

# Matthew Jennejohn

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## Experience

**European Corporate Governance Institute**, Brussels, Belgium  
Research Member, 2025-present

**American Law Institute**, Philadelphia, Pennsylvania  
Member, Corporate Governance Consultative Group, 2024-present

**Johns Hopkins University, Applied Physics Laboratory**, Laurel, Maryland  
NSAD Project Manager, 2023-present

**U.S. Department of Defense, Office of Strategic Capital**, Washington, D.C.  
Deputy Director, Strategy Division, 2023-2024  
Senior Researcher, Strategy Division, 2023-present

**Brigham Young University Law School**, Provo, Utah  
*Marion B. and Rulon A. Earl Professor of Law*, 2023-present (currently on leave)  
*Full Professor of Law (with tenure)*, 2019-present  
*Robert W. Barker Professor*, 2017-2018  
*Associate Professor of Law*, 2013-2019

**Columbia Law School**, New York, New York  
*Justin W. D'Atri Visiting Professor of Law, Business & Society*, Autumn 2019

**Shearman & Sterling LLP**, New York, New York  
*Associate*, 2007-2009, 2010-2013

**Delaware Court of Chancery**, Wilmington, Delaware  
*Law Clerk to Vice Chancellor Leo E. Strine, Jr.*, 2009-2010

**Self-Reliance Foundation**, Beira, Mozambique  
*Vice President*, 2002-2003

## Education

**Columbia University School of Law**, New York, New York  
*JD*, 2007  
Charles Evan Hughes Scholar  
Michael I. Sovern Scholar  
Harlan Fiske Stone Scholar  
Davis Polk Wardwell Public Service Fellowship

**London School of Economics**, London, United Kingdom  
*MSc*, 2004  
Distinction awarded for dissertation

**Brigham Young University**, Provo, Utah  
BA with University Honors, 2002  
Robert K. Thomas Memorial Scholar

## Articles

Matthew Jennejohn, Samuel Nelson, Carolina Núñez & Lucy Williams, *Gender Bias in Federal and State Case Law: A Word Embedding Analysis of U.S. Court Opinions* (forthcoming UC-Irvine Law Review)

Kristina Bishop, Matthew Jennejohn & Cree Jones, *The Diffusion of Deal Innovations in Complex Contractual Networks*, [BYU Law Research Paper 23-22](#) (forthcoming Journal of Empirical Legal Studies)

*Introducing a New Corpus of Definitive M&A Agreements, 2000-2020 (with Peter Adelson, Julian Nyarko, and Eric Talley)*, Journal of Empirical Legal Studies (2024)  
- [Featured on Columbia Blue Sky Blog \(February 2024\)](#)

Stephen Choi, Mitu Gulati, Matthew Jennejohn, Robert E. Scott, *Contract Production in M&A Markets*, UNIV. OF PENNSYLVANIA L. REV. (2023)  
- Voted Top 10 Corporate Law Article of 2023

Afra Afsharipour & Matthew Jennejohn, *Gender and the Social Structure of Exclusion in U.S. Corporate Law*, UNIV. OF CHICAGO L. REV. (2023)  
- Voted Top 10 Corporate Law Article of 2023  
- [Featured on the Harvard Corporate Governance Forum \(April 2023\)](#)

Matthew Jennejohn, Julian Nyarko & Eric Talley, *Contractual Evolution*, UNIV. OF CHICAGO L. REV. (2022)  
- [Featured on Columbia Blue Sky Blog \(April 2021\)](#)

Matthew Jennejohn & D. Gordon Smith, *Delaware's Frontier*, Univ. Pa. J. Bus. L. (2022)

Cathy Hwang & Matthew Jennejohn, *Contractual Depth*, UNIV. OF MINNESOTA LAW REVIEW (2022)

Matthew Jennejohn, *Do Networks Govern Contracts?*, JOURNAL OF CORPORATION LAW (2022)

Matthew Jennejohn, *The Transactional Dynamics of Fragile Markets*, Journal of Law & Contemporary Problems (2022)

Matthew Jennejohn, Sam Nelson & Carolina Núñez, *Hidden Bias in Empirical Textualism*, GEORGETOWN LAW JOURNAL (2021)

Matthew Jennejohn, *Braided Agreements and the New Frontiers of Relational Contract Theory*, JOURNAL OF CORPORATION LAW (2020)  
- [Featured on Columbia Blue Sky Blog \(May 2020\)](#)

Matthew Jennejohn, *Transformation Cost Engineering*, WISCONSIN LAW REVIEW (2020)

Cathy Hwang & Matthew Jennejohn, *The New Research on Contractual Complexity*, CAPITAL MARKETS LAW JOURNAL (2019)

- [Featured on Credit Slips](#) (Dec. 2020)

Cathy Hwang & Matthew Jennejohn, *Deal Structure*, NORTHWESTERN UNIVERSITY LAW REVIEW (2018)

- [Stanford Rock Center for Corporate Governance Working Paper No. 231](#)
- [Featured on Harvard Law School Forum on Corporate Governance and Financial Regulation](#) (Dec. 2017)

Matthew Jennejohn, *The Architecture of Contract Innovation*, 59 BOSTON COLLEGE LAW REVIEW (2018)

- [Featured on Oxford Business Law Blog \(Feb. 2018\)](#)
- [Featured on Columbia Blue Sky Blog \(Jan. 2018\)](#)
- [BYU Law Research Paper No. 17-33](#)

Matthew Jennejohn, *The Private Order of Innovation Networks*, 68 STANFORD LAW REVIEW (2016)

- [BYU Law Research Paper 15-23](#)
- [Reviewed in Jotwell, \*The New Institutionalism in Contract Scholarship\*](#) (Mar. 2017)

Matthew Jennejohn, *Innovation and the Institutional Design of Merger Control*, JOURNAL OF CORPORATION LAW (2015)

- [BYU Law Research Paper 15-24](#)

Leo E. Strine, Jr., Lawrence Hamermesh & Matthew Jennejohn, *Putting Stockholders First, Not the First-Filed Complaint*, 69 BUSINESS LAWYER 1 (2013)

- [Harvard John M. Olin Center for Law, Economics, and Business Discussion Paper No. 740](#)

Matthew Jennejohn, *Contract Adjudication in a Collaborative Economy*, 5 VIRGINIA LAW & BUSINESS REVIEW 173 (2010)

- [Canadian Law & Economics Association Meetings Paper](#)

Matthew Jennejohn, *Collaboration, Innovation, and Contract Design*, 14 STANFORD JOURNAL OF LAW, BUSINESS & FINANCE 83 (2008)

- [Columbia Law & Economics Working Paper No. 319](#)

### Book Chapters & Practitioner Publications

Beau W. Buffier, Jessica K. Delbaum & Matthew Jennejohn, *Mergers*, in WEST'S ANTITRUST ADVISOR (2015-2019).

Peter Lyons, Beau Buffier, Tammara Fort & Matthew Jennejohn, *Reasonable*

*Best Efforts: Cold Comfort to Sellers*, 18 THE M&A LAWYER 3 (2014).

Working Papers/  
Current Projects

*Deal Networks*

*The Liability Management Transaction Explosion (with Mitu Gulati, Stephen Choi & Bob Scott)*

*Can Corporate Clients Influence Gender and Racial Representation in Professional Legal Networks? (with Afra Afsharipour and Kristina Bishop)*

*Fix the Price or Price the Fix? Resolving the Sequencing Puzzle in Corporate Acquisitions (with Joshua Higbee, Cree Jones, and Eric Talley)*, [European Corporate Governance Institute – Finance Working Paper No. 1042/2025](#)

*Intensive Innovation in Contract Design: Unpacking Textual Evolution in Complex Contractual Networks (with Kristina Bishop and Cree Jones)*

*Covid-19 as a Force Majeure in Corporate Transactions (with Julian Nyarko and Eric Talley)*, [Columbia Law and Economics Working Paper No. 625 \(2021\)](#)

Grants

Principal investigator, \$1.18 million unrestricted grant from Amazon.com, Inc. for antitrust-related research and programming (Clark Asay, Elysa Dishman, and Aaron Nielson, co-investigators)

Raised over \$60,000 for BYU Winter Deals Conference from corporate sponsors

Robert W. Barker Professorship, which includes salary support and a research grant for one academic year, 2017

Kauffman Foundation Grant, Law & Entrepreneurship Conference and Edited Volume, co-investigator with Gordon Smith, Christine Hurt, and Clark Asay, \$20,000, 2015

BYU Internal Research Grant, Biotechnology Alliance Network Database, principal investigator, \$9,000, 2016 and 2018

Conferences and  
Panels Organized

[BYU Law Winter Deals Conference](#), Park City, UT, March 2018, 2019, 2020, 2022, 2023, 2024 (No 2021 conference due to Covid-19)

- 50+ presenters from leading institutions from across the world
- Sponsored by Analysis Group, Bloomberg, Brattle, Kirkland & Ellis, Potter Anderson, PwC, and Wilson Sonsini

BYU Winter Antitrust Conference, Park City, UT, March 2025 (Co-organized with Danny Sokol, University of Southern California)

BYU LSE Wisconsin Corporate Law Roundtable, London, UK, November 2023

- Sponsored by the European Corporate Governance Institute
- Co-organized with David Kershaw and Yaron Nili

[BYU Future of Antitrust](#) Conferences and Webinars, 2022-2023

- Conferences held in Washington, D.C., Brussels, Belgium, and Provo, UT
- Co-organized with Clark Asay, Elysa Dishman, and Aaron Nielson

Society for Institutional and Organizational Economics, Panel on Relational Contracting, Industry Networks, and Economic Organization, HEC Montreal, June 2018 (co-organized with Lisa Bernstein and Sadie Blanchard)

Society for Institutional and Organizational Economics, Panel on Continuity and Change in the Design of Complex Contracts, Columbia University, June 2017 (co-organized with Cathy Hwang)

Society for Institutional and Organizational Economics, Panel on Institutions and Innovation Problems, Harvard University, June 2015 (co-organized with Gordon Smith)

Law & Entrepreneurship Conference, Kaufmann Foundation and BYU Law School, May 2015 (co-organized with Gordon Smith, Christine Hurt, and Clark Asay)

#### Endowed Lectures and Invited Presentations

*The Liability Management Transaction Explosion* (with Steve Choi, Mitu Gulati & Bob Scott), UC-Berkeley, April 2025

*The Liability Management Transaction Explosion* (with Steve Choi, Mitu Gulati & Bob Scott), George Mason University, April 2025

*The Diffusion of Deal Innovations in Complex Contractual Networks*, University of Washington Law School Faculty Workshop, April 2025

*The Diffusion of Deal Innovations in Complex Contractual Networks*, Cornell Law School Faculty Workshop, March 2025

*Client Pressure and Persistent Diversity Gaps in the Courtroom*, Cardozo Law School, January 2025

*Relational Contracting in the New Industrial Policy*, Leet Lecture, Case Western University, November 2024

*The Liability Management Transaction Explosion*, University of Virginia School of Law, March 2024 (with Steve Choi, Mitu Gulati & Bob Scott)

*Client Pressure and Persistent Diversity Gaps in the Courtroom*, University of Virginia Law School, October 2023

*Gender and the Social Structure of Exclusion in U.S. Corporate Law*, University of Pennsylvania's Institute for Law and Economics, April 2023

*The Diffusion of Deal Innovations in Complex Contractual Networks*, University of Virginia Faculty Workshop, February 2022

*The Diffusion of Deal Innovations in Complex Contractual Networks*, Columbia Law School, Conference in Honor of Bob Scott, April 2022

*Contractual Evolution*, Vanderbilt Law School, November 2021

*Contractual Evolution*, UC-Berkeley Law, Accounting, and Business Workshop, August 2021

*The Transactional Dynamics of Fragile Markets*, Temple Law's Contracts in Crisis Workshop, July 2021

*Contractual Evolution*, NYU-Penn Empirical Contracts Workshop, June 2021

*Governing Agricultural Production and Collaboration: Evidence from the U.S.*, United Nations, UNIDROIT, April 2021

*Contractual Evolution*, K-Covid Working Group, March 2021

*New Developments in Material Adverse Effect Provisions*, University of Richmond Law Review Symposium, March 2021

*Deal Networks*, University of Pennsylvania School of Law's ILE Workshop, February 2021

*New Developments in Material Adverse Effect Provisions*, Univ. of Pennsylvania Law School, Institute of Law & Economics, November 2020

*New Developments in Material Adverse Effect Provisions*, Delaware Judiciary Annual Retreat, October 2020

*New Developments in Material Adverse Effect Provisions*, Duke Law School, September 2020

*Braided Agreements and the Frontiers of Relational Contract Theory*, Conference on Trade, Development, and Value Chain Contracting, UNCITRAL and Univ. of Trento, April 2020 (postponed)

*Transformation Cost Engineering*, Wharton School, Univ. of Pennsylvania, March

2020 (postponed)

*Transformation Cost Engineering*, Univ. of Minnesota, Conference on New Realism, Nov 2019

*Do Networks Govern Contracts?*, Washington University in St. Louis, School of Law, Sept 2019

*Braided Agreements and the Frontiers of Relational Contract Theory*, Wharton School, Univ. of Pennsylvania, Sept 2019

*Contractual Depth*, UC-Boulder, Junior Business Law Scholars Colloquium, July 2019 (with Cathy Hwang)

*Hidden Bias in Empirical Textualism*, UC-Boulder, Junior Business Law Scholars Colloquium, July 2019

*Foundations of Contractual Networks*, United Nations, UNCITRAL Colloquium on Contractual Networks and Other forms of Inter-Firm Cooperation, March 2019

*Deal Networks*, Kidwell Endowed Lecture, University of Wisconsin Law School, Nov 2018

*Deal Networks*, UC-Boulder, Junior Business Law Scholars Colloquium, 2018

*Do Networks Govern Contracts?*, Yale Law, Economics & Organization Workshop, Jan 2019

*Do Networks Govern Contracts?*, Bar-Ilan University, Networks and Private Law Workshop, Jan 2019

*Do Networks Govern Contracts?*, University of Chicago, Relational Contracting Workshop, Sept 2018

*Do Networks Govern Contracts?*, NYU Law School, Law & Economics Workshop, February 2018

*Do Networks Govern Contracts?*, Univ. of Utah, Law & Biomedicine Colloquium, January 2018

*Do Networks Govern Contracts?*, Yale Law School, Workshop on Formal and Informal Governance, September 2017

*Do Networks Govern Contracts?*, Univ. of Southern California, Center for Law and Social Science, March 2016

*Deal Structure (with Cathy Hwang)*, Yale Law School, Workshop on Formal and Informal Governance, September 2017

*Transformation Cost Engineering*, Columbia/Duke/NYU, Conference on Contractual Black Holes, April 2017

*The Architecture of Contract Innovation*, Columbia University, Center for Contract and Economic Organization, January 2017

## Conference Presentations

*Fix the Price or Price the Fix? Resolving the Sequencing Puzzle in Corporate Contracting*, American Law & Economics Association 2025 Annual Meeting, May 2025 (with Josh Higbee, Cree Jones, and Eric Talley)

*Intensive Innovation in Contract Design: Unpacking Textual Evolution in Complex Contractual Networks*, American Law & Economics Association 2024 Annual Meeting, May 2024 (with Kristina Bishop and Cree Jones)

*Missing Boilerplate*, NYU-Penn Empirical Contracts Workshop, May 2024 (with Kristina Bishop, Cathy Hwang & Yaron Nili)

*The Diffusion of Deal Innovations in Complex Contractual Networks*, Conference on Empirical Legal Studies, Univ. of Virginia, November 2022

*Contract Production in M&A Markets*, Private Equity Symposium, Univ. of Pennsylvania, October 2022

*Contract Production in M&A Markets*, ABA Business Law Section Private Equity/Venture Capital Academic Subcommittee, September 2022

*The Diffusion of Deal Innovations in Complex Contractual Networks*, NYU-Penn Empirical Contracts Workshop, June 2022

*Gender and the Social Structure of Exclusion in U.S. Corporate Law*, Corporate and Securities Litigation Workshop, Univ. of Illinois, Sept 2022

*The Diffusion of Deal Innovations in Complex Contractual Networks*, American Law & Economics Assoc. Annual Meeting, Columbia University, August 2022

*Contractual Evolution*, Conference on Empirical Legal Studies, March 2022

*Social Networks and the Diffusion of Deal Terms: Evidence from Contractual Innovation in M&A*, BYU Faculty Workshop, March 2021 (w/ Kristina Bishop)

*Hidden Bias in Empirical Textualism*, BYU Legal Corpus Linguistics Conference, February 2020 (w/ Carolina Nunez and Sam Nelson)

*Deal Networks*, Society of Empirical Legal Studies Conference, Claremont McKenna, Nov. 2019

*Do Networks Govern Contracts?*, Society of Empirical Legal Studies Conference, Claremont McKenna, Nov. 2019

*Deal Networks*, Society of Institutional and Organizational Economics, Annual Meeting, June 2018

*Do Networks Govern Contracts?*, European Empirical Legal Studies Conference, May 2018

*Do Networks Govern Contracts?*, BYU Law Winter Deals Conference, March 2018

*Deal Structure (with Cathy Hwang)*, BYU Law Winter Deals Conference, March 2018

*Deal Structure (with Cathy Hwang)*, AALS Transactional Law Section Panel, January 2018

*Do Networks Govern Contracts?*, UC-Boulder, Junior Business Law Scholars Conference, July 2017

*Do Networks Govern Contracts?*, UC-Berkeley, Law & Entrepreneurship Association Annual Meeting, March 2017

*The Architecture of Contract Innovation*, Columbia University, Annual Meeting of the Society for Institutional and Organizational Economics, June 23-25, 2017

*The Architecture of Contract Innovation*, Univ. of Utah, National Business Law Scholars' Conference, June 8-9, 2017

*Do Networks Govern Contracts?*, Univ. of Chicago, National Business Law Scholar's Conference, June, 2016

*The Architecture of Contract Innovation*, Univ. of San Diego, Law & Entrepreneurship Association Annual Workshop, January 21, 2016

*The Architecture of Contract Innovation*, Association of American Law Schools, Annual Meeting, Transactional Law Section, January 10, 2016

*The Architecture of Contract Innovation*, Brigham Young Univ., Rocky Mountain Junior Scholars Forum, September 24-25, 2015

*Transformation Cost Engineering*, Univ. of Utah, Rocky Mountain Junior Scholars Conference, November 7, 2016

*Entrepreneurial Action and Dynamic Legal Infrastructure*, Kaufmann Foundation and Brigham Young Univ., Law and Entrepreneurial Action Conference, February 26-27, 2016

*Innovation and the Institutional Design of Merger Control*, New York Univ., Next Generation of Antitrust Scholars, January 19, 2016

*Do Networks Govern Contracts?*, Univ. of Naples, Italian Law & Economics Society, December 2015

*Innovation and the Institutional Design of Merger Control*, Harvard Univ., Informal Enforcement of Competition Law Conference, March 24, 2014

*Innovation and the Institutional Design of Merger Control*, Brigham Young Univ., Rocky Mountain Junior Scholars Forum, November 6, 2013

*The Private Order of Innovation Networks*, Harvard Univ., Annual Meeting, International Society for New Institutional Economics, June 18-20, 2015

*The Private Order of Innovation Networks*, Univ. of Trier, Economics of Entrepreneurship and Innovation Workshop, June 2-3, 2015

*The Private Order of Innovation Networks*, Arizona State Univ., Legal Scholars Conference, March 13-14, 2015

*The Private Order of Innovation Networks*, Univ. of Utah, Rocky Mountain Junior Scholars Conference, November 14, 2014

*The Private Order of Innovation Networks*, Univ. of Toronto, Canadian Law & Economics Association Annual Meeting, September 19, 2014

*The Private Order of Innovation Networks*, Southeastern Association of Law Schools, Annual Conference, August 7, 2014

*Putting Stockholders First, Not the First-Filed Complaint* (with Leo Strine and Larry Hamermesh), Univ. of Pennsylvania, ILE Corporate Roundtable, April 19, 2013

*Governing Networked Production: Evidence from Biotechnology and Semiconductor Collaborations*, Law and Society Association, Annual Meeting, Law & Entrepreneurship Session, May 27, 2010

*Contract Adjudication in a Collaborative Economy*, Univ. of Toronto, Canadian Law & Economics Association Annual Meeting, September 26, 2008

## Core Courses

Mergers & Acquisitions; Securities Regulation; Business Organizations; 1L Contracts; Deals: The Tools of Social Innovation; New Market Infrastructure.

## Service

UNIDROIT Working Group, Legal Structure of Agricultural Enterprises (2021-2023)

BYU Marriott School of Management, Global Management Center: Board Member (2016-present)

Ethereum Enterprise Alliance Legal Working Group: Co-Chair of Supply Chain Committee (2017-2019)

AALS, Transactional Law Section: Chair (2020); Chair-Elect (2019); Executive Committee Member (2016-2020)

AALS, Business Organizations Section: Executive Committee Member (2018-2021)

Peer Reviewer:

- Journal of Empirical Legal Studies
- Oxford University Press
- United Kingdom's Economic and Social Research Council
- Cambridge University Press
- Northwestern University Law Review
- Conference on Empirical Legal Studies

BYU Law School:

- Director, Global Business Law Program (2022-2023)
- Director, London Law Program (2019-2023)
- Curriculum Committee (2016-2019), chair (2021-present)
- Rank & Status Committee (2020-2022)
- Technology Committee (2019-2023)
- Task Force on the Future of Legal Education (2017-2020)
- Clerkship Committee (2015-present), chair (2018-2020)
- Faculty Secretary (2014-2016)
- Admissions & Recruiting Committee (2013-2015)
- Awards Committee (2013-2015)

## Affiliations

Society for Institutional and Organizational Economics

American Law & Economics Association

Admitted to the New York State Bar (2007)

## Other

Security Clearance: Top Secret/Sensitive Compartmentalized Information

Languages: Icelandic (conversational)