

HEATHER M. WHITNEY

250 Mercer St. B1105 New York City, New York 10012 • heatherwhitney@gmail.com • (415) 347-6896

EDUCATION

NEW YORK UNIVERSITY, New York, NY
Ph.D. in Philosophy, Fall 2017 – Present

HARVARD LAW SCHOOL, Cambridge, MA

J.D., magna cum laude, May 2013

Activities: *Journal of Law and Technology*, Submissions Chair, Volume 26;
Professors Michael Klarman, Lawrence Lessig, and Benjamin Sachs, Research Assistant
Professors Terry Fisher, Jim Greiner, Teaching Fellow
Professors Jack Goldsmith, Phil Malone, Summer Academic Fellow

UNIVERSITY OF CALIFORNIA AT LOS ANGELES (UCLA), Los Angeles, CA

B.A., summa cum laude in Philosophy, May 2008

Honors: Phi Beta Kappa; College and Departmental Honors; Kalish Prize (top philosophy students);
Dean's Prize for Research (top research presented in division at a conference)

Activities: Symbolic Logic I & II, Teaching Assistant

ACADEMIC EXPERIENCE

HARVARD LAW SCHOOL, Cambridge, MA

Visiting Researcher, January 2017 – Summer 2017

Researched and wrote on the regulation of discrimination in the market. Jack Goldsmith, faculty sponsor.

Copyright edX Teaching Fellow, Spring 2013, 2014, 2015, and 2017

Taught limited enrollment international course on copyright, organized by Harvard Law School.

UNIVERSITY OF CHICAGO LAW SCHOOL, Chicago, IL

Bigelow Fellow & Lecturer in Law, July 2014 – August 2016

Courses: Private Discrimination, Legal Research & Writing

BERKMAN KLEIN CENTER FOR INTERNET & SOCIETY, Cambridge, MA

Fellow, 2012 – 2013; *Faculty Affiliate*, 2014 – 2015

Researched alt-labor and firm relations in Silicon Valley (Fellow) and platform regulation (Affiliate).

LEGAL & POLICY EXPERIENCE

U.S. COURT OF APPEALS FOR THE SEVENTH CIRCUIT, Chicago, IL

Law Clerk to Chief Judge Diane Wood, 2013 – 2014

KEKER, VAN NEST, & PETERS San Francisco, CA

Summer Associate, Summer 2013

Created damages expert cross outline in Electronic Arts copyright case. Wrote appellate brief in Silicon Valley employment law and trade secrets case, memo in §1983 case, and patents and games presentation.

JENNER & BLOCK, Washington, DC

Summer Associate, Summer 2012

Produced memo on current issues in online games and virtual world law. Wrote reply motion opposing legislative privilege in Florida redistricting case. Researched intersection of free speech and search engines.

FACEBOOK, Washington, DC

Global Policy Intern, Summer 2012

Revised law enforcement takedown request policy. Drafted response to proposed legislation in Vietnam.

FEDERAL TRADE COMMISSION, San Francisco, CA

Law Clerk, Summer 2011

Produced section of reply to Motion to Dismiss in deceptive online advertising case. Produced two memoranda for Facebook privacy investigation. Conducted deceptive advertising investigation.

GOOGLE, Mountain View, CA

Training & Project Manager, Global Ethics and Compliance Team, 2007 – 2010

Identified and created training to mitigate internal compliance risks (e.g., antitrust, code of conduct, data security, dawn raids, discrimination, sexual harassment). Answered Googler legal and policy questions.

**ACADEMIC
PUBLICATIONS**

Search Engines, Free Speech Coverage, and the Limits of Analogical Reasoning in *FREE SPEECH IN THE INTERNET AGE* (Susan J. Brison & Kath Gelber, eds) (co-authored) (forthcoming Oxford University Press).

Search Engines, Social Media, and the Editorial Analogy, Knight First Amendment Institute at Columbia University's Emerging Threats Series (2018).

Customer Discrimination, 102 IOWA L. REV. ONLINE 346 (2017) (invited response piece)

The Regulation of Discrimination by Individuals in the Market, 2017 U. CHI. LEGAL F.537 (2017) (symposium)

Abod, Takings, and the Potential Radicalization of Labor, 10 N.Y.U. J. L. & LIBERTY 191 (2016) (symposium)

Rethinking the Ban on Company-Labor Organization Cooperation, 37 CARDOZO L. REV. 1455 (2016).

**SELECTED
POPULAR
PUBLICATIONS
& PRESS**

Maya Kosoff, "There is No Way": Would Jeff Sessions's War on Tech Get Laughed Out of Court?, *Vanity Fair* (Sept. 7, 2018) (I'm the one who said "there is no way" Sessions will succeed)

Rachel Raczka, *Tours That Offer So Much More Than a Chance to Walk in an Author's Shoes*, *The Boston Globe* (Aug. 30, 2018) (interviewed about my Virginia Woolf reading and walking pilgrimage)

Emily Stewart, *Trump keeps complaining about bias on Twitter - but what can he do about it? 8 experts weigh in*, *Vox* (Aug. 23, 2018) (I'm one of the experts interviewed)

Google and Facebook don't qualify for First Amendment Protections, *The Guardian* (2018).

Does the Packingham Ruling Presage Greater Government Control Over Search Results? Or Less?, *Technology & Marketing Blog* (2017).

Silicon Valley, Meet Labor Law, *PrawfsBlawg* (2015).

A Failure in the Market for Altruism, *PrawfsBlawg* (2015).

McDonald's and Fast Food Forward, *OnLabor* (2015).

The Takings Clause and Sweeney v. Pence, *OnLabor* (2014).

**SELECTED
PRESENTATIONS**

Search Engines, Social Media, and the Editorial Analogy
Princeton, Susan Brison Philosophy course on Free Speech in the Digital Age (Fall 2018)

Search Engines, Social Media, and the Editorial Analogy
Univ. of California Berkeley Workshop in Law, Philosophy, and Political Theory (Fall 2018)

White Ignorance and Hermeneutic Injustice: A Puzzle
Applied Epistemology Research Retreat and Workshop (2018)

The Autonomy Defense of Private Discrimination
SWIP-Analytic, Society for Women in Philosophy, New York City (2017) (invited)
Emerging Voices in Workplace Law, Employment Discrimination and Labor Relations and Employment Law Joint Program, 2017 AALS (2017) (invited)
Society for Analytical Feminism Conference, University of Massachusetts, Lowell (2016)
Regulation of Family, Sex, and Gender Workshop, Univ. of Chicago Law School (2016)

Antidiscrimination Law & Freedom of Association: Understanding the Problem
Univ. of Chicago Law School Legal Forum Symposium: The Disrupted Workplace (2016)

Search Engines and Free Speech Coverage
Yale Law School Conference on Free Expression (2016)

Rethinking the Ban on Employer-Labor Organization Cooperation
Univ. of Chicago Law School Work-in-Progress Workshop (2015)

Seton Hall Employment & Labor Law Scholars' Forum (2015)

Marco Biagi Young Scholars' Workshop in Labour Relations. Modena, Italy (2015)

Internet Work-in-Progress Workshop. Santa Clara Univ. School of Law, California (2015)

**SELECTED
COMMENTARY**

Commentator, James Weinstein, *The Regulation of Lies in Speech and Elections* (2017)

Free Speech and its Discontents Workshop, Princeton Univ. Center for Human Values

Commentator, Julia D. Mahoney, *The Safety Net and American Exceptionalism* (2016)

Regulation of Family, Sex, and Gender Workshop, Univ. of Chicago Law School

Commentator, Tommie Shelby, *DARK GHETTOS: INJUSTICE, DISSENT, AND REFORM* (2015)

Law and Philosophy Workshop, Univ. of Chicago Law School