

Dr. Yifat Naftali Ben Zion

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CURRENT POSITION

HARVARD LAW SCHOOL, *Program on Corporate Governance*, Fellow

TEL-AVIV UNIVERSITY, FACULTY OF LAW, Assistant Professor (as of 2024)

EDUCATION AND AWARDS

- 2022-Today The TAU presidential excellence scholarship, **Postdoctoral Scholarship**
- 2021-2022 NYU POLLACK CENTER FOR LAW & BUSINESS, research scholarship (renounced)
TEL AVIV UNIVERSITY, Fischer Center for Corporate Governance & Capital Markets Regulation, **Research Fellow & Academic Manager**
- 2020-2021 THE HEBREW UNIVERSITY OF JERUSALEM, The Sacher Institute for Legislative Research and Comparative Law, **Postdoctoral Scholarship**
THE HEBREW UNIVERSITY OF JERUSALEM, Mishael Cheshin postdoctoral scholarship (renounced)
- 2019-2020 TEL AVIV UNIVERSITY, Edmond J. Safra Center for Ethics, **Postdoctoral Scholarship**
- 2016-2020 TEL AVIV UNIVERSITY, Zvi Meitar Center for Advanced Legal Studies, **PhD**
Dissertation: *“How concepts of fiduciary duties shape private law: On Legal Theory, Case law and in between”*; Supervisor: Prof. Hanoch Dagan (Awarded 21/7/2020)
- 2019 Excellence Grant, Aaron and Miriam Gutwirth Scholarships
- 2016-2018 Academic merit research scholarship, The Zvi & Ofra Meitar Family Fund
- 2013-2014 UNIVERSITY COLLEGE LONDON, Faculty of Law, **LLM (with distinction)**
Thesis (graded distinction): *“Restitution for Breach of Contract in Light of Attorney General v Blake”*; Supervisor: Prof. Robert Chambers
- 2006-2010 THE HEBREW UNIVERSITY OF JERUSALEM, Faculty of Law & Faculty of Social Sciences, **LLB, Law & International Relations (Cum laude)**
- 2008-2009 Placed on Dean’s List as outstanding student
- 2007-2008 Placed on Dean’s List as outstanding student
Judge Tebby Miller Prize for outstanding students in joint programs

PROFESSIONAL EXPERIENCE

- 2019-2022 TEL AVIV UNIVERSITY, **Adjunct Faculty** (Restitution of Unjust Enrichment; Pre-seminar in commercial & Private law (LLB); Advance seminar in commercial & Private law (LLM students))
- 2016-2018 TEL AVIV UNIVERSITY, **Teaching Assistant** (Property Law; Constitutional Law)
- 2012-2015 CENTRAL REGION DISTRICT COURT, **Judicial Assistant**, the President of the court (Judge Hila Gerstel; Judge Abraham Tal) & Judge Prof. Ofer Grosskopf

2012-2013 BAR ILAN UNIVERSITY, **Research Assistant** to Prof. Ariel Bendor
 2012 CARMEL ACADEMIC CENTRE, **Research Assistant** to Dr. Gershon Guntovnik
 2011-2012 BOAZ BEN ZUR & CO., LAW OFFICE, **Legal Associate** (Civil litigation)
 2010-2011 DR J. WEINROTH & CO., LAW OFFICE, **Legal Intern** (Civil litigation)
 2009-2010 THE HEBREW UNIVERSITY, **Research Assistant** to Prof. Ruth Gavison
 2008-2010 STATE ATTORNEY, High Court of Justice Department, **Pre-Intern**
 2008 MINISTRY OF JUSTICE, Office of Director General, **Project Manager**

SELECTED CONFERENCE PARTICIPATION & PRESENTATION

2023 Harvard Law School Private law workshop, **Presentation:** “*Good Faith & Loyalty*”
 Book Event, The Program on the Foundations of Private Law, Harvard Law School,
Commenting on Rob Stevens, THE LAWS OF RESTITUTION

2022 Tel Aviv University, invited talk (for undergraduate students) “*Look Up: Institutional Investors and Socially Responsible Investing*”
 TAU Corporate Law Workshop 2021-2022, **Presentation:** “*Look Up: Institutional Investors and Socially Responsible Investing*”
 ESG Workshop, Tel Aviv University, **Presentation:** “*ESG & Fiduciary Duties of Institutional Investors*”
 Directors Responsibilities & Corporate Opportunities conference, Tel Aviv University, **Open panel discussion** (with Sharon Hannes, Maya Sabari & Dan Shamgar)
 Annual Fiduciary Law Workshop, Brooklyn Law School, **Presentation:** “*Good Faith & Loyalty: Reimagining Civilian Contracts from a Fiduciary Law Perspective*”
 Activism & Institution Investors Conference, The Hebrew University of Jerusalem,
Commenting on Kobi Kastiel & Assaf Eckstein, “Appointment of directors: theory, policy, empirical evidence”
 TAU Private Law Theory Workshop, **Presentation:** “*Notorious spies, Contracts & Loyalty*”
 Book Event, Edmond J. Safra Center for Ethics, **Commenting** on Martijn Hesselink,
 JUSTIFYING CONTRACT IN EUROPE: POLITICAL PHILOSOPHIES OF EUROPEAN CONTRACT LAW
 Amsterdam Centre for Transformative Private Law (ACT) Seminar, **Presentation:** “*Good Faith and Loyalty: Reimagining Civilian Contracts from a Fiduciary Law Perspective*”

2021 The 6th Annual TAU Workshop: Legal Change in Revolutionary Times, **Presentation:** “*Good Faith and Loyalty: Reimagining Civilian Contracts from a Fiduciary Law Perspective*”
 The fifth annual conference of the Israeli forum for Contract Law, Zefat Academic College,
Presentation: “*Good Faith and Loyalty: European Contracts from a Fiduciary Law Perspective*”
 Private & Commercial Law Workshop, The Hebrew University of Jerusalem, **Presentation:**
 “*Good Faith & Loyalty: Reimagining European Contracts from a Fiduciary Law Perspective*”
 Global Seminar in Private law theory, organized by Prof. Lionel Smith, McGill University,
Presentation: “*Two Sides of the Same Coin: Revealing the Underlying Perceptions of Fiduciary Law*”

- 2020 Bar-Ilan university, invited talk (for undergraduate students), **Presentation:** “*The Goals of Contract Interpretation: Which Way We Ought to Go When We Care Where We Want to Get*”
 The Junior Scholars Workshop, The Hebrew University of Jerusalem, **Presentation:** “*Moving on the Continuum of Loyalty: From Standard Towards Rules*”
 The 2020 Fiduciary Law Workshop (Brooklyn Law School), **Presentation:** “*Where you stand depends on where you sit*”, postponed due to coronavirus
 The 2020 NYU/TAU Corporate Law Conference, **Presentation:** “*How Concepts of Fiduciary Duties Shape Private Law: The Case of Corporate Opportunity Doctrine*”
- 2019 European University Institute (EUI) Junior Scholars Workshop: Challenges of Global Private Law Theoretical Perspectives, **Presentation:** “*Fiduciary Duties of Lawyers: Protecting Economic Interests of Clients or Preserving the Administration of Justice?*”
 The 5th Annual TAU Workshop for Junior Scholars in Law: Rethinking Law and Boundaries, **Academic Organizer**
 Amsterdam Centre for European Studies, CSECL International Summer School: Frontiers of Private Law and its Theory, **Presentation:** “*Two Sides of The Same Coin: How Fiduciary Concept Shaped Private Law: The Case of Corporate Opportunity Doctrine*”
- 2018 The TAU Private Law & Theory Forum, **Presentation:** “*Divergence in Fiduciary Law: Corporate Law and the Duty of Loyalty*”
- 2017 The TAU Private Law & Theory Forum, **Presentations:** “*A Pluralistic Approach to Contract Interpretation*”; “*Restitution of Wrongful Profits*”
 The Annual TAU Workshop for Junior Scholars: Law in A Changing Society, **Chair**
- 2016 The TAU Private Law & Theory Forum, **Presentation:** “*Fiduciary duties: Towards a Unified Theory*”

EXTRACURRICULAR ACTIVITY

- 2013-2014 Judges, Courts & Judicial Decision-Making Course, **Participation**, LLM Supreme Court Moot; Excellence Prize for best judicial questioning by Sir Anthony Hooper
 The High Court of Justice, London, **Marshalling**, Hon. Justice Robert Jay
- 2008-2009 Migrants’ Rights Workshop (A collaboration of The Hebrew University of Jerusalem; American University in Cairo & Georgetown University), **Contributor**, “*International Migrants Bill of Rights*” 7 GEORGETOWN LAW STUDENT SERIES (2010)
- 2007-2008 The Clinical Legal Education Center Program, Faculty of Law of the Hebrew University of Jerusalem, **Pre-Intern**, The NGO “Rabbis for Human Rights”

BAR ADMISSION AND MEMBERSHIP

- 2011 Admitted to the Israeli Bar Association

VOLUNTEERING ACTIVITY

- 2011-2019 TOPAZ – Leading Social Innovations, **Pro-bono Legal advisor**
- 2009 BRIT OLAM – INTERNATIONAL VOLUNTEERING AND DEVELOPMENT, **Volunteer**, Educational support to children from destitute families in Kampala, Uganda

PUBLICATIONS

Revealing the Underlying Perceptions of Fiduciary Law, III OXFORD STUDIES IN PRIVATE LAW THEORY (Paul B Miller & John Oberdiek eds., Oxford University Press, forthcoming 2023)

Good Faith & Loyalty: Reimagining Contracts from Fiduciary Law Perspective, TULANE LAW REVIEW (forthcoming 2023)

Cleaning up the Corporate Opportunity Doctrine Mess: A First Principles Approach, WASHINGTON & LEE LAW REVIEW (forthcoming 2023)

Look Up: Institutional Investors and Socially Responsible Investing, TAU LAW REVIEW (forthcoming 2023)

FIDUCIARY LAW FROM A COMPARATIVE PERSPECTIVE: ON LEGAL THEORY, CASE LAW AND IN BETWEEN (2022, The Harry and Michael Sacher Institute for Legislative Research and Comparative Law, Jerusalem, 350 pages) (Book, Hebrew)

Moving on the Continuum of Loyalty: From Standard Towards Rules, 35(1) CANADIAN JOURNAL OF LAW AND JURISPRUDENCE 187 (2022).

The Goals of Contract Interpretation: Which Way We Ought to Go When We Care Where We Want to Get, in ESSAYS ON CONTRACT IN HONOR OF GABRIELA SHALEV 507 (Aharon Barak, Yehuda Adar & Efi Zemach eds., 2020) (With Ofer Grosskopf) (Hebrew)*

Tafasta Merube Lo Tafasta? On Legal Norms, Procedural Mechanisms and Judicial Review in Corporate Law, in ESSAYS IN HONOR OF YORAM DANZIGER 133 (Limor Zer-Gutman & Ido Baum eds., 2019) (With Ofer Grosskopf) (Hebrew)†

Work in progress:

“Notorious spies, Contracts & Loyalty”

“How Legal Misinterpretation May Destroy the Planet: Fiduciary Duties of Institutional Investors”

“Academic Writing & Judicial Decision Making”

“Fiduciary Duties of Lawyers: Protecting Economic Interests of Clients or Preserving the Administration of Justice?”

* The article was cited and applied by the Israeli Supreme Court in CA 7649/18 **Bibi Roads Development Ltd. v. Israel Railways Ltd.** (20.11.2019) and many decisions which followed it.

† The article was cited by the Israeli Supreme Court in CA 7657/17 **Berdichev v. Feuchtinger** (18.6.2020) and applied in CA 8762/20 **Atzmon v. Nestle** (9.12.2021).