

CURRICULUM VITAE

CANDACE SAARI KOVACIC-FLEISCHER

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EDUCATION

Wellesley College, Wellesley, Massachusetts
A.B., 1969 in Economics with minors in Mathematics and Philosophy
Honors: Wellesley College Scholar; Wellesley College Scholarship;
Independent Research in London, England on the devaluation of the
Pound accredited by Wellesley College, 1968.

Northeastern University School of Law, Boston, Massachusetts
J.D., 1974
Honors: Northeastern University School of Law Scholarship;
Teaching Assistant
Cooperative employment, accredited by Northeastern School of Law
Law Clerk: Hawkes and Goldings (formerly Mahoney, Atwood &
Goldings), Boston; Foley, Hoag and Eliot, Boston; Nessen & Csaplar,
Boston; Harvard Center for Law and Education, Cambridge,
Massachusetts;
Legal Counselor (volunteer, part-time), Cambridgeport Problem Center,
Cambridge, Massachusetts

TEACHING

1981- Present	Washington College of Law, The American University
1986-Present	Professor Pauline Ruyle Moore Scholar (1999) Pauline Ruyle Moore Scholar (1997) University Faculty Award for Outstanding Teaching (1987) Part-time Student Award for Outstanding Teaching (1994)
1983-1986	Associate Professor Pauline Ruyle Moore Scholar (1985)
1981-1983	Assistant Professor of Law
1988	Visiting Professor, University of California, Los Angeles

CLERKSHIPS

1975-1976 Law Clerk for The Honorable Warren E. Burger, Chief Justice, United States Supreme Court, Washington, D. C.

1974-1975 Law Clerk for The Honorable James L. Oakes, Circuit Judge, United States Court of Appeals for the Second Circuit, Brattleboro, Vermont.

LAW PRACTICE

1980-1981 Associate, Cole & Groner, P.C., Washington, D.C.
Litigation in the United States Supreme Court, Court of Appeals, and District Courts in labor law and miscellaneous matters

1976-1980 Associate, Wilmer, Cutler & Pickering, Washington, D.C.
Antitrust litigation and advice; litigation in the District of Columbia courts on Constitutional, statutory, and negligence matters; securities law investigation; nonprofit corporate and tax law; response to grand jury subpoena; voluntary wage and price standards advice

OTHER EXPERIENCE

1969-1971 Consultant, Abt Associates, Cambridge, Massachusetts;
Deputy Project Manager of study for Rehabilitation Services Administration, Department of Health, Education, and Welfare; also developed and implemented economics curriculum for American Indian students under a contract with the Bureau of Indian Affairs, Department of the Interior

1967-1969 French Tutor, part-time

Summer, 1967 Economic Traineeship, S.A. Henri Desjonqueres, Paris, France
Statistical research for French bottle manufacturing firm

COURSES TAUGHT

Current courses: Contracts; Remedies; Sex-based Discrimination; Remedies in Constitutional and Complex Cases (Seminar); Legal Aspects of Work and Parenting (Seminar)

Former courses: Civil Procedure I (Rules), Injunctions; Legal and Extraordinary Remedies; Advanced Remedies (Seminar)

RESEARCH INTERESTS Remedies, Restitution, Sex-based discrimination, Contracts, Work and family conflicts, Title VII

PUBLICATIONS

“Defamation and Free Speech,” in THE ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES. New York: Taylor and Francis (forthcoming Spring 2006).

Leavell, Love, Nelson, & Kovacic-Fleischer, *EQUITABLE REMEDIES, RESTITUTION AND DAMAGES*, 7th ed., West, (Fall 2005) with Teacher’s Manual.

“Comparing Remedies for School Desegregation and Employment Discrimination: Can Employers Now Help Schools,” 41 *SAN DIEGO LAW REVIEW* 1695 (Fall 2004).

“Restitution in Public Concern Cases,” 36 *LOYOLA OF LOS ANGELES LAW REVIEW* 901 (Winter 2003).

“Remedies: Legal and Equitable,” in Kermit L. Hall, ed., *THE OXFORD COMPANION TO AMERICAN LAW*. New York: Oxford University Press, May 2002.

“Teaching Restitution,” 39 *BRANDEIS LAW REVIEW* 657 (Spring 2001).

“Sex Discrimination” and “United States v. Virginia (VMI case),” in Leonard Williams Levy et al, eds. *THE ENCYCLOPEDIA OF THE AMERICAN CONSTITUTION* (2nd edition). New York: MacMillan Press, June, 2000.

Leavell, Love, Nelson, & Kovacic-Fleischer, *EQUITABLE REMEDIES, RESTITUTION AND DAMAGES*, 6th ed., West, (2000) with Teacher’s Manual.

“Litigating Against Employment Penalties for Pregnancy, Breastfeeding and Childcare,” 44 *VILLANOVA LAW REVIEW* 355 (1999). (Received Pauline Ruyle Moore Scholar award)

PUBLICATIONS, cont'd.

“United States v. Virginia’s New Gender Equal Protection Analysis with Ramifications for Pregnancy, Parenting and Title VII,” 50 VANDERBILT LAW REV. 845 (1997). (Received Pauline Ruyle Moore Scholar award)

Leavell, Love, Nelson, & Kovacic-Fleischer, *EQUITABLE REMEDIES, RESTITUTION AND DAMAGES*, 5th ed., West, (1994) with Teacher’s Manual.

“The Remedial Problems of Stallone v. United States and Jenkins v. Missouri,” 24 URBAN LAWYER 621, (1992).

“Proving Discrimination after Price Waterhouse and Wards Cove: Semantics as Substance,” 39 AMERICAN U. LAW REV. 615 (1990).

Six chapters in *COMMERCIAL DAMAGES* (Treatise), updated periodically from 1987 through 1996: “Chapter 9 --- Contractual Limitations of Liability”; “Chapter 9A --- Agreed Remedies Contractual Clauses Dealing with Monetary Relief”; “Chapter 10 --- Remedies in Quantum Meruit”; “Chapter 15 --- Agreed Remedies: Contractual Clauses Dealing with Specific Relief”; “Chapter 17 --- Private Civil Remedies Under RICO,” (Matthew Bender 1988).

“A Proposal to Simplify Quantum Meruit Litigation,” 35 AMER. U. LAW REV. 547 (1986).

“Remedying Underinclusive Statutes,” 33 WAYNE LAW REV. 39 (1986).

“Applying Restitution to Remedy a Discriminatory Denial of Partnership,” 34 SYRACUSE LAW REV. 743 (1983). (Received Pauline Ruyle Moore Scholar Award).

WORKS IN-PROGRESS

The readings prepared for my seminar, *Legal Aspects of Work and Parenting*, is being updated and edited for a textbook with commentary.

PAPERS, PRESENTATIONS, AND CONFERENCES/MEETINGS

Attended ALI Draft Restatement (Third) of Restitution, Advisors and Consultative Committee, Nashville, TN, October 1, 2005.

Chair, "Pushing the Envelope," Working Time, Discrimination and the Law: The Family Responsive Workplace in Europe and the United States, (sponsored by the Friedrich Ebert Foundation and WCL), Washington, D.C., March 21-22, 2005.

"Restitution in Public Concern Cases," paper presented at the Second Remedies Discussion Forum, co-hosted by the Louis D. Brandeis School of Law of the University of Louisville and the Washington and Lee University Law School, Roanoke, Virginia, April 26-27, 2002.

"Teaching Restitution," paper presented at the Remedies Discussion Forum, co-hosted by the Louis D. Brandeis School of Law at the University of Louisville and Vanderbilt University School of Law, April 7, 2000.

Panelist, "The Parenting Trap: Strategies for Balancing Work and Family" (co-sponsored by Gender, Work & Family Project and Women's Law Association). March 22, 1999.

Speaker and panelist, "Litigating Work and Family Conflicts," VILLANOVA LAW REVIEW Symposium, "Still Hostile after All These Years: Gender, Work & Family Revisited." November 7, 1998.

Sole commentator for CSPAN's presentation of videotape of U.S. Court of Appeals for the Second Circuit's en banc oral argument in *Fisher v. Vassar College*, August, 1997.

Co-Moderator, Symposium of Remedies Section and Urban, State, and Local Government Law Section of the American Association of American Law Schools, "Yonkers, Kansas City and Beyond: Necessary and Appropriate Remedies or Federal Court Intrusions in Local Government Decisions?" January, 1991.

Speaker and panelist, plenary session, Virginia State Bar Annual Meeting, June 16, 1984. Topic: "Making Partner in the Eighties — Just How Far Have We Come?"

Other speaking appearances on how to teach, restitution, sex based discrimination, civil rights, the Supreme Court and other topics.

BAR

MEMBERSHIPS

Massachusetts, 1974

District of Columbia Court of Appeals, 1976

U.S. District Court of the District of Columbia, 1977

U.S. Court of Appeals for the District of Columbia, 1977

Supreme Court of the United States, 1978

HONORS

Elected to membership in the Cosmos Club, Washington, D.C., 2001

Pauline Ruyle Moore Scholar, 1999, 1997, 1985

Award from Part-time Division for Outstanding Teaching, 1994

American University Faculty Award for Outstanding Teaching, 1987

Washington College of Law Award for Outstanding Teaching, 1987

Who's Who in the Law

Who's Who of American Women

Who's Who in Education

Who's Who in America

PROFESSIONAL AFFILIATIONS

May 2002	Elected to American Law Institute (ALI).
1990-Present	Mediator, U.S. Court of Appeals for the District of Columbia Circuit (court appointed)
1990-1991	Chair, Remedies Section, Association of American Law Schools; Chair-elect, 1989-1990 (Published Remedies Section Newsletter, 1989)
1986-1990	National Association of Attorneys General (Moot Court Judge for U.S. Supreme Court arguments)
1986-1992	Member (appointed) of the District of Columbia Circuit's Committee on the Bicentennial of the Constitution

- 1982-1983 Member (appointed) of the Amicus Curiae Briefs Committee of the Criminal Justice Section of the American Bar Association
- 1979-1982 Member (appointed) of the Evaluating Judicial Performance Committee of the Criminal Justice Section of the American Bar Association
- 1977-1981 Secretary, Eisenhower Foundation for the Prevention of Handgun Violence, (currently Center for the Study and Prevention of Handgun Violence); provided legal advice to incorporate the organization and obtain its tax exempt status
- 1979-1982 Member (appointed) of the Gun Control Committee of the Criminal Justice Section of the American Bar Association. In 1981 authored the Statement of the American Bar Association Concerning Control of Crimes Committed with Handguns, inserted in the Congressional Record by The Honorable Peter Rodino, Jr., on July 28, 1981.

**COMMUNITY
WORK**

Volunteer reading tutor and art appreciation teacher, Churchill Road Elementary School, McLean, Virginia