

# MATTHEW A. SELIGMAN

## ACADEMIC APPOINTMENTS

*Stanford Law School* *Palo Alto, CA*  
*Fellow, Center for Constitutional Law* July 2022 – Present

*Yale Law School* *New Haven, CT*  
*Fellow, Center for Private Law* July 2021 – July 2022

*Harvard Law School* *Cambridge, MA*  
*Instructor* August 2020 – December 2020  
Course: Wargaming 2020 (with Prof. Lawrence Lessig)

*Benjamin N. Cardozo School of Law* *New York, New York*  
*Visiting Assistant Professor of Law* June 2018 – May 2020  
Courses: Contracts, Corporations

*Harvard Law School* *Cambridge, MA*  
*Climenko Fellow and Lecturer on Law* July 2016 – June 2018

## PRACTICE EXPERIENCE

*Keller Postman LLC* *Washington, D.C.*  
*Counsel* November 2021 – November 2022  
Focuses on Supreme Court and appellate litigation. Drafted successful petition for certiorari and pending merits brief in *Mallory v. Norfolk Southern Railway Co.*, No. 21-1168.

*Campaign Legal Center* *Washington, D.C.*  
*Special Counsel* August 2020 – October 2021  
Provided legal analysis and litigation planning on crisis scenarios in the 2020 presidential election. Drafted white paper analyzing potential manipulation threats under Electoral Count Act of 1887. Drafted model legislation of Electoral Count Reform Act.

*Public Citizen Litigation Group* *Washington, D.C.*  
*Attorney* August 2020 – February 2021  
Drafted briefs for Supreme Court and appellate litigation, particularly civil litigation involving the rights of consumers and workers, the separation of powers, and other issues of constitutional law.

*Kellogg, Huber, Hansen, Todd, Evans & Figel PLLC* *Washington, D.C.*  
*Associate* January 2013 – June 2016  
Drafted numerous briefs before the U.S. Supreme Court, including successful petition for certiorari and merits briefs in *Jesinoski v. Countrywide Home Loans*, 574 U.S. 259 (2015), successful merits brief in *Tyson Foods, Inc. v. Bouaphakeo*, 577 U.S. 442 (2016), and merits brief in *RJR Nabisco, Inc. v. The European Community*, 579 U.S. 325 (2016). Drafted briefs before the federal courts of appeals and state supreme courts. Briefed and argued case in D.C. Circuit case involving unresolved constitutional issue as Court-appointed *amicus*. Deposited president of major Wall Street investment bank.

*United States Court of Appeals for the District of Columbia Circuit* *Washington, D.C.*  
*The Honorable Judge Douglas H. Ginsburg*  
*Law Clerk* August 2011 – October 2012

*Stanford Supreme Court Litigation Clinic* *Stanford, California*  
*Clinic Student* September 2010 – December 2010  
Participated in drafting briefs in cases before the U.S. Supreme Court at the certiorari stage and at the merits stage. Assisted instructors to prepare for oral argument.

*Office of the Solicitor General, State of New York* *New York, New York*  
*Summer Intern* August 2010 – September 2010  
Drafted appellate briefs in state and federal court on behalf of the State of New York, including Second Circuit brief and brief in opposition to certiorari.

*Kellogg, Huber, Hansen, Todd, Evans & Figel PLLC* *Washington, D.C.*  
*Summer Associate* June 2010 – August 2010  
Drafted brief in successful Tenth Circuit appeal of denial of habeas petition brought by state prisoner. Drafted legal memoranda for various trial and appellate matters.

*International Criminal Tribunal for the former Yugoslavia* *The Hague, Netherlands*  
*Legal Intern* May 2009 – August 2009  
Drafted briefs and memoranda in war-crimes trial for ethnic cleansing and crimes against humanity during the Balkans war.

## EDUCATION

*Stanford Law School – J.D.* June 2011  

- Gerald Gunther Prizes for Outstanding Performance in Administrative Law, Antitrust, Constitutional Law III – First Amendment, Constitutional Litigation, Economic Analysis of Law, and Regulation of the Political Process
- John Hart Ely Prize for Outstanding Performance in Comparative Constitutional Law
- STANFORD JOURNAL OF LAW, BUSINESS, & FINANCE – Editor-in-Chief
- Kirkwood Moot Court Competition – Highest-Scoring Brief
- Research Assistant, Justice Richard Goldstone, Constitutional Court of South Africa
- Public Interest Law Fellow; Fellow, John M. Olin Program in Law and Economics

*New York University – Ph.D., Department of Philosophy* May 2013  

- Dissertation: *The Moral Galilean Intuition: An Essay on Metaethics, Morals, and Colors*
- Committee: Thomas Nagel (Chair), Derek Parfit, Sharon Street
- Focus: Political Theory, Moral Philosophy, Metaethics

*Stanford University – B.A., Philosophy; B.S., Mathematics; M.A., Philosophy* June 2002

## BOOK

*How to Steal a Presidential Election* (forthcoming, Yale University Press) (co-authored with Lawrence Lessig).

## ACADEMIC PUBLICATIONS

*The Vice President's Non-Existent Unilateral Power to Reject Electoral Votes* (working paper).

*Disputed Presidential Elections and the Collapse of Constitutional Norms* (working paper).

*A Realistic Risk Assessment of the Presidential Election of 2024* (working paper).

*The Recursive Nightmare of the Elections and Returns Clause of Article I* (working paper).

*The First Amendment Right to Vote for President* (working paper).

*A Formalist Approach to the President's Unilateral Power to Exit International Agreements* (working paper)

*Standing and the Moral Force of Law* (working paper)

*Personalized Choice of Private Law* (working paper).

*Hypothetical Consent and the New Law of Contract* (working paper)

*Moral Belief and Moral Bankruptcy* (working paper)

*Court Packing, Senate Stonewalling, and the Constitutional Politics of Judicial Appointments Reform* (forthcoming Arizona State Law Journal).

*Moral Diversity and Efficient Breach*, 117 MICH. L. REV. 885 (2019).

*The Error Theory of Contract*, 78 MD. L. REV. 147 (2018).

*Neutral Principles and Political Power: A Response to Reverse Political Process Theory*, 70 VAND. L. REV. EN BANC 301 (2017).

*Note, Harrington's Wake: Unanswered Questions on AEDPA's Application to Summary Dispositions*, 64 STAN. L. REV. 469 (2011).

*Luck, Leverage, and Equality: A Bargaining Problem for Luck Egalitarians*, PHIL. & PUB. AFF., Summer 2007, at 266.

#### BAR ADMISSIONS

---

California (2013); District of Columbia (2014); Supreme Court of the United States (2016).