/unicorniphobia>.

*Beyond “Market Transparency”: Investor Disclosure and Corporate Governance*, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE (Sept. 14, 2021), <https://corpgov.law.harvard.edu/2021/09/14/beyond-market-transparency-investor-disclosure-and-corporate-governance>.

*The Legal World Needs to Shed Its Unicorniphobia*, TECHCRUNCH (Sept. 11, 2011), <https://techcrunch.com/2021/09/11/the-legal-world-needs-to-shed-its-unicorniphobia>.

*Symposium on “Is Administrative Summary Judgment Unlawful,”* YALE JOURNAL ON REGULATION NOTICE & COMMENT BLOG (Feb.-Mar. 2021) <https://www.yalejreg.com/topic/administrative-summary-judgment-symposium/> (featuring commentary on my paper from scholars of administrative law and securities regulation).

*The Non-Revolving Door Between the SEC and the Plaintiffs’ Bar*, PROMARKET (Jan. 4, 2021) <https://promarket.org/2021/01/04/the-non-revolving-door-between-the-sec-and-the-plaintiffs-bar/>

*Accidents Happen in Economic Firefighting. That’s Why We Need Accountability*. BARRON’S (Dec. 9, 2020) <https://www.barrons.com/articles/accidents-happen-in-economic-firefighting-thats-why-we-need-accountability-51607543019> (with David Zaring).

*Beyond “Going Dark:” The SEC’s 13F Proposal And Hedge Fund Activism*, THE CLS BLUE SKY BLOG (Nov. 4, 2020) <https://clsbluesky.law.columbia.edu/2020/11/04/beyond-going-dark-the-secs-13f-proposal-and-hedge-fund-activism/>.

*Comment Letter on SEC Proposal To Change Reporting Threshold for Institutional Investors, File No. S7-08-20* (Sept. 28, 2020), available at <https://www.sec.gov/comments/s7-08-20/s70820-7843296-223783.pdf> (with Urska Velikonja).

*Brief of Amici Curiae Scholars in Support of Patrick J. Collins*, *Collins v. Mnuchin*, Nos. 19-422 & 19-563 (U.S. filed Sept. 23, 2020), available at [https://www.supremecourt.gov/DocketPDF/19/19-422/154743/20200923162343504\\_40151%20pdf%20Platt.pdf](https://www.supremecourt.gov/DocketPDF/19/19-422/154743/20200923162343504_40151%20pdf%20Platt.pdf) (with Steven Davidoff Solomon & David Zaring).

*The SEC's Proposal To Raise The § 13(f) Reporting Threshold Rests On A Misinterpretation of The Provision's Legislative History*, YALE JOURNAL ON REGULATION NOTICE AND COMMENT BLOG (Jul. 16, 2020) [https://www.yalejreg.com/nc/the-secs-proposal-to-raise-the-%C2%A7-13f-reporting-threshold-rests-on-a-misinterpretation-of-the-provisions-legislative-history-by-alexander-i-platt/#\\_ftn10](https://www.yalejreg.com/nc/the-secs-proposal-to-raise-the-%C2%A7-13f-reporting-threshold-rests-on-a-misinterpretation-of-the-provisions-legislative-history-by-alexander-i-platt/#_ftn10).

*The SEC and 'Piggyback' Securities Litigation*, CLS BLUE SKY BLOG (Mar. 2, 2020) <https://clsbluesky.law.columbia.edu/2020/03/02/the-sec-and-piggyback-securities-litigation/>.

*Index Fund Enforcement*, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE (Aug. 28, 2019) <https://corpgov.law.harvard.edu/2019/08/28/index-fund-enforcement/>.

## SELECTED MEDIA

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Mark Stricherz, *Courts would nix SEC plan to make 'unicorns' public, Kansas law prof says*, CQ ROLL CALL (Feb. 28, 2022) (discussing my paper “Legal Guardrails for a Unicorn Crackdown” and quoting interview with me).

Melissa Angel, *Wall Street's Watchdog Wants Big Private Companies to Disclose More Info*, INC. (Feb. 3, 2022) (quoting interview with me).

*Panel on Unicorns*, BUSINESS SCHOLARSHIP PODCAST (Nov. 4, 2021), <https://podcasts.apple.com/us/podcast/panel-on-unicorns/id1470002641?i=1000540735838> (discussing my paper “Unicorniphobia” with a panel of other legal scholars).

Jack Newsham, *One “Big Plaintiff” Law Firm Made \$4 Million Per Lawyer, More than Kirkland or Wachtell. Top Law Students are Finally Taking Note*, INSIDER (Oct. 6, 2021), <https://www.businessinsider.com/big-law-new-competition-for-students-plaintiffs-firms-2021-10> (discussing my paper “The Non-Revolutionary Door”).

Alicia McElhaney, *How 13Fs Detract From Competition and Help Companies Win Activist Campaigns*, INSTITUTIONAL INVESTOR (Sept. 20, 2021) <https://www.institutionalinvestor.com/article/b1tnxvj84krm6c/How-13Fs-Detract-From-Competition-and-Help-Companies-Win-Activist-Campaigns> (discussing my paper “Beyond ‘Market Transparency’” and quoting interview with me).

Kia Kokalitcheva, *New SEC Chairman is Changing the Regulator's Approach*, AXIOS (Jun. 5, 2021) (quoting interview with me).

Jennifer Williams-Alvarez, *SEC Settlements and Private Litigation*, AGENDA (Jan. 19, 2021) (quoting interview with me and discussing my paper “Gatekeeping in the Dark”).

Carl Ayers, *SEC Attorneys And The Revolving Door*, REGULATORY COMPLIANCE WATCH (Nov. 19, 2020) <https://www.regcompliancewatch.com/sec-attorneys-and-the-revolving-door> (quoting interview with me and discussing my paper “The Non-Revolving Door”).

Anna Monteiro, *SEC 13F Threshold May Be Down But Not Yet Dead*, FINEXTRA (Nov. 18, 2020) <https://www.finextra.com/blogposting/19542/sec-13f-threshold-proposal-may-be-down-but-not-yet-dead> (discussing my paper “Beyond ‘Going Dark’”).

Alicia McElhaney, *Why The SEC May Have Scrapped Its Controversial 13F Proposal*, INSTITUTIONAL INVESTOR (Oct. 30, 2020) <https://www.institutionalinvestor.com/article/b1p176msszqf3p/Why-the-SEC-May-Have-Scrapped-Its-Controversial-13F-Proposal> (quoting interview with me and discussing my paper “Beyond ‘Going Dark’”).

Lara Crigger, *Impact of SEC’s 13F Change Murky*, ETF.COM (Sept. 28, 2020) <https://www.etf.com/sections/features-and-news/impact-secs-13f-change-murky> (quoting interview with me).

Michael Heise, *Evidence of a “Non-Revolving” Door*, EMPIRICAL LEGAL STUDIES BLOG (Sept. 24, 2020) [https://www.elsblog.org/the\\_empirical\\_legal\\_studi/2020/09/commentators-have-warned-about-a-revolving-door-involving-the-sec-and-the-industry-sector-that-it-regulates-much-of-the-atte.html](https://www.elsblog.org/the_empirical_legal_studi/2020/09/commentators-have-warned-about-a-revolving-door-involving-the-sec-and-the-industry-sector-that-it-regulates-much-of-the-atte.html) (discussing my paper *The Non-Revolving Door*).

*Download of the Week: “Is Administrative Summary Judgment Unlawful?”* by Platt, LEGAL THEORY BLOG (Sept. 12, 2020), <https://solum.typepad.com/legaltheory/2020/09/download-of-the-week-is-administrative-summary-judgment-unlawful-by-platt.html>.

Lara Crigger, *Legal Questions Circle SEC’s 13F Plan*, ETF.COM (Sept. 10, 2020) <https://www.etf.com/sections/features-and-news/legal-questions-circle-secs-13f-plan?nopaging=1> (quoting from interview with me and discussing my *Yale JREG Notice and Comment* analysis entitled: “The SEC’s Proposal To Raise The § 13(f) Reporting Threshold Rests on a Misinterpretation of the Provision’s Legislative History”).

Benjamin P. Edwards, *Alex Platt on SEC Enforcement*, IPSE DIXIT PODCAST (June 5, 2020) <https://shows.acast.com/ipse-dixit/episodes/alex-platt-on-sec-enforcement> (interviewing me about my paper *Gatekeeping in the Dark*).

Benjamin P. Edwards, *Gatekeeping in the Dark*, BUSINESS LAW PROF BLOG (Jun. 4, 2020) [https://lawprofessors.typepad.com/business\\_law/2020/06/gatekeeping-in-the-dark.html](https://lawprofessors.typepad.com/business_law/2020/06/gatekeeping-in-the-dark.html) (discussing my paper *Gatekeeping in the Dark*).

Andrew K. Jennings, *Alexander I. Platt on Piggyback Securities Litigation*, BUSINESS LAW SCHOLARSHIP PODCAST (May 12, 2020)

<https://andrewkjennings.com/2020/05/12/alexander-platt-on-piggyback-securities-litigation/> (interviewing me about my paper *Gatekeeping in the Dark*).

Christine Idzelis, *How These Companies Got Back In State Street's Good Graces*, INSTITUTIONAL INVESTOR (Sept. 5, 2019)  
<https://www.institutionalinvestor.com/article/b1h13tkhp2mz34/How-These-Companies-Got-Back-in-State-Street-s-Good-Graces> (discussing my paper *Index Fund Enforcement*).

Christine Idzelis, *Index Fund Giants Play Overlooked Role as Corporate Cops*, INSTITUTIONAL INVESTOR (Sept. 3, 2019)  
<https://www.institutionalinvestor.com/article/b1h07nlvnp3f6n/Index-Fund-Giants-Play-Overlooked-Role-as-Corporate-Cops> (discussing my paper *Index Fund Enforcement*).

T.E., *Who Has The Right To Judge Americans?*, THE ECONOMIST (May 2018)  
<https://www.economist.com/the-economist-explains/2018/05/15/who-has-the-right-to-judge-americans> (discussing my paper *SEC Administrative Proceedings: Backlash and Reform*).

Adam Steinman, *Platt on Administrative Summary Judgment*, CIVIL PROCEDURE & FEDERAL COURTS BLOG (Apr. 27, 2017)  
<https://lawprofessors.typepad.com/civpro/2017/04/platt-on-administrative-summary-judgment.html> (highlighting my paper *Unstacking the Deck*).

## **BAR ADMISSIONS**

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New York; District of Columbia (retired); U.S. District Courts for the District of Columbia and the Southern District of New York; U.S. Courts of Appeals for the D.C. Circuit and Fourth Circuit; U.S. Court of Federal Claims

Last updated: March 2022.