

MITCHELL FERDINAND CRUSTO
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New Orleans, LA 70118
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I. EDUCATIONAL ACHIEVEMENTS

Yale Law School, New Haven, Connecticut 1980 to 1981, 1975 to 1977
J.D., June, 1981: Resident Graduate Fellow in Law, Calhoun College

Oxford University, Oxford, England, Marshall Scholar 1977 to 1980
M.A., 1985, B.A. 1980, Honour School of Jurisprudence
D. Phil. Candidate Legal History, under Professor Patrick Atiyah

Yale Graduate School, New Haven, Connecticut 1976 to 1977
Candidate for Ph.D. - J.D. in History under Professor C. Vann Woodward

Yale College, New Haven, Connecticut 1971 to 1975
B.A., May 1975, Magna Cum Laude; Scholar of the House (History)

II. TEACHING EXPERIENCE AND OTHER EMPLOYMENT

Loyola University (New Orleans) College of Law, New Orleans, LA 1995 to Present
Professor (Tenure, Fall 2000, Professor, Spring 2002)
Property I, II; Real Estate Transactions, Agency, Partnership & Limited Liability
Companies; Business Organizations I, II; Corporations; Wills, Trusts and
Estates; Insurance; Environmental Management; Contracts II; American Legal
History; Hot Topics in International Environmental Law; Social Responsibility
and Corporate Behavior Seminar; The Legal Profession; and Academic Success.
Conditional Admission Program, "The Law of Landlord/Tenant" June 2004/June 2005
University Faculty Advising Award 2005 and 2006
Budapest, Hungary, Hot Topics in International Environmental Law Summer 2005

University of Miami School of Law, Miami, Florida 8/2007 to 5/2008
Visiting Professor
Property; Business Associations; Katrina and the Law: the Ethics of Disasters Seminar

Washington University School of Law, St. Louis, Missouri 8/2006 to 5/2007
Visiting Professor
Property; Business Entities; Corporate Responsibility

Vermont Law School, South Royalton, Vermont Summer 2003, 2002, 2001, and 2000
Visiting Professor: Winning Environmental Business Strategies

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| Washington University School of Law , St. Louis, Missouri | Summer 1999 |
| Visiting Professor: Agency, Partnership and the Limited Liability Company | |
| Washington University Business School , St. Louis, Missouri | 1985 to 1989 |
| Adjunct Professor: Business Law and Government Regulation of Business | |
| Executive MBA Program, Business Law; "Teacher of the Year," two years straight | |
| Minority Entrepreneur Program, Inner City Youth, Lecturer | |
| St. Louis University Law School , St. Louis, Missouri | 1987 to 1988 |
| Adjunct Professor: Advanced Topics in Securities Regulations | |
| Arthur Andersen & Co., S.C. , Chicago, Illinois | 1993 to 1995 |
| Senior Manager, Environmental Services | |
| President Bill Clinton's Transition Team , Washington, D.C. | December 1992 |
| Member, Natural Resources Cluster | |
| Environmental Law Institute , Washington, D.C. | 1993 |
| Lecturer: Environmental Management | |
| Monsanto Company , St. Louis, Missouri | 1991 to 1993 |
| Director, Corporate Environmental Policy | |
| U.S. Small Business Administration (SBA) , Washington, D.C. | 1989 to 1991 |
| Associate Deputy Administrator for Finance, Investment and Procurement | |
| The Honorable John M. Wisdom, U.S. Court of Appeals, 5th Circuit | 1981 to 1982 |
| Judicial Law Clerk | |

III. SCHOLARLY AND PROFESSIONAL PUBLICATIONS

A. Works in Progress

“Self-Evident but not Self-Executing:” How Katrina Challenged our Constitution, publisher commitment from Carolina Academic Press, scheduled completion, December 2013

Kaveat Kwewes: Unincorporated Non-Profit Associations Member Liability, submitted Louisiana Bar Journal

Research, draft, and write a law review article entitled “The Sandy Fund,” which analyzes Hurricane Sandy property insurance law issues from the vantage of Katrina property insurance litigation

Research, analyze, and write a law review entitled “Self-Evident but not Self-Executing: How Disasters Challenge our Constitutional Commitments,” based on book which is currently being written

B. Law Review Publications

Empathic Dialogue: from Formalism to Value Principles, 65 SMU L. Rev. 845-876 (Fall 2012).

Obama’s Moral Capitalism: Empathy and the Constitution, 63 U. MIAMI L. REV 1011-1040 (2009).

Unconscious Classism: Entity Equality for Sole Proprietors, 11 U. PA. JCL 215-275 (2009) lead article, <http://www.pennjcl.com/main/>.

Enslaved Constitution: Obstructing Freedom to Travel, lead article, 70 U. PITT. L. REV. 233 (2008), <http://lawreview.law.pitt.edu/issues/70/70.2/01Crusto.pdf>.

Letter from a Native Son: Do you Know What it Means to Miss New Orleans, HURRICANE KATRINA: AMERICA’S UNNATURAL DISASTER, edited by Jeremy I. Levitt and Matthew C. Whitaker, University of Nebraska Press Series, Justice and Social Inquiry, lead chapter, 2009.

Louisiana’s Valued Policy Law: Total Loss Equals Total Payment?, LOUISIANA BAR JOURNAL, August/September 2007.

The Katrina Fund: Repairing Breaches in Gulf Coast Insurance Levees, 43 HARV. J. LEG. 329-373 (2006).

Endangered Green Reports: ‘Cumulative Materiality’ in Corporate Environmental Disclosure after Sarbanes-Oxley? 42 HARV. J. LEG. 483-509 (2005), **reprinted** 35 ELR 10666 (Oct. 2005).

Blackness as Property: Sex, Race, Status, and Wealth, 1 STAN. J. C R. & C.L.L. REV. 51-169 (April 2005), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1572684.

Green Business: Should We Revoke Corporate Charters for Environmental Violations, 63 LA. L. REV 175- 241 (2003), **reprinted** 34 ELR (Feb. 2004).

Extending the Veil to Solo Entrepreneurs: A Limited Liability Sole Proprietorship Act (LLSP), 2001 COL. BUS. L. REV. 381-430 (2001).

The Supreme Court's New Federalism: an Anti-Rights' Agenda, 16 GA. ST. U. L. REV. 517- 572 (2000).

All That Glitters Is Not Gold: A Congressional-Driven Global Environmental Policy, 11 GEO. INT'L ENVTL. L. REV. 499- 529 (1999).

Federalism and Civil Rights, the Meredith Case, 11 NAT'L BLACK L.J. 301- 315 (1989).

C. Other Legal Publications

Toxic Mold: Punitive Damages for Insurers' Bad Faith Practices, AMERICAN BAR ASSOCIATION, SECTION ON LITIGATION (April 2003).

SMITH AND ROBINSON, BUSINESS LAW, Contributing Editor (1988 to 1997).

Environmental Risk Management Programs Expand into the Banking Community, ILLINOIS BANKER (July 1993).

Business Roundtable on Environmental Management, CORPORATE LEGAL TIMES (1993).

Reflections on Insider Trading, SLOAN MANAGEMENT REVIEW (Fall 1987).

THE FREDERICK DOUGLASS PAPERS, Research Assistant, Professor John W. Blassingame, Yale University, New Haven, Connecticut (Summer 1976, 1983 to 1985).

IV. SCHOLARLY PRESENTATIONS

“Unconscious Classism: Entity Equality and Citizens United,” Corporate Citizenship: First Among Equals or Equal Protection, Southeastern Association of Law Schools, 65th Annual Meeting, Amelia Island, Florida, August 1, 2012.

“Moral Capitalism: a Constitutional Right to Protection from Economic Exploitation/Predation,” Issues in Consumer Financial Protection and Financial Regulation, Southeastern Association of Law Schools, 65th Annual Meeting, Amelia Island, Florida, August 1, 2012.

“Do Lawyers Have a Duty to Serve the Unrepresented?” presentation on a citizen’s right to effective counsel in the plea bargaining process in criminal laws cased in light of recent U.S. Supreme Court’s Frye and Lafler decisions. Louisiana Judicial Council, 18th Annual CLE of Louisiana, St. Thomas, U.S. Virgin Islands, June 21, 2012.

“Obama’s Legislative Agenda: the Great Society or the New Socialism?” Constitutional Law Workshop, Southeastern Association of Law Schools, 64th Annual Meeting, Hilton Head Island, South Carolina, July 26, 2011.

“Constitutional Intrusion into State Judicial Independence,” presentation on judges’ ethical duty of self-recuse under the U.S. Supreme Court Caperton 14th Amendment Due Process test for “contributor bias,” Louisiana Judicial Council, 17th Annual CLE of Louisiana, San Juan, Puerto Rico, July 11, 2011.

“The BP Fund: Justice Facilitated or Justice Denied?” presentation, Symposium, “The Deepwater Horizon Oil Spill—A Billion Pound Dossier,” Loyola University New Orleans College of Law, New Orleans, Louisiana, September 17, 2010.

“Empathetic Constitution: Toward Value Principles of Constitutional Law,” presentation, panel “A Constitution of Values; Structure and the Ends of Governmental Authority in a Post-Racial Age,” Third National People of Color Legal Scholarship Conference, Seton Hall University School of Law, Newark, NJ, September 11, 2010.

“Empathetic Constitution: Toward Value Principles of Constitutional Law,” presentation, Constitutional Law Workshop, “Obama, Empathy, and the Constitution, Southeastern Association of Law Schools. 63rd Annual Meeting, Palm Beach, Florida, July 30, 2010.

“Retracing the Steps on the Bridge: the Right to Intra-State Travel,” presentation on the role of State Judges in developing constitutional law, Louisiana Judicial Council, 16th Annual Jamaican Sunset CLE, Negril, Jamaica, July 10, 2010.

“Rising Tenure Standards,” presentation, Writing for Tenure panel, Southeastern Association of Law Schools. 62nd Annual Meeting, Palm Beach, Florida, August 5, 2009.

“Obama’s Moral Capitalism: Empathy and the Constitution,” presentation, Louisiana Judicial Council, 15th Annual Jamaican Sunset CLE, Negril, Jamaica, July 10, 2009.

“Louisiana’s Contributions to Constitutional Law,” presentation, Debating the Constitution, a Morning of Constitutional Law, The Louisiana Judicial College and the Louisiana State Bar Association Summer School, Sandestin, Florida, June 8, 2009.

“Lightning Round,” moderator/commentator, Debating the Constitution, a Morning of Constitutional Law, The Louisiana Judicial College and the Louisiana State Bar Association Summer School, Sandestin, Florida, June 8, 2009.

“Personal Constitutional Rights in Troubled Waters II,” presentation, One Step Too Many, Louisiana Judicial Council, 14th Annual Jamaican Sunset CLE, Negril, Jamaica. August 13, 2008.

“Reparations for African Americans: An Essential Remedy; Legally Viable or Racially Divisive,” moderator, Southeastern Association of Law Schools, 2008 Annual Meeting, Palm Beach, Florida, July 28, 2008.

“Unconscious Classism: Entity Equity for Sole Proprietors,” University of Miami, visiting faculty lecture, February 21, 2008.

“Business, Law, and Catastrophic Insurance,” presentation, United States Supreme Court and Legislative Preview: Tax, Corporations, and Business Regulation, Southeastern Association of Law Schools, 2007 Annual Meeting, Amelia Island, Florida, July 31, 2007.

“Personal Constitutional Rights in Troubled Waters,” presentation, Constitutional Surprise, Louisiana Judicial Council, 13th Annual Jamaican Sunset CLE, Rose Hall, Jamaica, July 17, 2007.

“Betrayal by Incompetence or by Design: Social, Property, and Insurance in the Wake of Hurricane Katrina,” presentation, Opening Plenary Session, Unconscious and Institutional Discrimination, 17th Annual Midwestern People of Color Legal Scholarship Conference, Washington University and St. Louis University Schools of Law, St. Louis, Missouri, April 13, 2007.

Commentator, Session III: “Ambiguities: Race, Property, and Personhood,” The Dred Scott Case and its Legacy: Race, Law, and the Struggle for Equality, 1857-2007 Sesquicentennial Commemoration & Symposium, Washington University (St. Louis) School of Law, March 2, 2007.

“Katrina: Unveiling America’s Dirty Secrets,” The Inaugural James P. Anderson Memorial Lecture, William Mitchell College of Law, The Federalist Society and Black Law Students Association, St. Paul, Minnesota, February 13, 2007.

“Catastrophic Loss Insurance? Lessons from Katrina,” AALS 2007 Annual Meeting, panel entitled “Katrina and the Destruction and Rebuilding of New Orleans,” Washington D.C., January 3, 2007.

“Hurricane Katrina’s Second Wave: Should the Federal Government Create a Katrina Survivors’ Compensation Fund Modeled After the 911 Fund?”, the Southeastern Association of Law Schools (SEALS), 2006 Annual Meeting, panel entitled “Sorting Through the Wreckage of Katrina,” Palm Beach, Florida, July 17, 2006.

“Hurricane Katrina’s Second Wave: Insurance Legislative and Judicial Challenges in the Wake of Hurricane Katrina,” Louisiana Judicial Council, 12th Annual Jamaican Sunset CLE, Negril, Jamaica, July 8, 2006.

“People as Property: the Historical Root and the Cancerous Shoots of the Government’s Victimization of Hurricane Katrina Survivors and of Undocumented Americans,” Southeast/Southwest People of Color Legal Scholarship Conference, Santa Fe, New Mexico, April 7, 2006.

Interlocutor, “Corporate Governance & Environmental Best Practices,” William and Mary Environmental Policy Review Symposium, William and Mary School of Law, Williamsburg, Virginia, February 4, 2006.

“Hurricane Katrina, America’s Dirty Secret, Binary Economics, and Reparations,” American Association of Law Schools, Washington D.C., January 4, 2006.

“Hurricane Katrina, Reparations, and Blackness as Property: Sex, Race, Status, and Wealth,” Georgetown University Law School, Washington D.C., January 3, 2006.

“Hurricane Katrina, Reparations, and Blackness as Property: Sex, Race, Status, and Wealth,” presentation on panel “Socio-Economic Perspectives on Black Reparations, Conference on Socio-Economics, Georgetown University Law School, January 3, 2006.

“Blackness as Property: Sex, Race, Status, Wealth, and Grutter,” panel entitled “The Sander Study on the Benefits of Affirmative Action,” the Southeastern Association of Law Schools, Annual Meeting, Hilton Head, South Carolina, July 22, 2005.

“Blackness as Property: Sex, Race, Status, and Wealth,” presentation to the Executive Committee, Louisiana Judicial Council, Negril, Jamaica, July 12, 2005.

“Blackness as Property: Race, Sex, Status, and Wealth, and Grutter,” panel entitled “Reparations: Approaches, Obstacles, Prospects,” the Southeast/Southwest People of Color Legal Scholarship Conference, “The Struggle Continues: Defacto Segregation in Education and Beyond,” Tulane University School of Law, Metairie, Louisiana, May 6, 2005.

Moderator, “Shintech Round Three (Environmental Justice Revisited)” Tulane University School of Law, 10th Annual Environmental Conference, “Environment 2005: Law, Science, and the Public Interest,” New Orleans, Louisiana, April 2, 2005.

“Blackness as Property: Race, Sex, Status, and Wealth, and Grutter,” Inaugural Symposium of the Stanford Journal of Civil Rights & Civil Liberties, Stanford Law School, March 12, 2005.

“Grutter, Miscegenation, and Black Women’s Property Rights,” America, Race, and Law at the Crossroads, Second National People of Color Legal Scholarship Conference, George Washington University Law School, October 8, 2004.

Moderator, “Environmental Justice,” America, Race, and Law at the Crossroads, Second National People of Color Legal Scholarship Conference, George Washington University Law School, October 8, 2004.

“Unfinished Agenda: Can the Law Remedy Vestiges of Enslavement/Racial Hate Crimes?” Louisiana Judicial Council/National Bar Association, Negril, Jamaica, July 8-15, 2004.

Moderator, “Lombard v. Louisiana Revisited, 40th Anniversary Symposium,” Gillis Long Poverty Law Center, Loyola University School of Law, New Orleans, Louisiana, November 21, 2003.

Moderator, “Preservation vs. Progress: Are They Mutually Exclusive in New Orleans,” Real

Estate Law Society, 2nd Annual Panel Discussion of Issues Effecting the New Orleans New Orleans Real Estate Market, Loyola University School of Law, New Orleans, Louisiana, November 14, 2003.

Excel as a First Year Law Student,” Southern Region of the Black Law Student Association Academic Retreat 2003,” Loyola University New Orleans School of Law, New Orleans, Louisiana, October 18, 2003.

“Race, Sex, and Private Property Law: Black Ownership Rights in the Antebellum South,” 14th Annual Meeting of the Midwestern People of Color Legal Scholarship Conference, Inc., sponsored in conjunction with Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio, October 11, 2003.

“Recent Developments in Punitive Damages through the Lens of Bad Faith Insurance Litigation,” The Southeastern Association of Law Schools (SEALS), Amelia Island, Florida, July 23, 2003.

“When Mold Equals Punitive Damages: Insurer’s Bad Faith Litigation,” Jamaican Sunset CLE, Louisiana Judicial Council, Negril, Jamaica, July 2, 2003.

“Corporate Environmental Financial Disclosures after Enron: Green Reports Under Fire,” Vermont Law School, Hot Topics in Environmental Law Series, North Royalton, Vermont, June 24, 2003.

“Toxic Mold: Punitive Damages for Insurers’ Bad Faith Practices,” American Bar Association, Section on Litigation Conference, Houston, TX, April 11, 2003.

“Going In-House: Opportunities for Lawyers in Corporate Legal Departments,” Moderator, Loyola University School of Law, New Orleans, LA, March 11, 2003.

“Insurer Bad Faith,” National Association of Public Claims Adjusters, New Orleans, Louisiana, December 6, 2002.

“Who’s at the Table? A Panel Discussion with the Key Players in a Real Estate Deal,” Moderator, Loyola University School of Law, New Orleans, LA, November 7, 2002.

“Insurer Bad Faith,” Louisiana Judicial Council, Jamaican Sunset CLE, Negril, Jamaica, November 3, 2002.

“Can States Revoke Corporate Charters for Environmental Violations?” Vermont Law School, Hot Topics in Environmental Law, South Royalton, Vermont, July 25, 2002.

“Bush v. Gore: Unequal Protection?” Louisiana Judicial Council, Jamaican Sunset CLE, Negril, Jamaica, July 2001.

“Extending the Veil to Solo Entrepreneurs,” Southeastern Association of Law Schools

Conference, Hilton Head, S.C., July 2001.

“Constitutionality of Faith-Based Programs,” Moderator, Loyola Federalist Society and American Civil Liberties Union, Loyola University School of Law, New Orleans, LA, April 2001.

“Vision for American Legal Education,” Washburn School of Law, Dean Search Presentation, Topeka, Kansas, Spring 2001.

“Florida Recount & Analysis of State Court Review,” WWL-TV, Channel 4, 12:20 p.m., November 17, 2000.

“Florida Recount: A Legal Overview,” WWL-TV, Channel 4, 7:15 a.m., November 13, 2000.

“Federalism and Civil Rights: The U.S. Supreme Court and the Federalism Paradox,” Louis A. Martinet Legal Society, Continuing Legal Education Seminar, Negril, Jamaica, B.W.I., July 2000.

“Winning Environmental Business Strategies: A Search for a New Paradigm in Environmental Protection,” Faculty Presentation, Vermont Law School, South Royalton, Vermont, June 2000.

“Equal Justice: An Insider’s View of Environmental Justice,” Conference on Corporate Social Responsibility, IPREX, International Organization of Leading Public Relations Firms, February 18, 2000.

“Environmental Racism: Does it Exist?” Louis Westerfield Presenter and Moderator, Loyola University (New Orleans) School of Law, New Orleans, LA, October 20, 1999.

“Toward a Limited Liability Sole Proprietorship Act,” Faculty Presentation, Washington University, St. Louis, Missouri, June, 1999.

“Effects of Globalization on the Legal Profession,” British American Project, attendees of over 150 British and American businesses people and scholars, New Orleans, LA, November 1998.

V. UNIVERSITY AND COMMUNITY SERVICE

A. Loyola University

Loyola University Senate, Law School Representative (2012-13)

Louisiana Bar Association’s Diversity Committee, Loyola’s Representative.

The Loyola University College of Law (“A.P. Tureaud”) Chapter of Black Law Students

Association (“BLSA”) held their Sixth Annual Scholarship Gala and Silent Auction last Friday, March 19, 2010, at the Audubon Tea Room. Professor Mitch Crusto received the “Special Recognition Award,” “in recognition of his incredible support to BLSA and his commitment to encouraging the A.P. Tureaud Chapter to continue to promote the ideals it was founded on.”

Loyola University (New Orleans) College of Law (2008-11)
University Grants and Leaves Committee
University Course Development/Faculty Development Committee

Admissions Committee (2009-11)

Chairman, Ad Hoc, Law School Diversity Committee (2010-11)

Tenure Committee, Peer Reviews of Professors John Lovett’s and Trey Drury’s classroom teaching performance and report to the Committee, Fall, 2008

Mentor, Westerfield Fellow, 2008-9.

Loyola chapter, Black Law Students Association, annual contributor (purchase a table), annual dinner

Faculty Advisor, numerous law students

B. Academy

Mentor, New Scholar Program, SEALS, 2012 Annual Meeting, Amelia Island, Florida

Commentator, The Third Annual John Mercer Langston Writing Workshop at Suffolk University Law School, Boston, MA, June 28-30, 2012.

Mentor, New Scholar Program, SEALS, 2011 Annual Meeting, Hilton Head Island, South Carolina

Commentator, The Second Annual John Mercer Langston Writing Workshop at DePaul University College of Law in Chicago, Illinois, June 23-25, 2011.

Commentary on Work in Progress, Francine Lippman, “It’s a Matter of Life and Death: A Model for the Most Important Financial Decision for Working Poor Families in America,” Third National People of Color Legal Scholarship Conference, Seton Hall University School of Law, Newark, N.J., September 11, 2010.

ACIA, Katrina Conference, July 2010.

Commentator, the John Mercer Langston Writing Workshop at Southern Methodist University School of Law in Dallas, Texas, June 24-26, 2010.

South Carolina Law Review, Peer Review Pilot Project, Vol. 60, reviewed “Improving the Odds of Governmental Accountability in the Disaster-Prone Era: Using the 9/11 Fund Factors to Remedy the Problem of Toxic Katrina Trailers,” Fall 2008.

Planning Committee, the Southeastern Association of Law Schools (SEALS), 2009 Annual Meeting, Palm Beach, Florida, 2008-2009)

Mentor, New Scholar Program, SEALS, 2009 Annual Meeting, Palm Beach, Florida, 2008-2009 [Kenneth S. Klein, California Western School of Law, mentee].

Planning Committee, 17th Annual Midwestern People of Color Legal Scholarship Conference, Washington University and St. Louis University Schools of Law, St. Louis, Missouri, April 12-15, 2007.

Planning Committee, the Southeastern Association of Law Schools (SEALS), 2008 Annual Meeting, Palm Beach, Florida,

Planning Committee, the Southeastern Association of Law Schools (SEALS), 2007 Annual Meeting, Palm Beach, Florida, July 17, 2006.

The JD Project, Inc., Supporter, promoting diversity in the legal profession.

Mentor to numerous emerging scholars in various parts of the country

Reviewed scholarship and wrote letters in consideration of several tenure applicants throughout country

Mentor, University of New Orleans, Pre-Law Society

C. New Orleans Community

St. Augustine High School Board of Directors, Member

Crusto served as a Breakout Session Leader on Teambuilding at the Junior Achievement, “Connecting to Success,” Annual Conference for High School Students, on April 22, 2010, at the Delgado City Park Student Life Center. The Annual Conference brings together 125 high school students from Southeast Louisiana for a half-day of sessions on ethics, values, teamwork, problem-solving, and presentation skills. By participating in these conferences, Professor Crusto is reaching out to our area high school young adults to prepare them for future leadership.

New Orleans Public Schools, mentorship program, spoke with 3rd and 4th graders about legal profession, Robert R. Moten Charter School, January 21, 2009, Education Committee, Alpha Alpha Boulet, Education Project.

New Orleans Public Schools, mentorship program, scheduled with 7th and 8th graders about the legal profession, M.L. King Charter School, Alpha Alpha Boulet, Education Project. January 2009.

Louisiana Bar Foundation, Fellow, contributor

Saint Augustine High School, numerous committees

Founder of Katrina Justice, legal support group to promote fair treatment in Katrina insurance claims litigation (2007-9).

D. Charitable Affiliations

Catholic Archbishop's Appeal for Greater St. Louis, contributor

Greater New Orleans Foundation, contributor

Second Harvest Food Bank of Greater New Orleans and Acadiana, contributor

Saint Peter Claver Church, New Orleans, contributor

United Way, contributor

St. Jude Children Hospital, "Partners in Hope," contributor

Sigma Pi Phi Foundation, contributor

Association of Marshall Scholars, contributor

British-American Project, contributor

Friends of St. Catz, Oxford, England, supporter

Yale University, contributor

University of Miami School of Law, H.O.P.E. Program Fund, contributor

McDonogh City Park Academy, tap dance, LEAP program, contributor

Alpha Phi Alpha Fraternity, Inc, contributor

Mount Holyoke College, contributor

Champions Kids Camp, Houston, contributor

Komen Tarrant County Race for the Cure, Susan G. Komen Breast Cancer Foundation,

contributor

E. National Political Community

“Republicans for Obama Committee,” op ed submissions and policy statements
Planning Committee, 17th Annual Midwestern People of Color Legal Scholarship
Conference, Washington University and St. Louis University Schools of Law, St. Louis,
Missouri, April 12-15, 2007.

Planning Committee, Southeast/Southwest People of Color Legal Scholarship Conference,
“The Struggle Continues: Defacto Segregation in Education and Beyond,” Tulane University
School of Law, Metairie, Louisiana, May 6, 2005.

Planning Committee, the Southeastern Association of Law Schools (SEALS), 2006 Annual
Meeting, Palm Beach, Florida, July 17, 2006.

Planning Committee, the Southeastern Association of Law Schools, Annual Meeting, Hilton
Head, South Carolina, July 22, 2005.

VI. CITATIONS

Brief for the National Association of Criminal Defense Lawyers as Amicus Curiae in
Support of Defendants-Appellees’ Petition for Rehearing En Banc at 9, U.S. v. SDI Future
Health, Inc., No. 2:05-cr-0078-PMP-GWF (9th Cir. Feb. 27, 2009). The panel’s opinion also
greatly elevates corporate form over Fourth Amendment substance. Individuals elect to
incorporate their small businesses for any one of a number of reasons. Incorporating a
business offers several advantages, including limited liability, the ability to sue, perpetual
life, the ability to contract, centralized management, and tax advantages. See, e.g., Falwell v.
Miller, 203 F. Supp. 2d 624, 631 n.7 (W.D.Va. 2002); Manley v. AmBase Corp., 121 F.
Supp. 2d 758, 770 n.11 (S.D.N.Y. 2000); Mitchell F. Crusto, *Green Business: Should We
Revoke Corporate Charters for Environmental Violations?*, 63 LA. L. REV. 175, 186 (2003).

Brief for Plaintiff-Appellant at 22-23, Kolbe v. BAC Home Loans Servicing, LP, 695 F.3d
111 (1st Cir., 2011) (No. 11-2030), 2011 WL 5323298 at *22-23 The casualty insurance
industry has always viewed hazard insurance as separate and apart from flood insurance. In
the early part of the twentieth century, homeowners had to buy separate insurance policies to
protect each particular risk. For example, to insure against both fire and theft, one would
have to buy a fire insurance policy and a separate theft insurance policy. Mitchell F. Crusto,
The Katrina Fund: Repairing Breaches in Gulf Coast Insurance Levees, 43 HARVARD J. ON
LEGIS. 329, 334 (2006). Beginning in the 1950’s, insurance companies began offering
“comprehensive hazard policies” that protected against damage from many hazards including
fire, wind, theft and hail. *Id.* However, these policies uniformly did not provide coverage for
damage caused by floods. *Id.* In fact, to this day, hazard insurance policies (also known as

homeowners' policies) expressly exclude flood damage from coverage. See Crusto, 43 HARVARD J. ON LEGIS. at 335;

Kolbe v. BAC Home Loans Servicing, LP, 695 F.3d 111, 119 (1st Cir. 2012) Thus, in effect, Congress found that floods were not customarily among the hazards protected by standard homeowners' insurance policies. See Mitchell F. Crusto, *The Katrina Fund: Repairing Breaches in Gulf Coast Insurance Levees*, 43 HARV. J. ON LEGIS. 329, 335 (2006) (“The insurance industry has generally excluded flood damage in a homeowners policy because flood insurance is not commercially viable.”); US Gov't Accountability Office, GAO 07–1078, National Flood Insurance Program: FEMA's [Federal Emergency Management Agency] Management and Oversight of Payments for Insurance Company Services Should be Improved, at 8 (2007) (noting that “flooding is generally excluded from homeowner policies that typically cover damage from other losses, such as wind, fire, and theft”).

Brief for Plaintiff-Appellant at 25, *Lacroix v. U.S. Bank*, No. 12-2701 (8th Cir., Sept. 7, 2012), 2012 WL 4061609 at *25 Generally, homeowner and other property casualty insurance policies do not provide coverage for potential financial loss that may be caused by flooding damage.

http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/environment/review/qa/floodinsurance (last visited Sept. 7, 2012); accord, *Davis v. Allstate Ins. Co.*, No. 07-4572, 2009 WL 122761, at *2 (E.D. La. Jan. 15, 2009) (“There is no dispute that damage from flood is excluded under the homeowner's policy. Because there is no coverage for damage from flood under the homeowner’s policy, both policies of insurance do not cover the same loss.”); Mitchell F. Crusto, *The Katrina Fund: Repairing Breaches in Gulf Coast Insurance Levees*, 43 HARVARD J. ON LEGIS. 329, 334 (2006).

VII. MEDIA COVERAGE

Analyzed BP Litigation proposed settlement on PBS, *Nightly Business Report*, November 16, 2012, available at KOAB_11-16-2012_05.03.05.mp4.m... (8.4 MB)

Analyzed the proposed multi-billion dollar, partial settlement and its relationship to Multi-District Litigation during an interview with The Associated Press (AP), quoted in the AP piece “BP Settlement includes New Health Claims Process, on March 4, 2012.”

Interviewed on National Public Radio (NPR), Monday, August 16, 2010, by Linda Wertheimer, about the consolidation of more than 300 lawsuits relating to the BP Oil Spill in the Gulf of Mexico, and on U.S. District Judge Carl Barbier, a Loyola Law graduate, presiding over the consolidated BP cases.

“Insurers Use Federal Cash to Help Pay Claims,” Rebecca Mowbray, *The Times-Picayune*, citing “But Loyola insurance law professor Mitchell Crusto said the most

important point is that three years after the storm, thousands of people are still stuck in litigation, waiting for proper payment for their storm damage. Although the Louisiana Department of Insurance ran a mediation program after the 2005 storms that served 12,242 people, more needs to be done to resolve claims and get people paid,” August , 27, 2008, available at http://blog.nola.com/tpmoney/2008/08/insurers_use_federal_cash_to_h.html

“Court Takes the Lead on Tough Insurance Issue,” Re: “Court Says Policies Exclude Flood,” Letter to the Editors, The Times-Picayune, April 13, 2008, available at <http://www.law.miami.edu/news.php?article=905> (last visited 7/24/2008).

“Valued Policy Law is Opposed: Appeal Ruling Adds Competing Opinion,” Rebecca Mowbray, The Times-Picayune, citing Mitchell F. Crusto’s Louisiana Bar Journal and interview comments, Thursday, August 30, 2007, available at <http://www.nola.com/timespic/stories/index.ssf?/base/money-3/1188459670140080.xml&coll=1&thispage=2>

VIII. PROFESSIONAL CREDENTIALS AND ACHIEVEMENTS

A. Professional Credentials

National and State Bar Associations:

American, Federal, American Corporate Counsel,
Illinois, Louisiana and Missouri (inactive),
Co-Vice Chairman, ABA's Intern. Env.l Law Committee; Environmental Law Institute

Federal Courts:

U.S. Tax Court; U.S. Appeals, Fifth Circuit; and U.S. Court, Eastern District of Louisiana

International:

Honorable Society of the Middle Temple (British Barrister Association)
Chartered Institute of Arbitration, London, England, Associate Member

B. Securities Credentials/ Experience

Licensed Stockbroker (Series 7 and 63), General Securities Principal (Series 24),
Financial and Operations Principal (Series 27), General Municipal Principal (Series 53)
New York Stock Exchange, Allied Member
Securities Industry Association, Compliance and Legal Division, Lecturer
Missouri Mutual Funds Association, Vice President
National Association of Securities Dealers, Arbitrator
Securities Advisor to the Secretary of State, Missouri

C. Other Significant Achievements

Who’s Who in America

1991 to Present

| | |
|---|-----------------|
| Who's Who Among American Lawyers | 1991 to Present |
| Who's Who in Finance and Business, 37th edition | 2009-10 |
| National Association of Black County Officials, speaker | May 1994 |
| British-American Project for the Successor Generation | 1987 to Present |
| United Way "Leadership" Participant, high-level gift-giving | 1991 to Present |
| President Bush's Initiative on Historically Black Colleges | 1989 to 1991 |
| Lincoln University, Vice President, Board of Curators | 1986 to 1988 |
| Leadership St. Louis, Danforth Foundation, Participant | 1986 to 1987 |

IX. PERSONAL

Born: April 22, 1953; African-American; Catholic
 Married: Lisa Jupiter Crusto
 Children: Eve Michelle Crusto, Theresa Ann Byles (stepdaughter), and Mia Elizabeth Crusto

Mitchell Ferdinand Crusto, American Lawyer, educator. Bar: Louisiana 1982, Missouri 1984, Illinois 1985. Member American Bar Association, Louisiana Bar Association, Missouri Bar Association, Illinois Bar Association, Middle Temple(London). Mitchell Ferdinand Crusto, American Lawyer, educator. Bar: Louisiana 1982, Missouri 1984, Illinois 1985. Member American Bar Association, Louisiana Bar Association, Missouri Bar Association, Illinois Bar Association, Middle Temple(London). Mitchell (Mitchell) ferdinand crusto. 7214 St. Charles Avenue, Campus Box 901 New Orleans, LA 70118 mfcrusto@zmail.loyno.edu (504) 861-5743. Personal: P.O. Box 410648 Creve Coeur, Missouri 63141 (314) 323-9307 (314) 395-7666 (fax). Author Meets Reader Session, Mitchell F. Crusto- State of Emergency: from Compton to Ferguson, Lessons from Katrina, proposed, organized, and participated in discussion... Ask the Author: Mitchell F. Crusto. Thanks for your interest in my book. Do you have a question for me? Mitchell F. Crusto. Answered Questions (6). Sort By: newest oldest popular. An error occurred while sorting questions for author Mitchell F. Crusto. How do you deal with writer's block? Mitchell F. Crusto List questions that you need to answer in your writing. flag. like. Total downloads of all papers by Mitchell F. Crusto. Mitchell F. Crusto. Loyola University New Orleans College of Law. Professor. 7214 St. Charles Ave. Campus Box 901. New Orleans, LA 70118. United States. "Involuntary Heroes, Professor Mitch Crusto's latest work of breathtaking scholarship, has the potential to revolutionize the way ordinary Americans and scholars alike remember Hurricane Katrina's legacy. By rescuing from obscurity the unsung or nearly forgotten heroes of Hurricane Katrina, Crusto advances a radical idea: constitutional safeguards are needed most during...