

ALEXANDER I. PLATT

Associate Professor

University of Kansas School of Law

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ACADEMIC APPOINTMENTS

University of Kansas School of Law, Lawrence, KS

Associate Professor of Law, 2020 – present

Earl B. Shurtz Research Professor of Law

Director, Polsinelli Transactional Law Center

Courses: Securities Regulation; Business Associations; Contracts

Honors: Graduation Marshall (2023) (voted by 3L class)

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

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

Rethinking the IPO Bureaucracy (working paper)

Registration as Consent: Patching Jarkesy’s Hole in SEC Enforcement, 100 NOTRE DAME L. REV. REFLECTIONS (forthcoming 2024)

The Shortseller Enrichment Commission?: Whistleblowers, Activist Short Sellers, and the New Privatization of Public Enforcement, 99 WASH. L. REV. (forthcoming 2024).

The Administrative Origins of Mandatory Disclosure, 49 J. CORP. L. (forthcoming 2024)

(More) Legal Guardrails for a Unicorn Crackdown, 98 N.Y.U. L. REV. ONLINE 359 (2023)

The Whistleblower Industrial Complex, 40 YALE J. REG. 688 (2023) (reprinted at 2024 SEC. L. REV. §6.1)

Going Dark(er): The SEC Whistleblower Program’s Least Transparent Annual Report in Agency History, 2023 U. ILL. L. REV. ONLINE 66 (2023)

Unicorniphobia, 13 HARV. BUS. L. REV. 116 (2023)

Beyond “Market Transparency”: Investor Disclosure and Corporate Governance, 74 STAN. L. REV. 1393 (2022)

Legal Guardrails for a Unicorn Crackdown, 120 MICH. L. REV. ONLINE 89 (2022)
The Non-Revolving 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)

CLERKSHIPS

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

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

ACADEMIC PRESENTATIONS AND CONFERENCES

“Rethinking the IPO Bureaucracy”

Institute for Law & Economic Policy Symposium, Yountville, CA (Nov. 2024)

Midwestern Law & Economics Association, KU Law (Sept. 2024)

Law & Entrepreneurship Association, UC Law SF (Sept. 2024)

“Registration as Consent: Patching the *Jarkesy* Hole in SEC Enforcement”

Faculty Colloquium, Nebraska Law (Mar. 2024)

Faculty Workshop, KU Law (Feb. 2024)

“The Shortseller Enrichment Commission”

American Law & Economics Association, Michigan Law (May 2024)

Winter Deals, BYU Law (Mar. 2024)

Corporate Governance Seminar, UMKC Law (February 2024)
New Voices in Securities Regulation, AALS (Jan. 2024)
Midwestern Law & Economics Association, Indiana Maurer Law (Oct. 2023)
Corporate & Securities Litigation Workshop, Vanderbilt Law (Sept. 2023)
Faculty Workshop, KU Law (Sept. 2023)

“The Lost History of Mandatory Disclosure”

How the New Deal Was Run, Vanderbilt Law/History Conference (April 2024)
American Law & Economics Association, BU Law (June 2023)
Faculty Workshop, UC Law SF (Apr. 2023)
Law & Business Workshop, Vanderbilt Law (Apr. 2023)
Faculty Workshop, Michigan State Law (Apr. 2023)
Winter Deals, BYU Law (Mar 2023)
Advanced Securities Regulation Seminar, Wash U Law (Mar 2023)
National Business Law Scholars Conference, U. Oklahoma Law (June 2022)
Faculty Workshop, KU Law (May 2022)

“The Whistleblower Industrial Complex”

Corporate Governance Seminar, Michigan Law (Mar. 2023)
New Voices in Business Law, AALS 2023 (Jan. 2023)
Midwestern Law & Economics Association, U Chicago Law (Oct. 2022)
Chicagoland Junior Scholars Conference, Loyola Chicago Law (Sept. 2022)
Corporate & Securities Litigation Workshop, U Ill. Law (Chicago) (Sept. 2022)

Plenary Panel: “The JOBS Act at 10,” National Business Law Scholars Conference, Oklahoma College of Law (June 2022)

“Unicorniphobia”

Midwestern Law & Economics Association, BYU Law (Oct. 2021)
Chicagoland Junior Scholars Workshop, Loyola Chicago Law (Oct. 2021)
Law & Society Ass’n, Corporate & Securities Online Workshop (Sept. 2021)
Faculty Workshop, Drake Law (Sept. 2021)
Central States Law Schools Association, Washburn Law (Sept. 2021)
National Business Law Scholars Conference, U Tennessee Law (Jun. 2021)

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

Winter Deals, BYU Law (Mar. 2022)
Emerging Voices in Securities Regulation, AALS (Jan. 2022)

Works-in-Progress in Business Associations, AALS (Jan. 2022)
Corporate Law Academic Workshop Series (“CLAWS”) (Nov. 2021)
Rocky Mountain Junior Scholars, BYU Law (Nov. 2021)
Midwestern Law & Economics Association, BYU Law (Oct. 2021)
Central States Law Schools Association, Washburn Law (Sept. 2021)
Finance Seminar, KU School of Business (Sept. 2021)
National Business Scholars Conference, U Tennessee Law (Jun. 2021)
Financial Regulation Conference, Wharton (Apr. 2021)
Faculty Colloquium, U Nebraska Law (Apr. 2021)
Faculty Workshop, KU Law (Feb. 2021)

“Is Administrative Summary Judgment Unlawful?”

Emerging Voices in Administrative Law, AALS (Jan. 2021)
Civil Procedure Workshop, Northwestern Law (Oct. 2020)

“The Non-Revolver Door”

Emerging Voices in Business Law, AALS (January 2021)
Emerging Voices in Securities Regulation, AALS (January 2021)
Faculty Workshop, U Oregon Law (Oct. 2020)
Corporate & Securities Litigation Workshop (July 2020)
National Business Law Scholars Conference, U Tennessee Law (June 2020)
Junior Scholars Conference, Michigan Law (Apr. 2020)
Corporate Law Fellows Workshop, Harvard Law (Feb. 2020)

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

New Voices in Administrative Law, AALS (Jan. 2020)
Corporate Law Faculty Workshop, Harvard Law (Nov. 2019)

“Index Fund Enforcement”

Corporate Governance Seminar, Arkansas Law (Apr. 2022)
Corporate Governance Seminar, Richmond Law (Feb. 2020)
Corporate & Securities Litigation Workshop, BU Law (Sept. 2019)
Southeastern Association of Law Schools (Jul. 2019)
National Business Law Scholars Conference, Berkeley Law (Jun. 2019)
Junior Faculty Workshop, Richmond Law (May 2019)
Corporate Law Faculty Workshop, Harvard Law (Apr. 2019)
Corporate Law Fellows Workshop, Harvard Law (Apr. 2019)

ClimenkoFest, Harvard Law (Mar. 2019)

“SEC Administrative Proceedings: Backlash and Reform”

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

OTHER SELECTED WRITINGS

How the SEC Can Evade Jarkesy’s Impact, CLS BLUE SKY BLOG (Apr. 16, 2024)

The Shortseller Enrichment Commission?: Whistleblowers, Activist Short Sellers, and the New Privatization of Public Enforcement, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE (Apr. 15, 2024)

Registration as Consent: Patching Jarkesy’s Hole in SEC Enforcement, YALE JOURNAL ON REGULATION: NOTICE AND COMMENT BLOG (Mar. 20, 2024)

The Administrative Origins of Mandatory Disclosure, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE (Oct. 4, 2023)

Was the Exchange Act Redundant? The Questionable Legality of an SEC Commissioner’s Unicorn Reform Proposal, CLS BLUE SKY BLOG (May 11, 2023)

What is the SEC Hiding?, CLS BLUE SKY BLOG (Feb. 8, 2023)

The Whistleblower Industrial Complex, CLS BLUE SKY BLOG (Aug. 4, 2022)

Legal Guardrails for a Unicorn Crackdown, CLS BLUE SKY BLOG (Feb. 17, 2022)

Regulating in the Shadow of Theranos, YALE JOURNAL ON REGULATION: NOTICE & COMMENT BLOG (Dec. 11, 2021)

Unicorniphobia, CLS BLUE SKY BLOG (Sept. 20, 2021)

Beyond “Market Transparency”: Investor Disclosure and Corporate Governance, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE (Sept. 14, 2021)

The Legal World Needs to Shed Its Unicorniphobia, TECHCRUNCH (Sept. 11, 2011)

Symposium on “Is Administrative Summary Judgment Unlawful,” YALE JOURNAL ON REGULATION NOTICE & COMMENT BLOG (Feb.-Mar. 2021)

The Non-Revolving Door Between the SEC and the Plaintiffs’ Bar, PROMARKET (Jan. 4, 2021)

Accidents Happen in Economic Firefighting. That’s Why We Need Accountability. BARRON’S (Dec. 9, 2020) (with David Zaring)

Beyond “Going Dark:” The SEC’s 13F Proposal And Hedge Fund Activism, THE CLS BLUE SKY BLOG (Nov. 4, 2020)

Comment Letter on SEC Proposal To Change Reporting Threshold for Institutional Investors, File No. S7-08-20 (Sept. 28, 2020) (with Urska Velikonja)

Brief of Amici Curiae Scholars in Support of Patrick Collins, Collins v. Mnuchin, 19-422 & 19-563 (U.S. filed Sept. 23, 2020) (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)

The SEC and 'Piggyback' Securities Litigation, CLS BLUE SKY BLOG (Mar. 2, 2020)

Index Fund Enforcement, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE (Aug. 28, 2019)

MEDIA COVERAGE OF RESEARCH

Michelle Celarier, *Activist Short Sellers are the SEC's Biggest Whistleblowers*, INSTITUTIONAL INVESTOR (May 7, 2024)

Jessica Corso, *SEC Urged To Rethink Whistleblower Awards To Short-Sellers*, LAW360 (Apr. 17, 2024)

Matt Levine, *Trump Media Has More Stock Coming*, MONEY STUFF (BLOOMBERG) (Apr. 16, 2024)

Sri Medicherla, *Uncovering Private Lawyers' Role in Whistleblower Programs*, REGULATORY REVIEW (Jan. 17, 2024)

Rob Lenihan, *Wall Street Heavyweight to Pay Out Millions Over Whistleblower Violation*, THESTREET (Jan. 16, 2024)

Rian Winget, *Is the SEC Hiding in Plain Sight?*, REGULATORY REVIEW (Nov. 28, 2023)

Matt Levine, *Hackers Know Everything is Securities Fraud*, MONEY STUFF (BLOOMBERG) (Nov. 16, 2023)

Austin Weinstein, *Carson Block, Nate Anderson Become SEC Tipsters for Cash Payouts*, BLOOMBERG (Nov. 15, 2023)

Lora Kolodny, *Tesla Whistleblowers Filed Complaint to the SEC in 2021, but the Agency Never Interviewed Them*, CNBC (Oct. 12, 2023)

Mengqi Sun, *SEC's Whistleblower Chief Manages Growing Pains as Program Gains Popularity*, WALL ST. J. (Aug. 14, 2023)

Alexander Platt on the Whistleblower Industrial Complex, CORPORATE CRIME REPORTER (Jun. 12, 2023)

Why has America's financial regulator paid out more than \$1bn to tipsters?, THE ECONOMIST (May 8, 2023)

SEC Awards Largest Whistleblower Payout, MOTLEY FOOL (May 7, 2023)

Jim Tyson, *Bipartisan Senate Bill Would Bolster SEC Whistleblower Safeguards*, CFO DIVE (Mar. 17, 2023)

Mengqi Sun, *Former SEC Commissioner Allison Herren Lee Joins Whistleblower Law Firm*, WALL ST. J. (Mar. 9, 2023)

Nick Muscavage, *'Trove of Money to be Realized' – SEC Enacts Monumental Whistleblower Changes*, AGENDA (Sept. 23, 2022)

Nicole Veru, *Unicorniphobia*, MAYER BROWN: FREE WRITINGS & PERSPECTIVES BLOG (Sept. 13, 2022)

Andrew Goudsward, *Compliance Hot Spots: SEC Whistleblower Program's 'Preferred Attorneys'*, LAW.COM (Aug. 31, 2022)

Richard Satran, *SEC Reverses Curbs Prior Agency Leadership Placed on Whistleblower Awards*, THOMSON REUTERS REGULATORY INTELLIGENCE (Aug. 30, 2022)

John Holland, *SEC Commissioner Calls for Less Secrecy in Whistleblower Awards*, BLOOMBERG (Aug. 26, 2022)

Mengqi Sun, *SEC Whistleblower Awards Program Might Have A Revolving Door Program, Study Says*, WALL ST. J. (Aug. 25, 2022)

Matt Levine, *Some Free Brokers are Cheaper Than Others*, MONEY STUFF (BLOOMBERG) (Aug. 25, 2022)

Jack Newsham, *Short Seller Carson Block's Former Research Partner Has Filed A New Lawsuit Ripping the SEC's Whistleblower Team as "Hopelessly Incoherent." Here's Why He's Mad*, INSIDER (Aug. 23, 2022).

Jennifer Sor, *The SEC Has Paid Over \$1 billion to whistleblowers since 2012. But a new study says the agency has outsourced the job to high-priced law firms that may discourage more tipsters from coming forward.*, BUSINESS INSIDER (Aug. 13, 2022)

Tim Carpenter, *KU professor urges greater federal transparency, oversight of corporate whistleblower programs*, KANSAS REFLECTOR (Aug. 12, 2022)

John Holland, *SEC Tip Line Was Meant To Stop Another Madoff. Is it working?*, BLOOMBERG (Jul. 26, 2022)

Avalon Zoppo, *Showing Off or Making a Point? Spate of Self-Concurrences Catch Eye of Legal Community*, NATIONAL LAW JOURNAL (Jul. 21, 2022)

Peter Feltman, *McHenry urges House appropriators to resist private company disclosure rule*, CQ ROLL CALL (Mar. 7, 2022)

Mark Stricherz, *Courts would nix SEC plan to make 'unicorns' public, Kansas law prof says*, CQ ROLL CALL (Feb. 28, 2022)

Matt Levine, *Bribery Won't Make You A Hero*, MONEY STUFF (BLOOMBERG) (Feb. 17, 2022)

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

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)

Alicia McElhaney, *How 13Fs Detract From Competition and Help Companies Win Activist Campaigns*, INSTITUTIONAL INVESTOR (Sept. 20, 2021)

Jennifer Williams-Alvarez, *SEC Settlements and Private Litigation*, AGENDA (Jan. 19, 2021)

Carl Ayers, *SEC Attorneys And The Revolving Door*, REGULATORY COMPLIANCE WATCH (Nov. 19, 2020)

Anna Monteiro, *SEC 13F Threshold May Be Down But Not Yet Dead*, FINEXTRA (Nov. 18, 2020)

Alicia McElhaney, *Why The SEC May Have Scrapped Its Controversial 13F Proposal*, INSTITUTIONAL INVESTOR (Oct. 30, 2020)

Lara Crigger, *Impact of SEC's 13F Change Murky*, ETF.COM (Sept. 28, 2020)

Lara Crigger, *Legal Questions Circle SEC's 13F Plan*, ETF.COM (Sept. 10, 2020)

Christine Idzelis, *How These Companies Got Back In State Street's Good Graces*, INSTITUTIONAL INVESTOR (Sept. 5, 2019)

Christine Idzelis, *Index Fund Giants Play Overlooked Role as Corporate Cops*, INSTITUTIONAL INVESTOR (Sept. 3, 2019)

T.E., *Who Has The Right To Judge Americans?*, THE ECONOMIST (May 2018)

PODCASTS AND VIDEO INTERVIEWS

The Short Seller Enrichment Commission: Alex Platt Discusses His Latest SEC Whistleblower Research, PRACTISING LAW INSTITUTE: INSECURITIES PODCAST (May 2024)

ABA VC Law Podcast: Episode 20, *A Discussion of the SEC's Proposed Disclosure Rules for Private Companies* (Oct. 25, 2023)

PAUL HASTINGS: SEC ROUNDUP EPISODE 30, *Alex Platt Describes SEC Whistleblower Program's Lack of Transparency* (Aug. 18, 2022)

Has SEC Tips Program Stopped Next Madoff? No One Knows, ON THE MERITS: BLOOMBERG LAW PODCAST (Jul. 26, 2022)

Legal Guardrails for a Unicorn Crackdown with Alexander Platt, THE VOICE OF CORPORATE GOVERNANCE (COUNCIL OF INSTITUTIONAL INVESTORS) (Apr. 14, 2022)

Alexander Platt on Section 13(f) and Corporate Governance, BUSINESS SCHOLARSHIP PODCAST (Mar. 31, 2022)

Panel on Unicorns, BUSINESS SCHOLARSHIP PODCAST (Nov. 4, 2021)

Alex Platt on SEC Enforcement, IPSE DIXIT PODCAST (June 5, 2020)

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

OTHER MEDIA COMMENTARY

Matt Peterson, *Who is Buying DJT Stock? It's a Mystery*, BARRON'S (Apr. 10, 2024)

Maia Spoto, *Activision Discrimination Deal Arms it Against New Wave of Suits*, BLOOMBERG LAW (Jan. 12, 2024)

Kate Riga, *How The Fifth Circuit Used An SEC Case To Declare Open Season On The Administrative State*, TPM (May 21, 2022)

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

LEGAL SCHOLARSHIP BLOGS

Dan Ernst, *Platt on Baldwin Bane and the Securities Act of 1933*, LEGAL HISTORY BLOG (Sept. 19, 2023)

Michael Asimow, James Tierney, Louis Virelli, Kent Barnett, *Symposium on "Is Administrative Summary Judgment Unlawful?"*, YALE JOURNAL ON REGULATION: NOTICE AND COMMENT BLOG (Mar. 2021)

Michael Heise, *Evidence of a "Non-Revolving" Door*, EMPIRICAL LEGAL STUDIES BLOG (Sept. 24, 2020)

Download of the Week: "Is Administrative Summary Judgment Unlawful?" by Platt, LEGAL THEORY BLOG (Sept. 12, 2020)

Benjamin P. Edwards, *Gatekeeping in the Dark*, BUSINESS LAW PROF BLOG (Jun. 4, 2020)

Adam Steinman, *Platt on Administrative Summary Judgment*, CIVIL PROCEDURE & FEDERAL COURTS BLOG (Apr. 27, 2017)

SERVICE

Director, Polsinelli Transactional Law Center (Jan. 2023-Present)

Committees: Faculty Hiring (2024); Library (2023-24); Speakers (2020-present)

Mock Class Instructor (Orientation 2024 & Admitted Students Day 2023, 2024)

Co-Organizer, Midwestern Law & Economics Association Conference (Fall 2024)

Faculty Advisor, Jewish Legal Society (2023-present)

Core Faculty, Professional Identity Formation (2023-present)

BAR ADMISSIONS

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

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