

Curriculum Vitae

Allan Ides

*4824 Ray Court
Los Angeles, CA 90041
(323) 255-5583*

Primary Subject Areas: Civil Procedure; Constitutional Law; Federal Courts

Academic Employment

Christopher N. May Professor of Law, Loyola Law School, Los Angeles (2008-Present)

James P. Bradley Professor of Constitutional Law, Loyola Law School, Los Angeles (2006-2008)

Professor of Law, Loyola Law School, Los Angeles (1998 - 2006)

Honors & Awards:

Professor of the Year 2009-2010, Selected by Students of the Day Division

Professor of the Year 2007, ACLU Foundation of Southern California

Saint Thomas More Medallion (2004) (For Outstanding Moral, Intellectual and Professional Contributions to the Law and Society)

Visiting Professor of Law, USC (Fall 2011)

Visiting Professor of Law, UCLA (Fall 2007)

Guest Lecturer, University of Granada, Spain (May 2006)

Visiting Professor of Law, Washington and Lee University (Spring 2003)

Visiting Professor of Law, Duke University School of Law (Spring 2001)

Visiting Professor of Law, Loyola Law School, Los Angeles (1997-1998)

Professor of Law, Washington and Lee University (1990-1998)

Honors & Awards:

Outstanding Professor, As Chosen by the First Year Class, Washington and Lee University (1991-1992); Ring-tum Phi Award, Outstanding Service to the Washington and Lee Community (1992); Professor of the Year, As Chosen by Phi Alpha Delta, Washington and Lee University (1990-1991); Outstanding Professor, As Chosen by the Second and Third Year Classes, Washington and Lee University (1990-1991).

Visiting Professor of Law, Washington and Lee University (1989-1990)

Professor of Law, Loyola Law School (1985-1990)

Honors & Awards: *Rev. Richard Vachon Distinguished Service Award (1989)*

Associate Professor of Law, Loyola Law School (1982-1985)

Associate Dean, Loyola Law School (1984-1987)

Judicial Clerkships

Hon. Byron R. White, Associate Justice, Supreme Court of the United States (1980-1981)

Hon. Clement F. Haynsworth, Jr., Chief Judge of the Fourth Circuit Court of Appeals (1979-1980)

Other Legal Employment

Associate - Hufstedler, Miller, Carlson & Beardsley (1981-1982)

Education

Loyola Law School - Juris Doctor, June 1979, Summa Cum Laude; Grade Point Average: 92.53; Class Standing: 2d of 375

Honors: Editor-in-Chief, Loyola Law Review; American Jurisprudence Prizes in Constitutional Law, Criminal Procedure, Future Interests, Property, Secured Transactions in Personal Property; Full Tuition Scholarship; Dean's List (Three Years); St. Thomas More Honor Society; Alpha Sigma Nu (National Jesuit Honor Society); George Elmendorf Memorial Award for Excellence in Real Property; Prentice-Hall Award for Excellence in Federal Income Tax; William Matthew Byrne Award for Excellence in Federal Courts; West Publishing Company Award for Superior Proficiency in the Study of Law; American Society of Writers on Legal Subjects Award for Outstanding Achievement in Legal Research, Writing and Editing

University of Southern California - 1973-1974, Doctoral studies in Communication

Loyola University of Los Angeles - 1971-1973, Master of Arts in Communications (March 1973)

University of California at Los Angeles - 1967-1971, Bachelor of Arts in History (March 1971)

Books

Constitutional Law: National Power and Federalism 8th ed. (with Christopher N. May & Simona Gross) (Aspen 2019)

Constitutional Law: Individual Rights 8th ed. (with Christopher N. May & Simona Grossi) (Aspen 2019)

Civil Procedure: Cases and Problems 5th ed. (with Christopher N. May and Simona Grossi) (Aspen 2016)

Civil Procedure: Rules, Statutes, and Cases (with Christopher N. May and Simona Grossi) (Aspen 2021)

Civil Procedure: Essay and Multiple-Choice Questions and Answers (Aspen 2012)

Scholarly Publications

Agents of Democracy: Courts for the People (forthcoming)

The Constitutional Bedrock of Due Process, 43 Harv. J.L. & Pub. Policy 67 (2020)

The Modern Law of Class Actions (with Simona Grossi), 98 Or. L. Rev. 53 (2020).

Toward Transnational Standards of Judicial Decisionmaking (with Simona Grossi) (submitted to the International Association of Procedural Law Congress, September 2013)

The Purposeful Availment Trap, The Federal Courts Law Review (with Simona Grossi), 7 Federal Courts L. Rev. 118 (2013)

A Critical Appraisal of the Supreme Court's Decision in *J. McIntyre Machinery, Ltd. v. Nicaastro*, 45 Loy. L.A. L. Rev. 341 (2012)

The Standard for Measuring the Validity of a Federal Rule of Civil Procedure: The *Shady Grove* Debate between Justices Scalia and Stevens, 86 Notre Dame Law Review 1041 (2011)

Approximating Democracy: A Proposal for Proportional Representation in the California Legislature, 44 Loyola Law Review (2011)

Bell Atlantic and the Principle of Substantive Sufficiency Under Federal Rule of Civil Procedure 8(a)(2): Toward a Structured Approach to Federal Pleading Practice, 243 F.R.D. 604 (2007)

The Unilateral Executive, Los Angeles Lawyer, September 2006 (with Karl Manheim)

The Partial-Birth Abortion Ban Act of 2003 and the Commerce Clause, 20 Constitutional Commentary 441 (2004).

Tangled Up in *Brown*, 47 Howard Law Journal 3 (2003).

Habeas Standards of Review Under 28 U.S.C. § 2254(d)(1): A Commentary on Statutory

Text and Supreme Court Precedent, 60 Washington & Lee Law Review 677 (2003).

Federalism and the Ninth Amendment, Loyola Lawyer 81 (Fall 2003).

Economic Activity as a Proxy for Federalism: Intuition and Reason in *United States v. Morrison*, 18 Constitutional Commentary 563 (2002).

Judicial Supremacy and the Law of the Constitution, 47 UCLA. L.Rev. 491 (December 1999).

The Supreme Court and the Law to be Applied in Diversity Cases: A Critical Guide to the Development and Application of the Erie Doctrine and Related Problems, 163 F.R.D. 19 (1995).

Realism, Rationality and Justice Byron White: Three Easy Cases, 1994 Brigham Young Law Review 283.

The Text of the Free Exercise Clause as a Measure of *Employment Division v. Smith* and the Religious Freedom Restoration Act, 51 Washington & Lee Law Review 135 (1994).

The Jurisprudence of Justice Byron White, 103 Yale Law Journal 419 (1993).

The Curious Case of the Virginia Military Institute: An Essay on the Judicial Function, 50 Washington & Lee Law Review 35 (1993).

The Authority of a Federal District Court to Proceed after a Notice of Appeal has been Filed, 143 F.R.D. 307 (1992).

Bowers v. Hardwick: The Enigmatic Fifth Vote and the Reasonableness of Moral Certitude, 49 Washington & Lee Law Review 93 (1992).

The Jurisprudence of Wringing Hands, 48 Washington & Lee Law Review 419 (1991).

The American Democracy and Judicial Review, 33 Arizona Law Review 1 (1990).

The Congressional War Powers: A Theory in Search of a Practice, 12 Yale Journal of International Law 180 (1987).

Congressional Authority to Regulate the Use of Nuclear Weapons, 13 Hastings Constitutional Law Quarterly 33 (1986).

Congress, Constitutional Responsibility and the War Power, 17 Loyola Law Review 599 (1984).

Landlord Tenant Court in Los Angeles: Restructuring the Justice System, 11 Loyola Law Review 537 (1978) (with Hon. Irwin Nebron).

Encyclopedia & Book Contributions

Civil Procedure, chapter in The Journalist's Guide to American Law (2013)

Constitutional Law, chapter in Fa Xue Juan ("Jurisprudence") (China 2012)

Fundamental Interests, Encyclopedia of the Supreme Court (Macmillan Reference USA 2008)

Youngstown Sheet & Tube v. Sawyer, Encyclopedia of the Supreme Court (Macmillan Reference USA 2008)

Atomic Energy Commission, Encyclopedia of the American Presidency (Simon & Schuster, New York, 1993).

First Use of Nuclear Weapons, Encyclopedia of the American Presidency (Simon & Schuster, New York, 1993).

Manhattan Project, Encyclopedia of the American Presidency (Simon & Schuster, New York, 1993).

Nuclear Freeze, Encyclopedia of the American Presidency (Simon & Schuster, New York, 1993).

Nuclear Testing, Encyclopedia of the American Presidency (Simon & Schuster, New York, 1993).

Nuclear Weapons, Encyclopedia of the American Presidency (Simon & Schuster, New York, 1993).

Op-Ed Essays

Gorsuch Should Look Forward, Not Behind – (Daily Journal, April 7, 2017)

Do You Really Want an Originalist Justice – (Sacramento Bee, March 23, 2017)

That Delicate Balance (HuffPost October 30, 2016)

Power Struggle - (Los Angeles Daily Journal, June 17, 2009)

Shackling History - (Los Angeles Daily Journal, March 16, 2007)

Favoring Whites Won't Bring Racial Harmony - (Los Angeles Herald Examiner, February 5, 1989)

State Supreme Court is a Death-Penalty Mill - (Los Angeles Herald Examiner, September 25, 1988)

Is Reagan's Court Moving to the Center? - (Los Angeles Herald Examiner, July 10, 1988)

Listening in Won't End Gang Problem - (Los Angeles Herald Examiner, April 17, 1988)

Separation of Powers: More than a Turf War - (Los Angeles Herald Examiner, August 8, 1987)

Why Have a Constitution, Anyway? - (Los Angeles Herald Examiner, March 22, 1987)

A Lingering Constitutional Sore - (Los Angeles Herald Examiner, February 15, 1987)

The Death Penalty Subterfuge - (Los Angeles Herald Examiner, October 29, 1986)

Disorder in the Court - (Los Angeles Herald Examiner, October 12, 1986)

The Manner of Rehnquist's Mind - Legal Gamesmanship - (Los Angeles Herald Examiner, September 14, 1986)

Election of Federal Judges: Radical, Wrong - (Los Angeles Times, September 21, 1982)

Let a Holocaust Debunker Teach in High School? - (Los Angeles Times, April 5, 1982)

Case Commentaries – Emerging Issue Analysis (LexisNexis)

Pleading Standards and Propriety of Filing Rule 12(c) Motion after Discovery (October 10, 2012) (with Simona Grossi) <https://advance.lexis.com/GoToContentView?requestid=f976152b-104c-b941-2a7b-8df422a4c8d9&crd=33cbe1b7-f4d6-651a-52cb-c2c3ff7e818b>

Interpleader and Potential Tort Liability of Negligent Stakeholders (October 10, 2012) (with Simona Grossi) <https://advance.lexis.com/GoToContentView?requestid=c83484ef-daad-1fb4-823d-1e136faac881&crd=9569e8c6-3fd9-22e3-ead4-5869ca81892a>

Mootness and a Defendant's Post-Certiorari Cessation of Challenged Activity (November 29, 2012) (with Simona Grossi) <https://advance.lexis.com/GoToContentView?requestid=9b4b68ab-1a37-8fa1-35d8-9b6e2b7d2e79&crd=ff4b7120-af14-cf0e-5b5a-287c54f1f80b>

Aggregation and the Distinction between Separate and Distinct Claims (November 29, 2012) (with Simona Grossi) <https://advance.lexis.com/GoToContentView?requestid=e17c01d2-7464-3e3d-ac51-a81951e57a6a&crd=fa2f74bf-9b01-ee9d-4188-de7775e690e4>

Florida v. Powell (adequate and independent state grounds) – March 2010

Wong v. PartyGaming Ltd. (enforceability of forum selection clause) – March 2010

Narouz v. Charter Comm's (settlement of named class representatives claims and mootness) – April 2010

Carr v. Tillery (inherent power to impose sanctions for litigation misconduct) – April 2010

Dodson v. Univ. of Ark. (*Rooker-Feldman* doctrine and intersystem preclusion) – May 2010

Shady Grove v. Allstate (Rule 23 and the scope of the Rules Enabling Act) – May 2010

Salazar v. Buono (scope of certiorari jurisdiction and standing to enforce an injunction) – June 2010

Perry v. Schwarzenegger (writs of mandamus) – June 2010

Krupski v. Costa Crociere S.P.A (relation back under Rule 15(c)) – August 2010

Samantar v. Yousuf (individual immunity under the Foreign Sovereign Immunities Act) – August 2010

Price v. Wolford (intervention, realignment and supplemental jurisdiction) – September 2010

Ruston v. Town Board for Town of Skaneateles (plausibility pleading and class-of-one

equal protection claims) – September 2010

Arizona Christian School Tuition Organization v. Winn (state taxpayer standing) -

Pro Bono Work:

Pro-Bono representation of California inmate and juvenile offender Larry Rosser (habeas petition with the California Supreme Court & successful parole hearing) (2017)

Bristol-Myers Squibb v. Superior Court, No. 16-466 (Supreme Court) (counsel of record on amicus brief filed in the Supreme Court, April 2017)

Ziglar v. Abassi (counsel of record on amicus brief filed in the Supreme Court, February 2017)

Gonzalez v. Owens Corning (counsel of record on amicus brief filed in the Third Circuit, October 2016)

Pro Bono Representation of Southern California Institute of Law in Ninth Circuit Appeal, *Southern California Institute of Law v. Archie “Joe” Biggers*, 613 Fed.Appx. 665 (9th Cir. 2015)

Wood v. Moss (counsel of record on amicus brief filed in the Supreme Court, February 2014)

Kiobel v. Royal Dutch Petroleum Co. (counsel of record on amicus brief filed in the Supreme Court, June 2012)

Salazar v. Buono (United States Supreme Court 2009) (consulted with ACLU on respondent’s brief in a case involving the scope of certiorari review in the context of an Establishment Clause claim)

Ashcroft v. Iqbal (United States Supreme Court 2008) (amicus brief on behalf of Professors of Civil Procedure and Federal Practice) (with David Shapiro)

Burkin v. Serembe (Los Angeles Superior Court 2006-2007) (pro bono counsel in child custody proceeding)

Corrie v. Caterpillar (9th Circuit 2006) (amicus brief on behalf of Professors of Constitutional and International Law)

Trujillo v. City of Ontario & Bernhard v. City of Ontario (CD Cal. & 9th Circuit 2006) (pro bono with ACLU) (drafted Fourth Amendment and qualified immunity arguments for successful summary judgment motion in the CD Cal. and for a successful defense of the summary judgment on appeal to the Ninth Circuit)

In re South African Litigation (2d Circuit 2005) (amicus brief on behalf of Professors of Constitutional and International Law)

Terreri v. Chertoff (CD. Cal. 2005-2006) (Co-lead counsel w/ ACLU in successful First Amendment suit filed on behalf of Federal Air Marshal against Department of Homeland Security, et. al)

Court Appointed Counsel, Ninth Circuit Court of Appeals, Immigration Cases (2004-2006)

Lisbey v. Gonzales, 420 F.3d 930 (9th Cir. 2005).

Ebron v. Gonzales

Hernandez-Villalobos v. Gonzales

Appointed by United States Supreme Court to represent indigent defendant in *United States v. Owens*, 108 S.Ct. 838 (1988).

California Appellate Project, Volunteer Attorney in Death Penalty Litigation (appeal and habeas) (1988-90).

Indigent Representation Panel for the Ninth Circuit Court of Appeals, Volunteer Attorney (1984-90) (representation of indigents in direct criminal appeals -- aside from direct appeals this work included federal habeas proceedings at the trial level and hearings before Parole Commission examiners).

Public Service

Panelist, Federalist Society Conference (“Democracy, Judicial Review, and the Due Process Clause”) (March 16, 2019)

AALS Civil Procedure Section Planning Committee (2016)

Panelist, Our Courts and the World: Transnational Litigation and Civil Procedure (Southwestern Law School, (February 3, 2012).

Interview DVD, The Supreme Court in American Life: Part I (Press for Democracy, May 15. 2010)

Interview DVD, The Supreme Court in American Life: Part II (Press for Democracy, May 15. 2010)

Guest, “Pat Morrison,” on KPCC: Matthew Shepard Act Discussion (Fall 2009)

Guest, “Sunday L.A.,” on KNBC with host Ted Chen: The Supreme Court 2009 Term (October 11, 2009)

Presentation: The War Powers and the U.S. Constitution Today, Secrets of Democracy Program, Scripps College (September 3, 2009)

Interview DVD, The Legacy of the Bush Administration: The Culture of Torture (Press for Democracy, May 30, 2009)

Guest Speaker, Los Angeles County Bar Association Luncheon, “Federal Pleading and the Impact of Bell Atlantic v. Twombly” (April 14, 2009)

Guest Speaker, Farmlab Salon, “The Constitution as a River” (October 3, 2008)

Guest Speaker, San Fernando Valley Chapter, United Nations Association, “America: Upholding or Abrogating the US Constitution and the UN Charter” (October 24, 2007).

Guest Speaker, Bill of Rights Read Along, Santa Monica, CA (2007)

Mediator, *Misty Black v. California State University*, BC 275176 (Sup. Ct. County of Los Angeles) (September 28, 2007).

Consultant, *Impeach Bush/Cheney* L.A. (2007)

Panelist, *Judicial Independence: Why You Should Care!* (League of Women Voters, January 27, 2007)

Interview DVD, *Presidential Power* (Press for Democracy 2006)

Interview DVD, *Impeachment* (PasadenaMoveOn 2006)

Moderator & Panelist, *The Partial-Birth Abortion Ban Act of 2003: Perspectives on the Commerce Power, the Fourteenth Amendment, and the Separation of Powers*, AALS Annual Meeting, January 4, 2003.

Teaching *Erie*, Presentation at AALS Civil Procedure Conference, June 2003.

Independent Citizens Committee to Keep Politics Out of the Court, Member (1986) (drafted position paper circulated throughout State of California regarding the 1986 State Judicial Elections).

Los Angeles County Task Force on Obscenity, Member (1987).

Panelist on Symposium, "First Use of Nuclear Weapons: Under the Constitution, Who Decides?" (Airlie House, Warrenton, Virginia) (sponsored by Federation of American Scientists)(1985).

Instructor, Washington and Lee Elderhostel (1993 & 1994 & 1995).

Lecturer, Smithsonian Campus on the Mall, "The Supreme Court in American Life" (1993).

President, Lexington High School Athletic Booster's Club (1990-92).

Parent's Advisory Committee, Rockbridge County High School (1992-93).

Commissioner of Girl's Basketball, Rockbridge Area Recreation Organization (1992).

Parent Sponsor, Girl's Basketball, Lylburn Downing Middle School (1993).

Chairman and Founder, Rockbridge Athletic Club, AAU Girls' Basketball (1993-96).

Assistant Lacrosse Coach, Rockbridge County High School (1993-94).

Assistant Scoutmaster, Troop 504, Tarzana, California (1986-1989).

Webelos Den Leader, Pack 721, Woodland Hills, California (1985-1986).

President, School Site Council, Chandler Elementary School (1982-1984).