

JOHN M. NEWMAN
1 N. Front St., Ste. 362
Memphis, TN 38103
641.425.8289 • 901.678.3224
john.newman@memphis.edu

ACADEMIC APPOINTMENTS

University of Memphis Cecil C. Humphreys School of Law

Assistant Professor

2015–present

Courses: Contracts I, Contracts II, Conflict of Laws, Antitrust Law

Honors: Professor of the Year (2017)

SEALS Annual Conference Call-for-Papers Award (2017)

Farris Bobango Faculty Scholarship Award (2016)

Visiting Assistant Professor

2014–15

SCHOLARSHIP

Articles

The Myth of Free, 86 GEORGE WASHINGTON L. REV. (forthcoming 2017).

Antitrust in Zero-Price Markets: Applications, 94 WASHINGTON UNIVERSITY L. REV. 49 (2016).

Antitrust in Zero-Price Markets: Foundations, 164 UNIVERSITY OF PENNSYLVANIA L. REV. 149 (2015).

Copyright Freeconomics, 66 VANDERBILT L. REV. 1409 (2013).

Personal Jurisdiction and Choice of Law in the Cloud, 73 MARYLAND L. REV. 313 (2013) (with Damon C. Andrews).

Anticompetitive Product Design in the New Economy, 39 FLORIDA STATE UNIVERSITY L. REV. 681 (2012).

Other Works

Essay, *The Antitrust Jurisprudence of Neil Gorsuch*, 45 FLORIDA STATE UNIVERSITY L. REV. (forthcoming 2018).

Complex Antitrust Harm in Platform Markets, CPI ANTITRUST CHRONICLE, May 2017, at 52.

Innovation Policy for Cloud-Computing Contracts, in HANDBOOK OF RESEARCH ON DIGITAL TRANSFORMATIONS (Francisco-Xavier Olleros & Majlinda Zhegu eds., 2016).

Student Notes

Raising the Bar and the Public Interest: On Prior Restraints, “Traditional Contours,” and Constitutionalizing Preliminary Injunctions in Copyright Law, 10 VIRGINIA SPORTS & ENTERTAINMENT L.J. 323 (2011).

Holden Caulfield Grows Up: Salinger v. Colting, the Promotion-of-Progress Requirement, and Market Failure in a Derivative-Works Regime, 96 IOWA L. REV. 737 (2011).

Working Papers

Procompetitive Justifications (Aug. 12, 2017), *available at* https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3017846.

Rationalizing Procompetitive Justifications (unpublished manuscript) (on file with author).

Are Digital Markets Different? (unpublished manuscript) (on file with author).

SELECTED LECTURES AND PRESENTATIONS

Institute for Consumer Antitrust Studies, Loyola University Chicago School of Law, 18th Annual Loyola Antitrust Colloquium (invited presenter) (Chicago, IL) (to be held Apr. 20, 2018).

American Antitrust Institute, “How Do Platforms Compete? Market Definition and Direct Evidence of Anticompetitive Effects” (Washington, DC) (to be held Mar. 22, 2018).

New York University School of Law/American Bar Association Next Generation of Antitrust Scholars Conference, “Procompetitive Justifications” (New York, NY) (Jan. 26, 2018).

TED^x Talk, “Free: The World’s Most Dangerous Price” (Jan. 6, 2018).

The Capitol Forum & CQ, 4th Annual Tech, Media, and Telecom Competition Conference, “Are Tech Mergers Different?” (New York, NY) (Dec. 13, 2017).

Midwestern Law & Economics Association Annual Meeting, “Procompetitive Justifications” (Milwaukee, WI) (Oct. 21, 2017).

SEALS Annual Conference Call-for-Papers Winners Luncheon, “The Myth of Free” (presenter and award recipient) (Boca Raton, FL) (Aug. 1, 2017).

University of Memphis Law Review Symposium, “Judicial Independence: Theory & Practice, Questions & Discussion” (moderator) (Apr. 7, 2017).

Federal Bar Association & University of Memphis Sports and Entertainment Law Society, “Bracketing Amateurism: Will the Madness March On?” (Apr. 4, 2017).

FedEx Institute of Technology Emerging Innovations Series, “Blockchains: Legal and Economic Issues” (Oct. 20, 2016).

George Washington Institute of Public Policy and the Capitol Forum, “Dominant Platforms Under the Microscope: Policy Approaches in the US and EU” (Washington, DC) (Sept. 19, 2016).

U.S. Senate Policy Staff Working Group, “Competition and Monopoly in Digital Markets” (Washington, DC) (Sept. 16, 2016).

Fordham University School of Law Workshop Series, “The Myth of Free” (Sept. 15, 2016).

SEALS Faculty Exchange Program, “The Myth of Free” (Fayetteville, AR) (Mar. 29, 2016).

Public Lecture at the Peking University School of Transnational Law, “Antitrust Law in Zero-Price Markets” (Nov. 25, 2014).

SELECTED MEDIA COVERAGE

Quoted in Cecilia Kang, *AT&T Is Said to Want Antitrust Official on Witness List for Trial*, NEW YORK TIMES, Feb. 14, 2018.

Quoted in William McConnell, *Gorsuch Hearing Opens with Grassley Treatise*, THE STREET, Mar. 20, 2017.

Op-ed, *Will President Trump Take a Jobs-First Approach to Bayer–Monsanto Deal?*, CLEVELAND PLAIN DEALER, Feb. 5, 2017.

Quoted in Natalie Walters, *Users ‘Pay Something’ to Use Facebook*, THE STREET, Sept. 23, 2016.

Interview, Closing Bell, *Does Facebook Have a Transparency Issue?*, CNBC, Sept. 23, 2016.

Quoted in Hal Hodson, *Do We Need to Rein in Facebook and Google’s Power?*, NEW SCIENTIST, Sept. 3, 2016.

Op-ed, *US Antitrust Regulators May Be Giving Free Apps a Free Pass*, BUSINESS INSIDER, Aug. 30, 2016.

Interview, 91.3 KUAF (NPR affiliate), Fayetteville, Arkansas, Mar. 31, 2016.

Op-ed, *Democratic Hopefuls Pursue a Contradictory Vision*, THE HILL, Feb. 15, 2016.

Op-ed, *Why Amazon’s Work Practices Matter*, CLEVELAND PLAIN DEALER, Aug. 23, 2015.

Interview, 101.9 CFUV, Victoria, British Columbia, Aug. 19, 2015.

Quoted in Christie Smythe, *American Express Loses Antitrust Suit over Merchant Rules*, BLOOMBERG, Feb. 19, 2015.

Op-ed, *Fairer Ways to Stop the Lawyer Brain Drain*, DES MOINES REGISTER, Aug. 26, 2014.

OTHER PROFESSIONAL EXPERIENCE

Javerbaum Wurgaft, Newark, NJ 2018–present
Consulting Expert

Advised client regarding antitrust issues in *EJ MGT LLC v. Zillow Group, Inc.*,
No. 2:18-cv-00584 (D.N.J. Jan. 15, 2018)

Gerson Lehrman Group, London, UK 2017–present
Counsel

Advised multiple financial-services clients regarding antitrust issues.

U.S. Department of Justice, Antitrust Division, Washington, DC 2011–14
Trial Attorney, entry via Honors Program

Representative matters: *United States v. American Express Co.*, *United States v. ConAgra, Inc.*, *United States v. US Airways Grp.*, *United States v. AT&T Inc.*
Assisted in multiple conduct and merger investigations.
Led team analyzing competitive effects of DOE proposed rulemaking.

Waldorf College, Forest City, IA 2011
Guest Lecturer

Delivered lectures on IP and antitrust to Business Law class.

Professor Herbert Hovenkamp, Iowa City, IA 2010–11
Research Assistant

Drafted memoranda summarizing research on contemporary antitrust issues
to facilitate revisions and updates of leading antitrust-law treatise.

U.S. Department of Justice, Washington, DC 2010
Summer Law Intern (SLIP)

Assisted investigations of patent-related conduct by multinational agrochemical
biotechnology firm and merger in food-production market.

Professor Christina Bohannon, Iowa City, IA 2009–10
Research Assistant

Analyzed and reported on copyright and conflict-of-laws issues relating to
works by Matisse and Chagall (University Museum permanent collection).

EDUCATION

University of Iowa College of Law 2011
J.D., with highest distinction (GPA: 4.00)

Honors: Outstanding Scholastic Achievement Award, Order of the Coif,
Dean's Award, Faculty Award, Jurisprudence Award,
College of Law Merit Scholar

Activities: Managing Editor, Volume 96, *Iowa Law Review*; Pro Bono Society

Iowa State University of Science & Technology

2007

B.A., Political Science (Minor: English)

Honors: Honors Program, Dean's List, National Merit Scholar

Activities: Senator, Government of the Student Body; Journalist, *Iowa State Daily*

COMMUNITY ENGAGEMENT

Leo Bearmann, Sr. Inn of Court

2017–present

Barrister

City of Memphis Americorps VISTA

2015–16

Mentor

Blue Sky Photographs (now Heritage Photography Co.)

2013–14

Pro Bono Counsel

Advised startup on contract and IP drafting and dispute resolution.

D.C. Bar Advocacy & Justice Clinic

2012–14

Pro Bono Counsel

Obtained \$52,000 judgment on tenant's counterclaim against landlord for damages caused by housing-code violations.

Achieved advantageous outcome in ADR for low-income tenants facing eviction.

Liberty Square Building ESL Program

2012–13

Volunteer Instructor

Led weekly sessions of English course with nonnative English speakers.

UNIVERSITY SERVICE

Ad Hoc ABA Standards Committee (2016–17, 2017–18)

Faculty Recruitment Committee (2017–18)

Orientation Small-Group Instructor: Critical Reading, Case Briefing, Post-Class Reflection (2017)

Ad Hoc Summer Orientation Committee (2017)

Ad Hoc Strategic Academic Planning Committee (2016–17)

Best *Law Review* Note Selection Committee, Faculty Representative (2016, 2017)

Admissions Committee (2015–16, 2016–17)

Faculty Note Advisor, *Law Review* (2015–16, 2016–17, 2017–18)

BAR ADMISSIONS

Iowa (inactive), District of Columbia (2012–14, under Rule 49(c)(9)(C)), U.S. District Court for the District of Columbia (2014), U.S. District Court for the Eastern District of New York (2014)