

MARK R. KUBISCH

24255 E Pacific Coast Hwy, Malibu, CA 90263 | MARK.KUBISCH@PEPPERDINE.EDU | 812.929.2028

ACADEMIC APPOINTMENTS

Pepperdine University, Caruso School of Law

Associate Professor of Law and Academic Director of the Palmer Center for Entrepreneurship and the Law, August 2026–Present

Legal Research and Writing Professor, June 2018–July 2026

Director of the Legal Research and Writing Program, May 2019–July 2026

Waves of Excellence Award in Scholarship in 2024 (selected by colleagues)

Waves of Excellence Award in Teaching in 2021 (selected by colleagues)

The University of Texas School of Law

Bowden Fellow, Bech-Loughlin First Amendment Center, July 2026–July 2027

EDUCATION

Notre Dame Law School, South Bend, IN

Juris Doctorate, *summa cum laude*, May 2015

Journals:

NOTRE DAME LAW REVIEW: Editor-in-Chief (Vol. 90)

HARVARD JOURNAL OF LAW AND PUBLIC POLICY: National Symposium Editor

Honors:

Hoynes Prize (first in class at graduation)

The William T. Kirby Award (best legal memorandum of the first-year class)

Dean's Award (best exam):

Administrative Law, Advanced Jurisprudence, Civil Rights Law, Constitutional Law I, Constitutional Law II, Federal Courts, Legal Change Seminar, Legal Research, Legal Writing I, and Religious Freedom and the Establishment Clause

Dean's Circle Fellow (top 10% of the first-year class)

Dean's Honor Roll (every semester)

American Law Institute-American Bar Association Scholarship and Leadership Award

Award for Outstanding Achievement in the Program of Study in Public Law

University of Dallas, Dallas, TX

B.A., History and Politics, *summa cum laude*, May 2012

Honors:

First Academic Honors (first in class at graduation)

President of Student Government (elected)

Phi Beta Kappa (junior inductee)

Fr. Louis J. Lekai Award (history departmental honor)

The Willmoore Kendall Award in Political Philosophy (political theory award)

PUBLICATIONS

The Constitutional Boundaries of Foreign Corporate Speech, 78 FLA. L. REV. (forthcoming 2026).

[*Constitutionally Suspect Interventions in the Shareholder Proposal Forum*](#), 59 WAKE FOREST L. REV. 1155 (2025).

[Highlighted](#) in The Activist Investor's *Weekly Digest*.

[Cited](#) in expert testimony before United States House Committee on Financial Services.

[*ESG, Public Pensions, and Compelled Speech*](#), 11 TEX. A&M L. REV. 71 (2023).

[Featured](#) on Columbia Law School's Blue Sky Blog (a blog on corporations and the capital markets).

Selected as a Winning Entry in the Young Legal Scholars Paper Competition, Federalist Society, 24th Annual Faculty Conference (Jan. 2023).

[Cited](#) by the Committee on Capital Markets Regulation (composed of thirty-seven leaders drawn from the finance, business, law, accounting, and academic communities).

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SHORTER PIECES

The Murky Future of Shareholder Proposals, J. CORP. L. DIGITAL (invited; forthcoming 2026).

[*State Public Pension Funds Have a Compelled Speech Problem*](#), BLOOMBERG LAW (Jun. 6, 2023).

MEDIA COVERAGE

Featured in Siri Terjesen & Allen Mendenhall, [*Pension Funds Cannot Compel Speech Through ESG Investments*](#), NAT. REV. (July 31, 2024).

PRESENTATIONS

Presenter, *Constitutional Regulation of Foreign Corporate Speech*, Works-in-Progress, Federalist Society, 26th Annual Faculty Conference (Jan. 2025).

Presenter, *Shareholder Proposals, No-Action Letters, and the First Amendment*, National Business Law Scholars Conference, UC Davis School of Law (June 2024).

Presenter, *Shareholder Proposals, No-Action Letters, and the First Amendment*, Newer Scholars' Workshop, Sandra Day O'Connor College of Law, Arizona State University (May 2024).

Presenter, *ESG, Public Pensions, and Compelled Speech*, Young Legal Scholars Paper Competition, Federalist Society, 24th Annual Faculty Conference (Jan. 2023).

SERVICE ACTIVITIES

Law School

Chair (2019-20) and Member (2018-19, 2020-21, 2021-22), Academic Standards Committee

Chair (2022-23, 2025-26, 2026-27), Vice Chair (2024-25), and Member (2023-24), Admissions Committee

Chair (2023-24, 2024-25) and Member (2021-22), LRW Faculty Appointments Committee

Faculty Adviser, Moot Court Team (2019-2026)

Faculty Adviser, The International Legal Honor Society of Phi Delta Phi (2020-21)

Member, Academic Dismissal Committee (2020-21, 2021-22, 2022-23, 2023-24, 2024-25)

Member, Clerkship Taskforce (2018-Present)

Moot Court Judge, Ninth Circuit Clinic (2020-Present)

University

Member (2024-25), Planning Committee for Pepperdine University's Faith and Academic Freedom Colloquium

Member (2024-25), University Retirement Planning Committee and University Benefits Committee

Participant (2022-23, 2023-24, 2024-25), Pepperdine University Dialogue Dinners

Professional

Appointed Member (2021-Present), Local Rules Advisory Committee for U.S. District Court for the Central District of California

Reviewer, [*Journal of Markets & Morality*](#)

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PRIOR EXPERIENCE

Jones Day, Washington, DC

Issues and Appeals Associate, October 2016–May 2018; *Summer Associate*, May–August 2014

The Honorable Steven Colloton, United States Court of Appeals for the Eighth Circuit, Des Moines, IA

Law Clerk, August 2015–August 2016

BAR ADMISSIONS

District of Columbia, Indiana (inactive)