

# Theodore H. "Ted" Frank

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## Experience

### **Founder, Center for Class Action Fairness, Washington, DC** **2009–present**

- Establish and run all aspects of three-attorney non-profit project that represents class members *pro bono* in class action settlements, including case selection, litigation, publicity, and fund-raising.
- Brief and argue four successful appeals in U.S. Court of Appeals, establishing landmark precedent. *E.g., In re Bluetooth Headset Prod. Liab. Lit.* (9th Cir. 2011); *Robert F. Booth Trust v. Crowley* (7th Cir. 2012).
- Court rulings in CCAF objections reduced payments to trial lawyers by over \$200 million.

### **Adjunct Fellow, Manhattan Institute Center for Legal Policy, Washington, DC** **2010–present**

- Write and speak on civil justice and constitutional issues for one of top free-market think-tanks.

### **Volunteer and Consultant, Republican National Committee, Washington, DC and Anchorage, AK** **2008**

- Research and interview vice presidential candidates as part of vetting for McCain presidential campaign.
- Coordinate response of legal and communications teams; litigate "Troopergate" investigation, successfully minimizing political consequences of legislative investigation of Governor Palin.

### **Resident Fellow, American Enterprise Institute for Public Policy Research, Washington, DC** **2005–2009**

- Run legal studies program at one of top free-market think-tanks.
- Interface with general counsels and top attorneys in working on civil justice reform issues.
- Informally advise several presidential candidates' policy teams, White House, and legislative staff.
- Write op-eds, law review articles, and AEI publications, and otherwise speak on civil justice issues.

### **Counsel, O'Melveny & Myers, Washington, DC** **2001–2005**

- Lead successful antitrust defense in multi-district litigation over intersection of exercise of intellectual property rights and antitrust law.
- Coordinate and supervise brief-writing teams across nation as part of Vioxx product liability defense.
- Write briefs in successful defense of California gubernatorial recall election against ACLU challenge.
- Successfully lead teams in class action defense in state and federal courts, including arguing motions in court.

### **Associate, Irell & Manella, Los Angeles, CA** **1997–2001**

- Successfully brief and argue bet-the-company litigation before Ninth Circuit Court of Appeals against U.S. Department of Justice civil forfeiture action. Lead successful litigation for summary judgment at lower-court level, working directly with CEO and general counsel.
- Lead successful patent litigation team in bet-the-company litigation for plaintiff start-up company facing antitrust counterclaims, working directly with CEO and general counsel to achieve favorable settlements.

### **Associate, Kirkland & Ellis, Washington, DC** **1995–1997**

- Lead successful team in multi-million dollar litigation before Surface Transportation Board.

### **Judicial Clerk, Judge Frank H. Easterbrook** **1994–1995** **United States Court of Appeals for the Seventh Circuit, Chicago, IL**

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## Education

### **The University of Chicago Law School, Chicago, IL, J.D. with High Honors, June 1994**

- Order of the Coif, *University of Chicago Law Review*
- Public Service Scholarship and Olin Student Fellowship in Law and Economics
- GPA of 80.13 (top five percent)

### **Brandeis University, Waltham, MA, B.A., *summa cum laude* in Economics, May 1991 (full scholarship)**

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- Other**
- Elected member of American Law Institute, 2008
  - Executive Committee, Federalist Society, Litigation Practice Group, 2007–present
  - Testified before Congress multiple times on civil justice issues and securities law
  - Work profiled in *Wall Street Journal*, *New York Times*, *Forbes*, *GQ*, Reuters, *ABA Journal*, and *National Law Journal*, among others; called "leading tort-reform advocate" by *Wall Street Journal*.