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# DANE S. CIOLINO

LOYOLA LAW SCHOOL  
526 PINE STREET  
NEW ORLEANS, LOUISIANA 70118

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## EDUCATION

TULANE UNIVERSITY LAW SCHOOL, *New Orleans, Louisiana*  
J.D., *magna cum laude*, 1988  
Editor in Chief, *Tulane Law Review*  
Order of the Coif  
Winner, Maritime Law Center Writing Competition

RHODES COLLEGE, *Memphis, Tennessee*  
B.A., *cum laude*, 1985  
Recipient, Political Science Department Award  
President, Sigma Alpha Epsilon Fraternity

## EMPLOYMENT

LOYOLA LAW SCHOOL, *New Orleans, Louisiana*  
Alvin R. Christovich Distinguished Professor of Law, 2002-present  
Professor of Law, 2002  
Associate Professor of Law, 1998-2002 (Tenured 2001)  
Assistant Professor of Law, 1997-1998  
Visiting Assistant Professor of Law, 1995-1997  
Adjunct Instructor of Law, 1992-1995

TULANE LAW SCHOOL, *New Orleans, Louisiana*  
Visiting Professor of Law, 2005  
Visiting Professor of Law, 2002

STONE, PIGMAN, WALTHER & WITTMANN, LLC, *New Orleans, Louisiana*  
Associate, 1991-1995  
*Areas of Practice:* Commercial Litigation, Intellectual Property, Criminal Law

CRAVATH, SWAINE & MOORE, LLP, *New York, New York*  
Associate, 1989-1991  
Consultant, 2005-2006  
*Areas of Practice:* Commercial Litigation, Intellectual Property

UNITED STATES DISTRICT COURT, *New Orleans, Louisiana*  
Law Clerk to Honorable Peter H. Beer, 1988-89

**PUBLICATIONS**

DANE S. CIOLINO, *LOUISIANA PROFESSIONAL RESPONSIBILITY LAW & PRACTICE* (3d ed. 2007)

Dane S. Ciolino, *Lawyer Ethics Reform in Perspective: A Look at the Louisiana Rules of Professional Conduct Before and After Ethics 2000*, 65 LA. L. REV. 536 (2005)

Dane S. Ciolino, *Redefining Professionalism as Seeking*, 49 LOY. L. REV. 229 (2003)

Dane S. Ciolino & Erin A. Donelon, *Questioning Strict Liability in Copyright*, 54 RUTGERS L. REV. 351 (2002)

Dane S. Ciolino, *Why Copyrights Are Community Property (Sort Of): Through the Rodrigue v. Rodrigue Looking Glass*, 47 LOY. L. REV. 631 (2001)

Dane S. Ciolino, *Why Copyrights Are Not Community Property*, 60 LA. L. REV. 127 (1999)

Dane S. Ciolino, *Reconsidering Restitution in Copyright*, 48 EMORY L.J. 1 (1999)

Dane S. Ciolino, *Rethinking the Compatibility of Moral Rights and Fair Use*, 54 WASH. & LEE L. REV. 33 (1997)

Dane S. Ciolino, *The Mental Element of Louisiana Crimes: It Doesn't Matter What You Think*, 70 TUL. L. REV. 855 (1996)

Dane S. Ciolino, *Moral Rights and Real Obligations: A Property-Law Framework for the Protection of Authors' Moral Rights*, 69 TUL. L. REV. 935 (1995)

Dane S. Ciolino & Gary R. Roberts, *The Missing Direct-Tender Option in Federal Third-Party Practice: A Procedural and Jurisdictional Analysis*, 68 N.C.L. REV. 423 (1990)

Dane S. Ciolino, Casenote, *Lafleur v. John Deere Co.: Recovery of Nonpecuniary Damages in Redhibitory Actions*, 61 TUL. L. REV. 704 (1987)

**TEACHING**

*Law School: Principal Courses*

The Legal Profession, Trial Advocacy, Contracts, Criminal Law & Procedure,

*Law School: Other Courses*

Business Organizations I & II, Contracts I & II, Common Law Contracts for Civil Law Students, Computer Law, Copyright Law, Criminal Law Clinic, Criminal Law Seminar, Constitutional Criminal Procedure, Civil Law of Persons, Civil Law of Community Property, Civil Law of Property, Introduction to Law and Legal Methods, Legal Ethics Seminar, International Copyright Law, Law & Poverty, Professional Seminar in Practical Lawyering, Professional Seminar in Storytelling

*Bar Review*

Instructor, BAR/BRI Bar Review Course (legal ethics and professional responsibility law), 2006-present

Instructor, BAR/BRI Louisiana Bar Review Course (criminal law, evidence and criminal procedure), 2005-present

Instructor, BAR/BRI Louisiana Bar Review Course (Louisiana property law, family law, community-property law), 1995-2005

Instructor, LSU Law Center Bar Review Course (Louisiana family law), 1999-2002

**COMMUNITY SERVICE**

Member, Louisiana State Bar Association Board of Governors, 2007-present

Board Member, Orleans Parish Indigent Defender Program, 2006-2007

Reporter, Louisiana State Bar Association Ethics 2000 Committee, 1999-2004

Reporter, Louisiana State Law Institute Emancipation Committee, 2004-2008

Reporter, Louisiana State Law Institute Tutorship Procedure Committee, 2000-present

Reporter, Louisiana State Law Institute Interdiction Committee, 1996-2002

Member, Louisiana Supreme Court Committee on the Prevention of Lawyer Misconduct, 1999-2003

Member, American Law Institute, 2003-present

Member, Louisiana State Law Institute Criminal Law Committee, 2006-present

Interim Host, *It's the Law*, Cox Cable Television New Orleans and Jefferson, December 1999-2000

Louisiana State Bar Association, Ethics Advisory Committee  
Member, 2000-2003  
Reporter, 1997-2000

Council Member, Louisiana State Law Institute, 1997-2000

Louisiana Attorney Disciplinary Board  
Hearing Committee Member, 1998-1999  
Hearing Committee Chairperson, 1999-2003

Board Member, Louisiana Organization for Judicial Excellence, 2004-present

Instructor, Louisiana State Bar Association Diversionary Ethics School, 1999-present

Member, Louisiana State Bar Association Codes of Conduct Committee, 1998-present

Member, Louisiana State Bar Association Professionalism Committee, 1997-present

Louisiana Supreme Court Bar Admissions Advisory Committee  
Member, 1997-1999  
Chairperson, 1999-2001

Director, Pro Bono Criminal Law for Civil Lawyers (two-day CLE seminar training civil lawyers to undertake pro bono criminal cases), 1995-2002

Advisory Editor, *Tulane Law Review*, 1993-present

Member, Board of Directors, Louisiana Capital Assistance Center (public-interest organization defending capital cases for indigent clients), 1996-2006

Appointed Counsel, Orleans Parish Criminal District Court (pro bono representation of indigent defendants in first- and second-degree murder prosecutions), 1991-present.

Member, Federal Criminal Justice Act Panel, Eastern District of Louisiana (panel of attorneys accepting appointments to represent indigent defendants in federal prosecutions), 1991-present

Evaluator, American Bar Association, Central European Law Initiative, March 1999 (evaluated code of legal ethics for the Republic of Armenia)

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**LOYOLA UNIVERSITY AND LAW SCHOOL SERVICE**

Faculty Advisor, *Loyola Law School Honor Board*, 2002-present

Faculty Advisor, *Loyola Law Review*, 1997-2003, 2006

Faculty Advisor, *Order of the Barristers*, 1998-2003

Faculty Advisor, *Loyola Intellectual Property Law Quarterly*, 1996-2002

Faculty Advisor, *Loyola ATLA Chapter*, 1997-2002

Law School Representative, Loyola University Senate, 1997-1999

Loyola Law School Dean Search Committee

Chairperson, 2001-2002

Member, 2000-2001

Chairperson, Loyola Law School Law Clinic Committee, 2005-2007

Chairperson, Loyola Law School Faculty Unification Committee, 2004

Chairperson, Loyola Law School Library Director Search Committee, 2000-2001

Member, Loyola Law School By-Laws Committee, 2000-2001

Member, Loyola Law School Pre-Admissions Committee, 1998-1999

Member, Loyola Law School Tenure Guidelines Committee, 1998-1999

Member, Loyola Law School Library Committee, 1997-1998

Member, Loyola Law School Skills Committee, 1997-1998

Member, Loyola Law School Curriculum Committee, 1996-1997

Member, Loyola Law School Admissions Committee, 1996-1997

Member, Loyola Law School Student Recruitment and Career Services Committee, 1995-1996

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**COMMUNITY HONORS**

Recipient, Camille Gravelle Pro Bono Award, Federal Bar Association, New Orleans Chapter, 2007

Lawdragon 3000 (list of top American lawyers), 2006

Recipient, *Gambit Magazine*, Forty-Under-Forty Award, 2002

Recipient, Louisiana State Bar Association, President's Award, 2001

Recipient, *City Business Magazine*, Power Generation Award, 2000

Recipient, Gillis Long Poverty Law Center Public Service Award, 1997

**EXPERT WITNESS TESTIMONY<sup>1</sup>**

*Active Solutions, L.L.C. v. Dell, Inc.*, No. 2007-3665, Civil District Court for the Parish of Orleans, State of Louisiana

*Adler v. Doyle (In re Woven Treasures, L.L.C.)*, 69 180 M 01493 07, American Arbitration Association

*AmCareco, Inc. v. Luck singer*, No. 499,737, Nineteenth Judicial District Court for the Parish of East Baton Rouge, State of Louisiana

*Adamson v. Bailey*, No. 493,309, First Judicial District Court, Parish of Caddo, State of Louisiana

*American Income Life Ins. Co. v. Nicholas Matthew Nitkowski et al.*, Civ. No. 05-2228(I-3), United States District Court Eastern District of Louisiana

*Barton v. Butler*, No. 515,473, Nineteenth Judicial District Court for the Parish of East Baton Rouge, State of Louisiana

*Belle Terre Lakes Home Owners Assoc. v. Patricia McGovern*, No. 41922, Fortieth Judicial District Court for the Parish of St. John the Baptist, State of Louisiana

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<sup>1</sup>All matters in which Dane S. Ciolino has provided a public expert report, affidavit, deposition testimony or trial testimony.

*Bertucci v. Lafayette Ins. Co.*, No. 01-0608, Civil District Court for the Parish of Orleans, State of Louisiana

*Beevers and Beevers, LLP v. Sirgo*, No. 624-259 “B,” Twenty-Fourth Judicial District Court for the Parish of Jefferson, State of Louisiana

*Boudoin v. St. John the Baptist Parish School Bd.*, No. 2004-08242, Office of Workers’ Compensation, State of Louisiana

*Bowes v. Clean Scene Servs., L.L.C.*, No. 661-147, Twenty-Fourth Judicial District Court for the Parish of Jefferson, State of Louisiana

*Campbell v. City of New Orleans*, No. 98-18633, Civil District Court for the Parish of Orleans, State of Louisiana

*Chalmette Payment Processing, L.L.C. v. Munson*, Civ. No. 03-1060, United States District Court for the Eastern District of Louisiana

*Chevron U.S.A., Inc. v. State of Louisiana, Louisiana State Mineral Bd. and Louisiana Dept. of Natural Resources*, No. 93,658, Seventeenth Judicial District Court for the Parish of Lafourche, State of Louisiana

*Childress v. Childress*, No. 488-388, Twenty-Fourth Judicial District Court for the Parish of Jefferson, State of Louisiana

*Domingue v. Salomon Smith Barney, Inc. & Coughlin*, No. 01-03076, NASD Dispute Resolution Arbitration, New Orleans, Louisiana

*Dougherty v. Haag*, No. 05-06993, Superior Court for the County of Orange, State of California

*Doyle v. ICNA*, Civil District Court for the Parish of Orleans, State of Louisiana

*Edmonds v. Williamson*, No. 2002-CV-42-R, Circuit Court of Kemper County, State of Mississippi

*Felham Enterprises (Cayman) Ltd. v. Certain Underwriters at Lloyd’s, London Companies, Zurich American Ins. Co., Marine Office of Am. Corp. & Trinity Yachts, Inc.*, No. 02-3588, United States District Court for the Eastern District of Louisiana

*Foley & Lardner, LLP v. Kenneth G. Daniels, LLC*, Adv. No. 05-01003, United States Bankruptcy Court for the Middle District of Louisiana

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*Forbes v. St. Martin*, Civ. Action No. C2401 01 1745(2), Chancery Court, First Judicial District Court, Harrison County, Mississippi

*Forbis v. Int'l Health Care Properties, X, Ltd.*, 97-CI-03198, Jefferson Circuit Court, State of Kentucky

*Gill v. Becnel*, No. G2001-1199 R/1, Chancery Court for the First Judicial District, Hinds County, State of Mississippi

*Glynn v. Sylvester*, No. 228080, Ninth Judicial District Court for the Parish of Rapides, State of Louisiana

*Haynes v. Williamson*, No. 3:05cv186-HTW-JCS, United States District Court for the Southern District of Mississippi, Jackson Division

*Hebert v. Avery*, No. 2001-16561, Civil District Court for the Parish of Orleans, State of Louisiana

*Hunter & Blazier v. Logan*, No. 2007-1873, Fourteenth Judicial District Court, Parish of Calcasieu, State of Louisiana

*In re American International Refinery, Inc.*, No. 04-21331, United States Bankruptcy Court, Western District of Louisiana, Lake Charles Division

*In re Petition to Accord Immigrant Classification to Timothy Gray Cameron, Esq., as an Alien of Extraordinary Ability*, United States Department of Homeland Security, United States Citizenship and Immigration Services

*In re Confidential Respondents*, 04-DB-005, Louisiana Attorney Disciplinary Board

*In re Succession of Marion Roberts*, No. 96-2904(F), Civil District Court for the Parish of Orleans, State of Louisiana

*In re Zyprexa Products Liability Litigation*, MDL No. 1596, United States District Court for the Eastern District of New York

*Leon v. Wilson*, No. 96-14608(F), Civil District Court for the Parish of Orleans, State of Louisiana

*Liberty Mutual Ins. Co. v. Jotun Paints, Inc. & Jotun, Inc.*, Civ. Action No. 07-3114, United States District Court for the Eastern District of Louisiana

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*Logan v. Hit or Miss, L.L.C.*, Civil Action No. 6:07-CV-1116 LO, United District Court for the Western District of Louisiana

*Louisiana State Bar Association v. Carr and Associates, Inc.*, No. 2006-14440, Twenty-Second Judicial District Court for the Parish of St. Tammany, State of Louisiana

*Oliver v. Orleans Parish School Board*, No. 2005-12244 (N), Civil District Court, Parish of Orleans, State of Louisiana

*Oreck Direct, LLC v. Dyson, Inc.*, Civ. Action No. 07-2744, United District Court for the Eastern District of Louisiana

*Read v. Read*, No. 2000-15283(E), Twenty-Second Judicial District Court for the Parish of St. Tammany, State of Louisiana

*Reuther v. Smith*, No. 2001-18124, Civil District Court for the Parish of Orleans, State of Louisiana

*Spahr, v. Dallam*, No. 98-5840, Civil District Court for the Parish of Orleans, State of Louisiana

*Southern Scrap Material Co., L.L.C. v. Fleming*, Civ. No. 01-2544, United States District Court for the Eastern District of Louisiana

*Stanley v. Trinchard*, Civ. No. 02-1235, United States District Court for the Eastern District of Louisiana

*State of Louisiana v. Khristopher Kyzar*, No. 11-05-0461, Nineteenth Judicial District Court for the Parish of East Baton Rouge, State of Louisiana

*State of Louisiana v. Robert "Bob" Odom*, No. 08-02-547, Nineteenth Judicial District Court for the Parish of East Baton Rouge, State of Louisiana

*State of Louisiana v. Ricky Langley*, No. 10258-02, Fourteenth Judicial District Court for the Parish of Calcasieu, State of Louisiana

*State of Louisiana v. Terryance Russel*, No. 375-503, Criminal District Court for the Parish of Orleans, State of Louisiana

*State of Louisiana v. Robert Wilkins*, No. 04- 19337, 14th Judicial District Court for the Parish of Calcasieu, State of Louisiana

*Sturlese v. J.B. Jones, Jr.*, No. 10-16390, Thirty-Eighth Judicial District Court, Parish of Cameron, State of Louisiana

*Succession of Marguerite Nell Riggs Griffin*, No. 646-584, Twenty-Fourth Judicial District Court, Parish of Jefferson, State of Louisiana

*Tessier v. Moffatt*, No. 98-CV-00116, United States District Court for the Eastern District of Louisiana

*Waggoner v. Williamson*, No. 03-KV-0151-J, Circuit Court of Adams County, State of Mississippi

*Waste Management of Louisiana, L.L.C. v. Penn-America Insurance Co.*, No. 2006-2452, Fourteenth Judicial District Court for the Parish of Calcasieu, State of Louisiana

*Williams v. Williamson*, No. 4:03-CV-88LN, United States District Court for the Southern District of Mississippi

*Washington v. Williamson*, No. 251-05-112 CIV, Circuit Court of Hinds County, State of Mississippi

*United States v. Edwin Edwards*, Crim. No. 98-165-B-M2, United States District Court for the Middle District of Louisiana

*United States ex rel. William St. John LaCorte v. Merck & Co., Inc.*, No. 99-03807, United States District Court for the Eastern District of Louisiana

## **OTHER**

### *Personal*

Age 45

Married to Wendy Dehan Ciolino

Three Children: Hale (17), Price (15) & Camille (10)

### *Bar Admissions*

Supreme Court of the United States

State of Louisiana

State of New York

United States Court of Appeals for the Fifth Circuit Court  
United States District Court for the Eastern District of Louisiana (New Orleans)  
United States District Court for Western District of Louisiana (Shreveport)  
United States District Court for the Southern District of New York (New York City)

*Dated:* May 22, 2009