

DANIELLE D'ONFRO

Washington University in St. Louis
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ACADEMIC APPOINTMENTS

Washington University School of Law, St. Louis, MO

Professor of Law Jan. 2024—Present
Associate Professor of Law Jan. 2019—Dec. 2023
Lecturer in Law July 2016—Dec. 2018
Honors: David M. Becker Professor of the Year Award, 2022
Teaching: Property; Advanced Private Law; Corporations; Corporate Compliance
Affiliation: Faculty Affiliate, The Center for Empirical Research in Law

TEACHING & RESEARCH INTERESTS

Property, Private Law Theory, Contracts, Commercial Law, Bankruptcy, Torts, Corporations

EDUCATION

Harvard Law School, J.D. *cum laude* June 2011

Honors: Program on the Foundations of Private Law, Student Fellow
Activities: *Harvard Law & Policy Review*, Solicitations Editor
Research Assistant for Profs. Elizabeth Warren (2009–2011) and Louis Kaplow (2008–2009)
Teaching Assistant for Contracts (Prof. Elizabeth Warren, Fall 2009)

Columbia College, B.A. *magna cum laude*, Classics May 2006

Honors: *Phi Beta Kappa*
National Post-Secondary Russian Essay Contest (2003), Silver Medal
Activities: Columbia University ACLU, Vice-President and Secretary
The Blue and White (literary magazine), Contributor and Illustrator

SCHOLARSHIP

PUBLICATIONS

NETWORKS, PLATFORMS, & UTILITIES: LAW & POLICY (2d ed. forthcoming) (with Morgan Ricks et al.)

[*Contract-Wrapped Property*](#), 137 HARVARD LAW REVIEW __ (forthcoming 2024)

[*The Fourth Amendment and General Law*](#), 132 YALE LAW JOURNAL 910 (2023) (with Daniel Epps)

[*The New Bailments*](#), 96 WASHINGTON LAW REVIEW 97 (2022)

[*Error-Resilient Consumer Contracts*](#), 71 DUKE LAW JOURNAL 541 (2021)

[*Companies as Commodities*](#), 48 FLORIDA STATE UNIVERSITY LAW REVIEW 1 (2020)

[*Smart Contracts and the Illusion of Automated Enforcement*](#), 61 WASHINGTON UNIVERSITY

JOURNAL OF LAW & POLICY 173 (2020) (symposium contribution)

[*Corporate Stewardship*](#), 44 JOURNAL OF CORPORATION LAW 439 (2019)

[*Limited Liability Property*](#), 39 CARDOZO LAW REVIEW 1365 (2018)

Note, [*A New Uniform Code of Consumer Credit*](#), 5 HARVARD LAW & POLICY REVIEW 449 (2011)

[*Multidistrict Litigation: A Surprising Bonus for Pro Se Plaintiffs and a Possible Boon for Consumers*](#) (2011) (working paper)

WORKS IN PROGRESS

Common Law without Precedent

Rethinking Privity

The Fifth Amendment and General Law (with Daniel Epps)

COMMENTARY

[*A narrow win for creditors*](#), SCOTUSBLOG (Jan. 20, 2021)

[*Argument analysis: Bankruptcy metaphysics*](#), SCOTUSBLOG (Oct. 16, 2020)

[*Case preview: Squaring impoundment with federal bankruptcy procedure*](#), SCOTUSBLOG (Oct. 12, 2020)

[*Opinion analysis: A very narrow decision to start the term*](#), SCOTUSBLOG (Dec. 11, 2019)

[*Argument analysis: "Not a paragon of clarity"*](#), SCOTUSBLOG (Oct. 18, 2019)

[*Argument preview: A conflict between plain text and background rules*](#), SCOTUSBLOG (Oct. 10, 2019)

[*Opinion analysis: An extremely narrow Fair Debt Collection Practices Act ruling*](#), SCOTUSBLOG (Mar. 22, 2019)

[*Argument analysis: Searching for the least unnatural reading*](#), SCOTUSBLOG (Jan. 9, 2019)

[*Argument preview: Is foreclosure debt collection?*](#), SCOTUSBLOG (Dec. 31, 2018)

[*Opinion analysis: Justices confirm that "respecting" means "relating to" in the Bankruptcy Code*](#), SCOTUSBLOG (June 5, 2018)

[*Argument analysis: When neither baseball nor Vermeer analogies persuade the court*](#), SCOTUSBLOG (Apr. 18, 2018)

[*Argument preview: Court to decide whether Bankruptcy Code protects dishonest debtors*](#), SCOTUSBLOG (Apr. 10, 2018)

[*The Best Way to Hold Equifax Accountable*](#), WASHINGTON POST (Sept. 14, 2017)

[*Surprise Dismissal of Bankruptcy Case Seemingly Prompted by Change in Claim Ownership*](#), SCOTUSBLOG (Aug. 11, 2017)

[DeVos Gives Accountability the Boot](#), TAKE CARE (April 14, 2017)

[That Time When Republicans Re-Regulated Retirement Savings](#), TAKE CARE (April 11, 2017)

[The Fiduciary Rule: Triaging Quality for "Access" and Small Business at All Costs](#), TAKE CARE (March 28, 2017)

Bankruptcy Expert, *First Mondays* (Supreme Court podcast) (2016–2019)

[Two Years after Bankruptcy Reform, Much Ado About Little](#), WALL STREET JOURNAL PRO (Dec. 8, 2016) (with Elliot Ganz)

[Limiting the Background Noise: Investor Motivation and Identity in Bankruptcy](#), 33 AMERICAN BANKRUPTCY INSTITUTE JOURNAL 38 (December 2014) (with Allison Hester-Haddad)

EXPERIENCE

Wilmer Cutler Pickering Hale & Dorr LLP

Boston, MA 2013–2016

Washington, DC 2012–2013

Senior Associate (2015–2016) & *Associate* (2012–2014), *Bankruptcy & Financial Restructuring*

Divided practiced among regulatory compliance, debt-financing transactions, bankruptcy litigation, and policy advocacy. Representative matters included: Provided strategic counseling to consumer financial services companies on compliance with state and federal financial regulations. Negotiated multinational securitization facility, addressing concerns related to European risk-retention rules. Spearheaded response of the leveraged loan industry to the American Bankruptcy Institute Commission to Study the Reform of Chapter 11. Collaborated with economists to design and execute empirical study of debtor-in-possession financing. Defended corporations in multi-billion-dollar fraudulent transfer actions at both trial and appellate level. Litigated test cases on behalf of residential mortgage servicers in Chapter 13 cases through appeal. Drafted amicus brief for National Association of Consumer Bankruptcy Attorneys in *Law v. Siegel*, 134 S. Ct. 1188 (2014).

U.S. Court of Appeals for the Fourth Circuit, Raleigh, NC 2011–2012

Law Clerk to Judge Allyson Kay Duncan

Congressional Oversight Panel, Washington, DC 2008–2010

Volunteer

Provided research support to Congressional panel charged with oversight over the U.S. Treasury Department's Troubled Asset Relief Program.

Public Citizen Litigation Group, Washington, DC Summer 2010

Law Clerk

Federal Trade Commission, Washington, DC Summer 2009

Law Clerk, Bureau of Consumer Protection

Ingram Yuzek Gainen Carroll & Bertolotti, LLP, New York, NY 2006–2008

Paralegal

PRESENTATIONS

- University of Texas School of Law (invited for Apr. 2024)
- Cornell Law School, *Contract-Wrapped Property* (Nov. 17, 2023)
- European Association of Law & Economics Annual Conference, Freie Universität and Humboldt Universität, Berlin, Germany, *Contract-Wrapped Property* (Sept. 21, 2023)
- American Law & Economics Association Annual Meeting, Boston University School of Law, *Contract-Wrapped Property* (June 9, 2023)
- Michigan State University College of Law, *Contract-Wrapped Property* (Mar. 29, 2023)
- University of Florida Levin College of Law, *Contract-Wrapped Property* (Mar. 6, 2023)
- Consumer Law Scholars Conference, UC-Berkeley School of Law, *Contract-Wrapped Property* (Mar. 2-3, 2023)
- Harvard Law School Private Law Theory Workshop, *Contract-Wrapped Property* (Feb. 1, 2023)
- American Association of Law Schools, New Voices in Property Law, *Contract-Wrapped Property* (Jan. 7, 2023)
- Washington University School of Law, *Property as Consumer Protection* (August 10, 2022)
- American Law & Economics Association Annual Meeting, The University of Chicago Law School, *The New Bailments* (Oct. 22, 2021)
- Washington University School of Law, *The Fourth Amendment and General Law* (June 16, 2021)
- Notre Dame Law School, *The New Bailments* (Mar. 1, 2021)
- Penn-NYU Empirical Contracts Workshop, *The New Bailments* (June 8, 2020)
- Washington University School of Law, *Formalities as Consumer Protection* (July 22, 2020)
- National Business Law Scholars Conference, UC Berkeley School of Law, *Corporations as Commons* (June 20, 2019)
- Washington University School of Law, *Corporations as Commons* (June 12, 2019)
- University of Richmond Junior Faculty Forum, *Corporations as Commons* (May 20, 2019)
- ClimenkoFest, Harvard Law School, *Corporations as Commons* (Mar. 29, 2019)
- Berkeley Consumer Law Scholars' Conference, UC Berkeley School of Law, *Formalities as Consumer Protection* (Feb. 21-22, 2018) (Commentators: Ryan Calo and Mateusz Grochowski)
- Washington University School of Law, *Corporate Stewardship* (Aug. 27, 2018)
- National Business Law Scholars Conference, University of Georgia School of Law, *Corporate Stewardship* (June 22, 2018)
- American Bankruptcy Institute Junior Scholars Conference, Brooklyn Law School, *Limited Liability Property* (Nov. 3, 2017) (Commentators: Ted Janger & Jay Westbrook)

MEDIA APPEARANCES

[Danielle D'Onfro on Error-Resilient Consumer Contracts](#), THE PRIVATE LAW PODCAST (Mar. 18, 2021)

Shira Tarlo, [The Sackler family made billions from OxyContin. Will they face repercussions?](#), SALON (Sept. 29, 2019)

Michael Kruse, [The 2008 Class That Explains Elizabeth Warren's Style](#), POLITICO MAGAZINE (June 25, 2019)

David Migoya, [Colorado foreclosure system under the microscope in U.S. Supreme Court case](#), DENVER POST (Jan. 25, 2019)

Diane Davis, ['Dishonest Debtor' Prevails Over Law Firm at Supreme Court](#), BNA'S BANKRUPTCY LAW REPORTER (June 5, 2018)

Randy Evans, [Equifax, Tell Us About Burdensome Regulations](#), IOWA WATCH (Sept. 20, 2017)

Kimberly Strawbridge Robinson, [SCOTUS Opening Day: United States v. United States?](#) UNITED STATES LAW WEEK (Aug. 16, 2017)

PROFESSIONAL MEMBERSHIPS

European Association of Law & Economics 2023–present

American Law & Economics Association 2018–present

SERVICE

SERVICE TO THE PROFESSION

American Association of Law Schools, Creditors' and Debtors' Rights Section, Section-Chair Elect (2023–2024); Executive Committee (2021–present)

Law & Economics Theory (LET) XII, Washington University in St. Louis School of Law, Program Committee (December 2023)

American Law & Economics Association 2023 Annual Meeting, Boston University School of Law, Area Organizer for Property (May 2023)

LAW SCHOOL & UNIVERSITY SERVICE

School of Law Dean Search Committee (2023–2024)

Librarian Search Committee (2022–2023)

Faculty Appointments Committee (2021–2022)

Clerkship Committee (2017–2021)

Faculty Advisor, Disability Law Caucus

Faculty Advisor, First Generation Law Society

BAR ADMISSIONS

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| District of Columbia | 2011 |
| Massachusetts | 2014 |

LANGUAGES

Conversational in German; proficient reading knowledge of Classical Greek, French, Italian, and Latin; basic reading knowledge of Dutch, Spanish, and Russian.

Last updated: Friday, December 29, 2023