

Thomas D. Brierton, J.D.

Curriculum Vitae

EDUCATIONAL BACKGROUND

Northern Illinois University
College of Law
Juris Doctor awarded May 1983
Illinois Bar #6185096

University of Wisconsin (Madison)
School of Business
Bachelor of Business Administration (Accounting and Finance)
Awarded December 1978

PROFESSIONAL EXPERIENCE

Position

Associate Professor
Eberhardt School of Business
University of the Pacific
Appointed 8/89 to present

Visiting Professor of Business Law
Department of Law
U.S. Air Force Academy
Appointed 6/18 to 8/20

Adjunct Professor
McGeorge School of Law
University of the Pacific

Associate Professor
Westgate Center for Leadership
Management Development

Assistant Professor
School of Business
Northern Illinois University
(8/85 to 5/89)

Teaching Assignments

Employment Law (undergraduate & graduate)
Commercial Law (undergraduate)
The Legal and Ethical Environment of Business
Ethics for the Professional Accountant (graduate)
Legal Aspects of Real Estate (undergraduate)
Entertainment Law (undergraduate)
(Conservatory of Music/ Music Management)

Business Law/Law 340
Law for Air Force Officers/Law 220

Entertainment Law

Legal Issues in Employee Relations Seminar
(Graziadio Graduate School of Management,
Pepperdine University, Executive Development
Center, Willamette University)

Legal and Ethical Environment of Business
Commercial Law
CPA Intensive Review
Business Ethics

GRANTS/ AWARDS

O.H. Ritter Fellow, Eberhardt School of Business 2024/2025
United Methodist Scholar/Teacher Award (2004)
Best Paper Award, Rocky Mountain Academy of Legal Studies In Business,
(Vail, Colorado) 2002
Eberhardt Research Award, University of the Pacific
Granted 1989/90

PUBLICATIONS

The Local Government Antitrust Act: Continuing to Allow an Illusion to Supersede Economic Freedom, Nova Law Review (2024) with Peter Bowal

An Unjustified Hostility Toward Religion in the Workplace, The Catholic Lawyer, of St. John's University Law Review, Vol. 34 No. 3 (1991) Cited in Brief of AMICI CURIAE States of West Virginia, Louisiana, and 15 Other States in Support of Petitioner In the Supreme Court of the United States Gerald E. Groff, Petitioner, V. Louis DeJoy, Postmaster General, United States Postal Service, Respondent. — on Petition for a Writ of Certiorari to the United States Court of Appeals for the Third Circuit, (2023)

Counterterrorism and International Human Rights: Canada Opens its Courts to Overseas Human Rights Abuses, International Enforcement Law Reporter, Vol. 36 (2020) with Peter Bowal

Stinchcombe: Crown Disclosure of Criminal Evidence 2.0, 42:3 LawNow (2018), with Peter Bowal

The Exemption Approach Toward Rights: A Review of the Boeing Australia Decision, with Peter Bowal, Canadian Bar Review (2018)

Stinchcombe and Crown Disclosure of Criminal Evidence, LawNow, Vol.42:2 (2017)
With Peter Bowal

The Right of Publicity: Challenging the Underlying Rationale of a Limited Postmortem Term, Arizona State University Sports and Entertainment Law Journal, Vol. 4:1 (2015) with Peter Bowal and Ashley Lavon Leak

Who Owns the Tips?, LawNow Vol. 35 (2011) with Peter Bowal

The Law of Infant Waivers: Wong v. Lok's Martial Arts Centre INC, U.B.C Law Review, Vol. 44:2 (2011) with Peter Bowal and John Rollett.

The Abuse of Criminal Record Checks, LawNow, Vol.34 (2010) with Peter Bowal

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No Right to Silence During Employer Investigations, LawNow Vol. 34 (2010) with Peter Bowal

Jobs as Social Welfare Programs: The Case of H1N1, LawNow, Vol. 34 (2010) with Peter Bowal

What's in a Word: Olympic, LawNow Vol. 34 (2010) with Peter Bowal

What is an Employment Contract, Vol. 33 (2009) with Peter Bowal

Aunt Laura's Promise: A Case Analysis, LawNow Vol. 33:6(2009) with Peter Bowal

Little white Lies I Told My Boss LawNow Vol. 33 (2009) with Peter Bowal

Does Human Rights Law Discriminate, LawNow Vol. 32;3 (2008) with Peter Bowal

California Sexual Harassment Law, Free Speech and the Creative Necessity Defense, Hofstra Labor and Employment Law Journal Vol. 25 (2008) with Peter Bowal

The Whistle Blower Defense to Employment Dismissal, LawNow Vol. 32:2 (2007) with Peter Bowal

Study Guide to: *The Legal, Ethical and International Environment of Business* published by West Educational Publishing Sixth Edition (2006)

Reasonable Accommodation Under Title VII: Catholic Lawyer, St. John's University Law Review, Vol. 42, No 2, (2003)

Religious Harassment Under Title VII, Labor Law Journal, Vol. 46, (1995)

An Examination of the ADA's Direct Threat Defense, Labor Law Journal, Vol. 45, No. 10, (1994)

Employer's New Age Training Program Fail to Alter the Consciousness of the EEOC Labor Law Journal. Vol. 43 No. 7 (1992)

An Unjustified Hostility Toward Religion in the Workplace, The Catholic Lawyer, of St. John's University Law Review, Vol. 34 No. 3 (1991)

Fetal Protection Policies: Balancing the Interests of the Employee, Employer, and the Unborn under Title VII, Labor Law Journal, Vol. 41, No. 10 (1990) with Laurie Lichter-Heath.

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Statutory Construction of Title VII and 42 USC 1983 in Employment Discrimination Actions, Labor Law Journal, Vol. 40 No. 3 (1989)

The Inside on Insider on Trading, Midwest Business Law Proceedings, refereed discussant tract (March 1988)

Insider Trading Regulation: Attitudes of Securities Experts, Midwest Law Review, Vol. 7 (1988)

Who's Accommodating Who? - Religious Discrimination in the Workplace, Labor Law Journal, and Vol. 39, No. 5 (1988)

PRESENTATIONS

Presentation: *Groff v. DeJoy: The Supreme Court Clarifies "Undue Hardship"*, Rocky Mountain Academy of Legal Studies in Business, Vail, CO (Sept. 2023)

Paper Presentation: *Local Government Antitrust Act: Is it Time for Reform?* Rocky Mountain Academy of Legal Studies in Business, Vail, CO (Oct. 2022)

Paper Presentation: *Canada Opens its Courts to Overseas Rights Abuses*, Rocky Mountain Academy of Legal Studies in Business, Vail, CO (Oct. 2021)

Paper Presentation: *The Exemption Approach Toward Rights: A Review of the Boeing Australia Decision*, Rocky Mountain Academy Legal Studies in Business, Vail, CO (Sept. 2017)

Paper Presentation: *Enhancing the Burden of Proof in Hostile Work Environment Cases*, Rocky Mountain Academy of Legal Studies in Business, Vail, CO (Sept. 2016)

Invited Guest Speaker: New Legislation, Retaliation and Social Media, CalAct Annual Conference, Yosemite, CA (April 2015)

Paper Presentation: *Hostile Work Environments According to the California Supreme Court*. Rocky Mountain Academy of Legal Studies in Business, Vail, CO (Sept. 2015)

Paper Presentation: *California Sexual Harassment Law*, Pacific Southwest Academy of Legal Studies in Business, Palm Springs, CA (Feb. 2014)

Invited Guest Speaker: Human Resources Hot Topics, California's Public and Community Transportation Conference, California Transit Association, Anaheim, CA (Oct. 2013)

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Invited Guest Panelist: An Academic Perspective on IP, Intellectual Property Week McGeorge School of Law Sacramento, CA (Feb. 2013)

Paper Presentation: *Reasonable Accommodation and the Religious Employee under Title VII* with Peter Bowal, Rocky Mountain Academy of Legal Studies in Business, Vail, CO (Sept. 2013)

Invited Panelist: An Academic Perspective on Intellectual Property, McGeorge School of Law Intellectual Property Week, Feb. (2012)

Paper Presentation: *Coogan Laws of California and New York*, with Joseph Theusen, Rocky Mountain Academy of Legal Studies in Business Conference, Vail, CO Sept. (2012)

Paper Presentation: *Protecting the Children from the Parents: Looking Forward to the Next 70 Years Under Coogan's Law* with Joseph Theusen, Academy of Legal Studies In Business National Conference, August (2009)

Paper Presentation: *Protecting the Child Performer's Pocketbook from the Parents* with Joseph Theusen, Rocky Mountain Academy of Legal Studies in Business Conference, Oct. (2009)

Panel Discussant: The Law School Option, Music and Entertainment Industry Educators Association International Conference, March (2008) Long Island, New York

Paper Presentation: *Free Speech in the Entertainment Workplace and Sexual Harassment Law* with Peter Bowal, Music and Entertainment Industry Educators Association International Conference, March (2008) Long Island, New York

Paper Presentation: *The California Supreme Court Befriends Warner Brothers in Sexual Harassment Case* with Peter Bowal, Academy of Legal Studies in Business Annual Conference, St Petersburg, Florida August (2006.)

Paper Presentation: *Copyright Protection in an Era of Digital Conversion* with Peter Bowal, Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado September, (2005)

Paper Presentation: *Title IX Collegiate Athletics and the Commission's Recommendations*, Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado September (2004)

Paper Presentation: *The Business of Title IX Collegiate Athletics* Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado September (2003.)

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Paper Presentation: *Reasonable Accommodation Under Title VII: Is It Reasonable to the Religious Employee* with Peter Bowal, Rocky Mountain Academy of Legal Studies in Business Annual Conference, Vail, Colorado September (2002)

Paper Presentation: *The Remaking of the Reasonable Accommodation Provision Under Title VII* Rocky Mountain Academy of Legal Studies in Business, September 13-15, (2001) CONFERENCE CANCELED

Paper Presentation: *U.S. Supreme Court Cases that Have Impacted Business* Rocky Mountain Academy of Legal Studies in Business, Vail, Colorado September (2000)

Paper Presentation: *Revisiting Title VII's Reasonable Accommodation Provision*, Rocky Mountain Academy of Legal Studies in Business, Vail, Colorado September (1999)

Paper Presentation: *How the U. S. Supreme Court Has Impacted the Business Environment*, Rocky Mountain Academy of Legal Studies in Business, Vail, Colorado September (1998)

Paper Presentation: *Examining the ADA's Definition of Disability*, Rocky Mountain Academy of Legal Studies in Business, Sept. (1997), Vail, Colorado

Paper Presentation: *The Employer's Free Exercise Rights in the Workplace*, Western Academy of Legal Studies in Business, April (1996), Pacific Grove, California.

Paper Presentation: *Religious Harassment and the Free Exercise of Religion* Academy of Legal Studies in Business, Aug. (1995), Milwaukee, Wisconsin.

Paper Presentation: *The Effects of Reasonable Accommodation on the Employer's Freedom of Religion*

Pacific Northwest Academy of Legal Studies in Business, April (1995), Seattle, Washington.

Paper Presentation: *Religious Harassment in the Workplace*, Rocky Mountain Academy of Legal Studies in Business, Sept. (1994), Jackson, Wyoming.

Paper Presentation: *The Employer's Undue Burden Under the Americans with Disabilities Act*, Western Academy of Legal Studies in Business Conference, April (1994), Pacific Grove, California.

Paper Presentation: *The Otherwise Qualified Provision Under the Americans with Disabilities Act of 1990* American Academy of Legal Studies in Business Conference, August (1993), Colorado Springs, Colorado.

Paper Presentation: *AIDS in the Workplace* Western Academy of Legal Studies in Business Conference, April (1993), Pacific Grove, California.

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Paper Presentation: *New Age Training Programs in Violation of Title VII* Western Business Law Association Conference, March (1992), Pacific Grove, California.

Paper Presentation: *A Study of Growth Limitations in California* American Business Law Association Conference, August (1991), Portland, Maine.

Paper Presentation: *Recent Developments in Land Use Regulation* Western Business Law Association Conference, March (1991), Pacific Grove, California.

Paper Presentation: *The Unreasonable Effects of the Reasonable Accommodation Mandate* American Business Law Association Conference, August (1990), Toronto, Ontario, Canada.

Paper Presentation: *Workplace Fetal Protection Policies: Protection of the Unborn Under Federal Law* with Laurie Lichter-Heath, Western Business Law Association Conference, April (1990), Pacific Grove, California

Paper Presentation: *Recent Developments in Religious Discrimination Under Title VII* American Business Law Association Conference, August (1989), Los Angeles, California

Paper Presentation: *42 U.S.C. 1983: Preemption Considerations* Midwest Business Law Association Conference, March (1989), Chicago, Illinois.

Paper Presentation: *Business Ethics: A New Perspective* American Business Law Association Conference, August (1988), New Orleans, Louisiana.

Discussion Leader: Topic, Social Responsibility of the Tobacco Industry, Midwest Business Law Conference, March (1988), Chicago, Illinois.

Paper Presentation: *The Inside on Insider Trading* Midwest Business Law Association Conference, March (1988), Chicago, Illinois.

SERVICE

Faculty Advisor Entertainment Law Association (McGeorge School of Law)

Faculty Advisor Music Management Club

Advisory Board Member, Pacific Legal Scholars Program

President, Rocky Mountain Academy of Legal Studies in Business, 2000-2002

Program Chair, Rocky Mountain Academy of Legal Studies, 1999-2000

Faculty Advisor for Phi Alpha Delta-PreLaw Fraternity

Faculty Advisor for Eberhardt School of Business Student Association

Program Review McGeorge School of Law, Co-Chair

Program Review School of Education University of the Pacific