

**GREGORY M. SILVERMAN**

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**NATIVE AMERICAN TRIBAL AFFILIATION:**

Enrolled Member of the Mohegan Tribe of Indians of Connecticut

**CURRENT POSITION:**

1999-present      ASSOCIATE PROFESSOR OF LAW  
Seattle University School of Law

Teach classes in Intellectual Property, Property, Jurisprudence, Postmodern  
Legal Theory, Electronic Commerce, and Game Theory.

**EDUCATION:**

**COLUMBIA UNIVERSITY SCHOOL OF LAW**

J.D. Received May, 1987

Honors:      Harlan Fiske Stone Scholar

Activities:    Senior Revising Editor, *Columbia Law Review*  
Legal Theory Workshop  
International Law Society

**COLUMBIA UNIVERSITY,  
GRADUATE SCHOOL OF ARTS AND SCIENCES**

M. Phil. (Philosophy) Received October, 1991

M.A. (Philosophy) Received May, 1984

Honors:      President's Fellow

**MASSACHUSETTS INSTITUTE OF TECHNOLOGY**

Department of Linguistics and Philosophy

Graduate Fellow (1978-1979)

**VASSAR COLLEGE**

A.B., *Cum Laude in Materia Subjecata*, Received 1978

Honors:      Leo P. Prince Award  
Fellowship for Graduate Study  
Distinguished Thesis in Philosophy  
Departmental Internship

Activities:    President, Philosopher's Holiday (Lecture Series)

**CURRICULUM VITAE**  
**GREGORY M. SILVERMAN**

**RESEARCH FELLOWSHIPS:**

1989 to 1991            MAX RHEINSTEIN RESEARCH FELLOWSHIP IN LAW,  
Alexander von Humboldt Foundation

The Max Rheinsteine Research Fellowship in Law is a fellowship to pursue legal research in Germany. It is awarded by the Alexander von Humboldt Foundation to no more than two lawyers in the United States each year. I spent this fellowship at the *Lehrstuhl für Strafrecht, Strafprozessrecht und Rechtsphilosophie* at the Universität Erlangen-Nürnberg. While in Germany, I pursued research in comparative criminal law, the foundations of the law of evidence and proof, German constitutional law, as well as eighteenth and nineteenth century theories of natural law (Kant, Hegel and their precursors).

**LEGAL EXPERIENCE:**

1999-present            JUDGE  
Northwest Intertribal Court System

Sit as a trial and appellate judge on tribal reservations in the northwestern United States.

1991 to 1997            MANAGING PARTNER,  
Kearney & Silverman, P.C.

Seven attorney law firm serving southeastern Massachusetts, including Cape Cod and the Islands, emphasizing admiralty defense, corporate intellectual property, estate planning, and civil litigation in the federal courts. Played a significant role in the largest fisheries fraud litigation in American history and in a community-based mediation that was chosen one of the ten most significant in the United States for 1994.

1987 to 1988            JUDICIAL LAW CLERK  
Law Clerk to the Honorable Raymond J. Pettine, United States District Court, District of Rhode Island

1986                      SUMMER ASSOCIATE  
Cahill, Gordon & Reindel, 80 Pine Street, New York, New York.

1985 to 1986            CONFERENCE ADMINISTRATOR  
1986 Conference on Kantian Legal Theory

Assistant to Conference Director, George P. Fletcher, Cardozo Professor of Jurisprudence, Columbia University School of Law. Proceedings published in 97 COLUMBIA LAW REVIEW 420-591 (1987)

**CURRICULUM VITAE**  
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**LEGAL EXPERIENCE (CONTINUED):**

1985                      RESEARCH ASSISTANT  
Researched constitutional history and theory for Bruce A. Ackerman,  
Sterling Professor of Law and Political Science, Yale Law School.

**GOVERNMENT EXPERIENCE:**

1996 to 1997            CHAIRMAN,  
Cape Cod Commission

Created by an act of the Massachusetts state legislature, the Cape Cod Commission was established as a regional planning and regulatory agency to prepare and implement a regional land use policy plan for all of Cape Cod, review and regulate Developments of Regional Impact, and recommend designation of certain areas as Districts of Critical Planning Concern. The Commission is a department of Barnstable County, has a staff of about 25, and is funded with a budget of approximately 2.5 million dollars by the Cape Cod Environmental Protection Fund.

1995 to 1996            VICE CHAIRMAN,  
Cape Cod Commission

1993 to 1997            REPRESENTATIVE OF THE TOWN OF FALMOUTH TO THE  
CAPE COD COMMISSION

1995 to 1997            CHAIRMAN,  
Cape Cod Historic Preservation Working Group

An innovative experiment in policymaking and regulation in which government officials and private individuals with an active interest in historic preservation come together to review, discuss and recommend changes to historic preservation policy and regulation for Cape Cod.

**PRIOR TEACHING EXPERIENCE:**

1997 to 1999            BIGELOW FELLOW AND LECTURER IN LAW  
University of Chicago Law School

Developed and taught a seminar on the emerging law of electronic commerce as well as the first year course on legal writing and research.

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**PRIOR TEACHING EXPERIENCE (CONTINUED):**

- 1983 to 1984            ADJUNCT ASSISTANT PROFESSOR OF PHILOSOPHY,  
Long Island University
- Taught courses in Logic, Philosophy of Law, Ethics and the Philosophy of  
Science.
- 1982 to 1983            TEACHING ASSISTANT  
Columbia University Graduate School of Arts and Sciences, Department of  
Philosophy.
- Assistant lecturer and grader for undergraduate philosophy courses.

**OTHER WORK EXPERIENCE:**

- 1981 to 1982            DIRECTOR OF RESEARCH  
European Gemological Laboratories
- Prior to 1981            Other positions have included: Teaching Assistant, Research Assistant,  
Diamond Grader and Diamond Cutter.

**AFFILIATIONS WITH RESEARCH INSTITUTIONS**

- 1996 to 1997            GUEST INVESTIGATOR,  
Marine Policy Center,  
Woods Hole Oceanographic Institution
- The Marine Policy Center is among a relatively small number of research  
centers throughout the world dedicated to the application of social scientific  
and legal research to issues involving the world's oceans and coastal areas  
across a broad range of endeavors, including advances in science and  
technology, access to and control of resources, environmental protection, an  
international relations. The work of MPC scholars integrates economics,  
policy analysis, and law with WHOI's strengths in basic ocean sciences and  
engineering.

**PUBLICATIONS:**

Note, *Dualistic Legal Phenomena and the limitations of Positivism*  
86 COLUMBIA. LAW REVIEW 823 (1986)

**CURRICULUM VITAE  
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**PUBLICATIONS (CONTINUED):**

*Imperatives, Normativity and the Law*  
31 CONNECTICUT LAW REVIEW 601 (1999).

INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK (2002) with Margaret Jane Radin of Stanford University and John A. Rothchild of Wayne State University.

TEACHER'S MANUAL TO INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK (2003)

2003 SUPPLEMENT TO INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK (2003)

INTELLECTUAL PROPERTY AND THE INTERNET (2003)

*Rise of The Machines: Justice Information Systems and the Question of Public Access to Court Records Over the Internet*  
75 WASHINGTON LAW REVIEW 179 (2004)

2004 SUPPLEMENT TO INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK (2004)

INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK (2d ed. 2006) with Margaret Jane Radin of Stanford University and John A. Rothchild of Wayne State University.

TEACHER'S MANUAL TO INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK 2d ed. (2006)

2007 SUPPLEMENT TO INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK 2d ed.(2007)

2008 SUPPLEMENT TO INTERNET COMMERCE, THE EMERGING LEGAL FRAMEWORK 2d ed. (2008)

**PRESENTATIONS, PANELS & TALKS**

Spring, 2004                      Roundtable Participant at the Spring 2004 Heritage Foundation Conference on Constitutional History/Constitutional Theory, Seattle, Washington (April, 2004).

Fall, 2003                         Presentation entitled *Privacy v. Public Access to Court Records over the Internet* given at the 1<sup>st</sup> Annual Pacific Intellectual Property Scholars (PIPS) Roundtable, Gleneden Beach, Oregon (October 11, 2003).

**CURRICULUM VITAE**  
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**PRESENTATIONS, PANELS & TALKS (CONTINUED)**

- Summer, 2003      Talk entitled *Privacy and Intellectual Property on the Internet*, given to the Hanyang University 2003 Summer Program in Seattle, Washington (July, 2003).
- Spring, 2003      Roundtable Participant at the Spring 2003 Seattle University Faculty Retreat on Catholic Social Thought, Port Ludlow, Washington (March, 2003).
- Fall, 2002      Presentation entitled *National and Regional Perspectives on the Uniform Computer Information Transactions Act (UCITA)* given to the Computer and Electronic Information Working Group of the Oregon State Bar Association (September 17, 2002).
- Fall, 2002      Workshop entitled *Using Technology to Enhance Teaching in the Classroom* at the New Faculty Institute on Teaching and Learning, Seattle University (September 11, 2002).
- Fall, 2002      Presentation entitled *Copyright, Multimedia and the Internet* given to the Fall 2002 Faculty Multimedia Workshop, Seattle University (September 10, 2002).
- Summer, 2002      Presentation entitled *UCITA, UETA, ESIGN, HIPPA and Cryptography* given at the 9<sup>th</sup> Annual Pacific Rim Computer & Internet Law Institute of the Washington State Bar Association (June 7, 2002).
- Summer, 2002      Talk entitled *Understanding the Digital Challenge to the Law of Copyright*, given to the Chungnam National University 2002 Summer Program in Seattle (July, 2002).
- Summer, 2002      Presentation entitled *Copyright, Multimedia and the Internet* to the Summer 2002 Faculty Multimedia Workshop, Seattle University (July, 2002).
- Spring, 2002      Presentation entitled *UCITA, UETA and HIPPA: Some Problems with Electronic Medical Records Security Regulation*, given to TEPR 2002 (*Towards Electronic Patient Records*), the 18<sup>th</sup> Annual Conference and Exhibition of the Electronic Medical Records Institute, Seattle, Washington (May 14, 2002).
- Spring, 2002      Panelist, *Plenary Roundtable Wrap-Up: Where Do We Go From Here In The College Of Arts & Sciences?*, New Media in Old Disciplines Conference, Seattle University (May 10, 2002)
- Spring, 2002      Presentation entitled *Copyright and Digital Media* to the Murdoch Grant Spring 2002 Workshop, Seattle University (May, 2002)

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**PRESENTATIONS, PANELS & TALKS (CONTINUED)**

- Fall, 2001                    Presentation entitled *The Internet Challenge to Copyright, Trademark and Patent Law* given at the Global e-Business and the Law Seminar of the Institute for Global e-Business and Innovation, Albers School of Business, Seattle University (December, 2001).
- Summer, 2001                Talk entitled *An Introduction to the Political and Legal Systems of the United States with a Special Focus on the United States Intellectual Property Regime* given to the Chungnam National University 2001 Summer Program in Seattle (July, 2001).
- Summer, 2001                Presentation entitled *Copyright, Multimedia and the Internet* given to the second session of the Summer 2001 Faculty Multimedia Workshop, Seattle University (July, 2001).  
Presentation entitled *Copyright, Multimedia and the Internet* given to the first session of the Summer 2001 Faculty Multimedia Workshop, Seattle University (June, 2001).
- Spring, 2001                Moderator, *Perspectives from the Regulators: Incremental or Radical Change Ahead?* at the Spring Conference, Beyond the Information Superhighway: Searching for the Next Policy Metaphor, of the Center for Law, Commerce and Technology, University of Washington School of Law (April 21, 2001).
- Spring, 2000                Panelist, *Privacy and the Internet*, Internet Law Conference 2000, Seattle University School of Law (April, 2000).  
  
Talk entitled *Signing in Cyberspace*, given as part of a series of occasional talks hosted by the Seattle University Commercial Law Focus Group at the Seattle University School of Law (January, 2000).
- Fall, 1999                    Panelist, *Medical, Theological, Legal and Philosophical Reflections on Conjoint Twins and the Decision to Surgically Separate Them*, Seattle University School of Law (October, 1999).

**SERVICE TO THE STATE OF WASHINGTON:**

- 2007-2008                    Member, Committee for the Study of the Taxation of Electronically Delivered Products  
  
The Washington State Legislature enacted SHB 1128 (chapter 522, Laws of 2007, P.V.) directing the Department of Revenue, with the assistance of a committee, to study the taxation of electronically delivered products. We submitted our report to the state legislature in December, 2008.

**CURRICULUM VITAE  
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**SERVICE TO THE BAR**

- 2001 to 2004            Vice Chairman, Jurisprudence & History Subcommittee,  
Access to Justice Technology Bill of Rights Committee of the  
Access to Justice Board established by the Supreme Court of Washington and  
administered by the Washington State Bar Association.
- 2001 to present        Member, Steering Committee,  
Access to Justice Technology Bill of Rights Committee of the  
Access to Justice Board established by the Supreme Court of Washington and  
administered by the Washington State Bar Association.
- 2002 to present        Member, Committee 703 (New Information Technologies)  
Intellectual Property Section of the American Bar Association

**BAR ADMISSIONS:**

Supreme Judicial Court of Massachusetts,  
United States District Court for the District of Massachusetts  
Supreme Court of the United States

**CIVIC POSTS OF HONOR:**

- 1994 to 2001            DIRECTOR,  
Historic Highfield, Inc.  
Falmouth, Massachusetts
- 1993 to 1999            DIRECTOR,  
Cape and Islands Community Public Radio, Inc.  
Cape Cod and Martha's Vineyard, Massachusetts
- 1995 to 1997            MEMBER, BOARD OF ADVISORS,  
Falmouth Historical Society  
Falmouth, Massachusetts
- 1996 to 1997            MEMBER, BOARD OF ADVISORS  
Falmouth Safe Skin Project  
Commonwealth of Massachusetts

**LANGUAGES:**

French and German