

RICHARD L. HEPNER Jr., JD PhD

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Duquesne University School of Law, Pittsburgh, PA 2017–present
Assistant Professor. Teaching Civil Procedure, Litigation Practice, Federal Courts, and Antitrust courses. Pursuing scholarship related to civil procedure, appellate procedure, and law and interpretation.

EDUCATION

Harvard Law School, J.D. *cum laude* 2008
Harvard Journal of Law and Technology, Notes & Comments Editor;
Teaching Fellow for *Constitutional History* course (Prof. Morton Horwitz);
Berkman Center for Internet and Society Clinical Program; Mather House,
Non-Resident Tutor

Tufts University, M.A. and Ph.D. in English Literature 1996, 2003
Dissertation: *Dominance and Dissolution: Discourses of Subjectivity in British Modernist Literature.*

Kenyon College, B.A. magna cum laude in English with Honors 1995
Creative and Critical thesis: “Old English Poetical Forms in James Joyce’s *Ulysses*” and *Eardstapa (The Wanderer)*, a novella.

PUBLICATIONS

Conceptualizing Appealability: Resisting the Supreme Court’s Categorical Imperative, 55 *Tulsa L.R.* 393 (2020).

Statutory Damages and Standing after Spokeo v. Robins, 9 *CONLAWNOW* 125 (2018).

“Federal Court Certification of State Law Questions” *Third Circuit Appellate Practices Manual* (PBI Press Third Edition, 2016) (with Kim Watterson).

“Understanding Standing After *Spokeo v. Robins*” *The Legal Intelligencer*, June 22, 2016.

“Judicial Factfinding on Appeal: Seeking Clarity in an Information Age” *Certworthy – DRI – The Voice of The Defense Bar*, April 22, 2016 (with James Martin, Colin Wrabley, Patrick Yingling).

“Making Sense of Class Actions After *Braun* and *Dukes*” *The Legal Intelligencer*, February 11, 2015 (with Kim Watterson).

“Minimizing the Potential Risks of Multiparty Arbitration” *The Legal Intelligencer*, January 29, 2014 (with Kim Watterson).

“Who Says When Litigation Waives the Right to Arbitrate?” *Law360*, January 16, 2014.

“6th Circ. Gives Courts Say On Classwide Arbitrability” *Law360*, December 18, 2013 (with Kim Watterson).

“Third Circuit Grapples With Privilege and Appellate Jurisdiction” *Law360*, March 20, 2013 (with Colin Wrabley, Aditya Nagarajan).

“Revised Removal Statutes – Possibilities, Pitfalls: Part 1” *Law360*, February 3, 2012 (with Colin Wrabley).

Policy Disagreements with the United States Sentencing Guidelines: A Welcome Expansion of Judicial Discretion or the Beginning of the End of the Sentencing Guidelines? 50 DUQUESNE LAW REVIEW, Vol. 1, Winter 2012 (with Hon. Thomas M. Hardiman).

“Mrs. Dalloway’s Invitation.” VIRGINIA WOOLF MISCELLANY Vol. 65, Spring 2004.

PRESENTATIONS

“Third Circuit Appeals: Everything You Ever Wanted to Know” CLE Presentation, Allegheny County Bar Association (June 8, 2020).

“The Concept of Appealability: Resisting the Supreme Court’s Categorical Imperative” Junior Faculty Federal Courts Workshop, University of Arkansas School of Law, September 2019.

“Toward a Concept Model of ‘Finality for Appeal’” Junior Faculty Forum, University of Richmond School of Law, June 2019.

“What We Talk About When We Talk About Law: Foregrounding Metaphors in Judicial Opinions” Mon River Colloquium, Duquesne University School of Law, March 2018.

“Statutory Damages and Standing after *Spokeo v. Robins*” The Constitution and Remedies Virtual Symposium, Center for Constitutional Law, University of Akron School of Law, November, 2017.

“Is Psychoanalysis a Modernist Science?” Panel Coordinator, North East MLA, 2004.

“Easter, 1916’ – ‘Remembering, Repeating, and Working-Through” North East MLA, 2003 (earlier version presented at New Modernisms 3, Modernist Studies Association, 2001).

“Using Psychoanalysis as an Object of Study in Composition Classes” South Atlantic MLA, 2002.

“Modernism ~~and~~ as the Extreme” New Modernisms 4, Modernist Studies Association, 2002.

“T. S. Eliot's Poetics: Free Verse and the Hysterical Woman” North East MLA, 2001.

“Wyndham Lewis’s *Tarr*: Sublimation, Suicide and the Escape from Art” “Escape” Conference, Harvard University, 2001.

“Some Astonishing Significance’: The Textual Desire in / of *Mrs. Dalloway*” Central New York Conference on Language and Literature, 2000.

“T.S. Eliot and the Subject of Criticism” Rocky Mountain MLA, 1999.

PROFESSIONAL EXPERIENCE

- Reed Smith LLP**, Pittsburgh, PA 2011–2018
Associate, Appellate Litigation. Briefed and handled cases in federal and state appellate and supreme courts, and wrote dispositive motions in trial courts. Advised and represented clients in cases involving arbitration, conflicts of law, and preemption questions, including cases about financial regulation, employment, privacy, civil rights, antitrust, and free speech.
- The Honorable Thomas Hardiman** 2010–2011
Law Clerk. U.S. Court of Appeals for the Third Circuit.
- The Honorable Nora Barry Fischer** 2009–2010
Law Clerk. U.S. District Court for the Western District of Pennsylvania.
- Ropes & Gray LLP**, Boston, MA Summer 2007, 2008–2009
Associate, Litigation.
- Office Of The Federal Defender**, Boston, MA Summer 2006
Legal Intern.

PRIOR TEACHING EXPERIENCE

- Slippery Rock University**, Slippery Rock, PA 2003–2005

RICHARD L. HEPPNER JR., JD PhD

Instructor. “College Writing 1 and 2” and “Interpreting Literature” courses.

Allegheny College, Meadville, PA

2002–2003

Instructor. “Freshman Seminar” and “Reading Literature” courses.

Babson College, Wellesley, MA

2001–2002

Lecturer. “Rhetoric A and B” courses.

BAR & COURT ADMISSIONS

Pennsylvania

Massachusetts

U.S. District Court - Western District of Pennsylvania

U.S. Court of Appeals - Third Circuit

U.S. Court of Appeals - Ninth Circuit

U.S. Court of Appeals - Eleventh Circuit

LANGUAGES & OTHER ACTIVITIES

Conversational French and basic Spanish; Advisory Board, Higher Achievement Pittsburgh; Board of Trustees, St. Edmund’s Academy; Black belt in Tang Soo Do.