



Daniel Foà

Date of birth: 10/10/1994 | **Nationality:** Italian | **Gender:** Male | **Phone**

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Address: Via delle Bermude 7, 00121, Roma, Italy (Home)

● WORK EXPERIENCE

05/2023 – CURRENT

POST-DOC RESEARCHER (ASSEGNISTA DI RICERCA) LUIGI BOCCONI UNIVERSITY (MILAN)

Post-Doc Researcher in Economic Law (IUS/05)
ASK Centre

09/2022 – CURRENT Rome, Italy

TEACHING ASSISTANT LUISS GUIDO CARLI

Contract holder as "Teaching assistant" within the course of Marketing Law and Regulation (IUS/05), Prof. A. Davola, Department of Business and Management LUISS Guido Carli

02/2021 – CURRENT Rome, Italy

LAWYER

In February 2021, I passed the bar exam at the Rome Court of Appeal and have been a member of the Rome Bar Association since July 2021.

I practice law dealing mainly with public economic law, banking and business law.

In the years 2021 and 2022, I collaborated with the firm **Cintioli & Associati** carrying out judicial and extrajudicial activity, with particular reference to environmental law, public procurement and proceedings before independent authorities

09/2019 – 03/2023 Rome, Italy

PH.D. LUISS GUIDO CARLI

Ph.D. in Law and Business

Market and Regulation Curriculum, Economic Law (IUS/05)

Supervisor Prof. Mirella Pellegrini

Doctoral thesis focused on the study, also using quantitative analysis tools, of the proportionality of regulation of Third Party Providers in the context of the payment services framework

Final evaluation: Excellent cum laude

06/2020 – CURRENT

RESEARCHER

Member of Italian and European research centres. In particular, I am a member

1. of the Young Researchers Group at the **European Banking Institute** (Frankfurt). The research group deals with the in-depth study of banking law and financial markets, focusing in particular on the impact of digitalisation and sustainability on these sectors;

2. the Law and Technology Research group. The research group, directed by Prof. F. Di Porto, deals with the regulation of new technologies, LegalTech and computational law;

3. of the **BILL-Blockchain, artificial Intelligence and digital innovation Law Lab** at **LUISS Guido Carli**.

The activities of the research centre focus on the study of the legal implications of new technologies

2020 – CURRENT Rome, Italy

SUBJECT EXPERT

1. I am an assistant lecturer in **Public Economic Law** (chair of Prof. Mirella Pellegrini) at the Department of Economics and Management of the **LUISS Guido Carli University**. I collaborate in the teaching and scientific activities of the chair. As part of these, I give lectures and carry out tutorials for students. I am also a member of the examination committee for the courses of Public Economic Law and Advanced Course in Financial Market Law.

2. I am an assistant lecturer in **Commercial and Bankruptcy Law** (Prof. Sabino Fortunato's chair) at the Department of Law, **University of Roma Tre**. I take part, since 2018, in the teaching activities of the chair by giving lectures and seminars in the courses of Commercial Law II and Bankruptcy Law, and by supporting students in the drafting of their dissertations. I am also a permanent member of the examination committee for the courses taught by Professor Fortunato.

09/2022 – 12/2022 Italy

COMMISSION MEMBER ITALIAN MINISTRY OF EDUCATION

Member (effective) of the Selection Committee C1 (in charge of projects evaluation for the regions Abruzzo and Basilicata) within the framework of the "Concorso di progettazione" competition for the submission of project proposals for the construction of new public school buildings through building replacement, to be funded under the NRP, Mission 2 - Green Revolution and Digital Transition - Component 3 - Energy Efficiency and Building Upgrading - Investment 1.1: "Construction of New Schools through Building Replacement," funded by the European Union - Next Generation EU.

01/2018 – 03/2020 Rome, Italy

TRAINEE LAWYER

Gianni Origoni Grippo Cappelli & Partners (2018)

Banking and Finance Law Department.

I was primarily involved in financing transactions, debt restructuring and the management of non-performing loans.

As part of these activities, among other things, I had the opportunity to draft the relevant contractual documentation, also in English, and to perform due diligence activities aimed at analysing the feasibility of the transactions.

Avvocatura Generale dello Stato (2019-2020)

I was assigned to Section VII, which is in charge of pleading for, among others, the Ministry of Education, University and Research and the Ministry of Infrastructure and Transports.

I have dealt mainly with administrative issues, drafting court documents on public procurement as well as public employment. I have also drafted deeds and opinions on civil and commercial law matters.

09/2013 – 07/2016 Rome, Italy

EDUCATOR UGN-UFFICIO GIOVANI NAZIONALE

I have organized and conducted activities for children in the cities of Florence, Livorno, Naples and Padua, addressed primarily to youth from Italian small Jewish communities.

I have also collaborated in organizing events in Italy and abroad.

EDUCATION AND TRAINING

09/2019 – 03/2023 Rome, Italy

PH.D. IN LAW AND BUSINESS LUISS Guido Carli

Ph.D. in Law and Business

Research project: The regulation of Third Party Providers under PSD2

The main research question underlying the study is whether the European regulation of Third-Party Providers - key players in the open banking ecosystem - complies with the principle of proportionality in regulation.

After elaborating on the potential (and risks) that characterize the fintech phenomenon and the datafication of finance, the legal framework for TPPs in positive law is analyzed in detail, highlighting its *rationes*.

Following this analysis, using the data collected regarding the licensing of TPPs in each European country and the characteristics related to the regulatory discipline implementing the Directive and the different supervisory practices of the Authorities, a regression model is constructed (using, in particular, the Poisson model) aimed at highlighting the possible correlations between the geography of TPP licensing in Europe and the characteristics of the concrete discipline applicable to them, which undermines the same risks same rules principle.

Lastly, it is pointed out that this principle - aimed at ensuring a level playing field among the various operators - would not seem to be followed even by the PSD2 framework itself, which applies to TPPs regulatory techniques developed for financial institutions, which are instead characterized by very different risks. This contributes to making the regulation applicable to such entities unjustifiably overly burdensome, in violation of the principle of proportionality.

Having found these critical issues, a policy proposal is finally presented for a forthcoming revision of PSD2, aimed at resolving the major points of criticality found, addressing more specifically the accentuated operational risk (first and foremost, cyber) faced by these operators. At the same time, the restoration of proportionality in regulation is advocated in this context, avoiding imposing constraints on TPP that are ill-suited to entities that do not hold funds at any stage of their business.

Address Rome, Italy | **Final grade** Excellent cum laude

12/2018 - 07/2019

BRONFMAN - WUJS GLOBAL FELLOW NYU - New York University

Selected as one of 6 participants in the Fellowship organized by the Bronfman Center at NYU.

Main program topics: organizational leadership, activity planning, pluralism, fundraising.

10/2013 - 03/2018 Rome, Italy

MASTER'S DEGREE IN LAW Università degli Studi di Roma Tre

Thesis in Banking Law on "The surety bond acquired by banks," supervisor Prof. M. Bussoletti. Degree obtained in 4 academic (instead of 5) years.

Final grade: 110 cum laude

Average exams grade: 29.4/30.

Address Rome, Italy

Budapest, Hungary

ERASMUS PLUS ELTE Eötvös Loránd University

During my six-month stay at ELTE University in Budapest, I passed (with full marks) the following exams:

- International commercial arbitration
- Hungarian tort law in comparative perspective
- Companies in private international law
- Comparative constitutional law
- Civil liberties in the United States

Address Budapest, Hungary

Rome - New York

DELEGATE United Network

I took part in the Model organized by United Network which consists of a simulation of the works of the subsidiary bodies and specialized institutes of the United Nations. The work took place in two phases.

During the first phase, which was held in Rome, I received the "Best delegate" award from the committee I had taken part in. The second phase of the work was held in New York.

The entire works were held in English.

Address Rome - New York

Rome

SCIENTIFIC HIGH SCHOOL DIPLOMA Liceo scientifico A. Labriola

Diploma obtained with a grade of 100/100

Address Rome

● **LANGUAGE SKILLS**

Mother tongue(s): **ITALIAN**

Other language(s):

	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken production	Spoken interaction	
ENGLISH	C1	C1	C1	C1	C1

Levels: A1 and A2: Basic user; B1 and B2: Independent user; C1 and C2: Proficient user

● **ADDITIONAL INFORMATION**

PUBLICATIONS

Publications

1. FOÀ D., *Nullity of the surety granted to the banks through the use of bank forms: a revolutionary ruling by the Supreme Court of Cassation* (Nullità della fideiussione rilasciata su moduli bancari: pronuncia rivoluzionaria della Cassazione), *Giuricivile*, 2018, 4 (ISSN 2532-201X)
 2. FOÀ D., *Competing proposals and offers in the arrangement with creditors* (Proposte e offerte concorrenti nel concordato preventivo), *Giuricivile*, 2018, 6 (ISSN 2532-201X);
 3. FOÀ D., *Nullity of the surety granted in favour of the banks for infringement of antitrust regulation: a comparative perspective*, *Salvis Juribus*, November 2018 (ISSN 2464-9775);
 4. FOÀ D., *Alert procedures in the business crisis and the forward looking approach* (Le procedure d'allerta nella crisi d'impresa e l'approccio forward looking), *GiuriCivile*, 2019, 3 (ISSN 2532-201X);
 5. FOÀ D., *The role of banking supervision in dealing with COVID-19 pandemic risks* (Il ruolo della vigilanza bancaria nel fronteggiare i rischi legati alla pandemia da COVID-19), *Rivista elettronica di diritto, economia e management*, 2/2020;
 6. FOA' D. - DI DIO A., *The new financing at the time of the coronavirus: shareholder financing and bank financing*, 2020, available on [Academia.edu](https://www.academia.edu);
 7. CARDONE M. - FOA' D., *The digitisation of public administration and the valorisation of its information assets*, in *MUNUS - Rivista giuridica dei servizi pubblici*, n. 3/2020;
 8. FOA' D. - DI DIO A., *The arrangement with creditors. Between the Business Crisis Code and the Corrective Decree*, in *IlFallimentarista.it*, 28 maggio 2021;
 9. FOA' D., *Cessation of judicial liquidation proceedings. Artt. 233-239*, in *Commentary to the Business Crisis and Insolvency Code*, edited by GIORDANO A. - TEDESCHI C., Edizioni Ad Maiora, 2021;
 10. FOÀ D., *Open banking: API, access to accounts and new commodities in the digital era* (Open banking: API, accesso ai conti e nuove commodities dell'era digitale), NUZZO. A (edited by), *Blockchain, smart technologies and market governance*, LUISS University Press, 2022;
 11. FOA' D., *Open banking, access to account rule and (free) marketability of banking data*, in *European Banking Institute Young Researchers Group Series*, Palgrave MacMillan, 2023;
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Forthcoming publications

1. CARDONE M. - FOA' D., *Sustainability and digital tools in the PNRR*, B.G. Mattarella (ed.), Giappichelli, Turin, forthcoming.
2. FOA' D., *The role of digital tools in information flows between state-owned companies and the public shareholder administration* (Il ruolo degli strumenti digitali nei flussi informativi tra società a partecipazione pubblica e Pubblica Amministrazione partecipante), in CATERINO D. (a cura di), *Scritti in onore del Prof. Sabino Fortunato*, ESI editore, Naples, forthcoming.

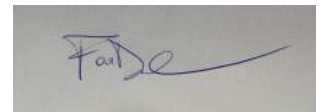
3. F. CARETTA, D. FOA', *Nfts and metaverse in luxury fashion. The Dolce & Gabbana experience* (Nfts e metaverso nella moda luxury. L'esperienza di Dolce & Gabbana), in F. Di Porto - O. Pollicino (a cura di), *NFT e Metaversi: nuove sfide per il diritto e il mercato*, LUISS University Press, forthcoming
 4. FOA' D., *Digitalisation and sustainability: the synergetic pursuit of these goals in public policies* (Digitalizzazione e sostenibilità: il perseguimento sinergico di tali obiettivi nelle politiche pubbliche), *forthcoming*
 5. DI PORTO F. - FOA' D., *Interoperability as a regulatory tool for the metaverse*, forthcoming
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CONFERENCES AND SEMINARS

Teaching activities and presentations at conferences

1. As part of Departmental doctoral meetings, presentation of a paper on "The constitutive rules in the EU law"
2. As part of the Department's doctoral meetings, presentation of a paper on "The evolution, in the national and European context, of the protection of savings and savers. An evolutionary interpretation of Article 47 of the Constitution."
3. As part of the Department's doctoral meetings, presentation of a paper on "The role of the IMF in the post-COVID-19 crisis recovery"
4. As part of the Department's doctoral meetings, presentation of a paper on "The processing of data held by banks. Derogation to the GDPR regulation and data breach disclosure"
5. As part of Departmental doctoral meetings, presentation of a paper on "The digitalisation of Public Administration"
6. In the academic years 2019/2020, 2020/2021, 2021/2022, I lectured on "The arrangement with creditors" as part of the course on Bankruptcy Law by Prof. S. Fortunato (Roma Tre University)
7. In the academic years 2019/2020, 2020/2021, 2021/2022 I lectured on "The Closure of Bankruptcy and the bankruptcy discharge" as part of the course of Bankruptcy Law by Prof. S. Fortunato (Roma Tre University)
8. On April 7, 2020, I gave a lecture on "Privatization of public companies and Competition law" as part of the Public Economic Law course by Prof. M. Pellegrini (LUISS Guido Carli)
9. On September 9, 2021, I presented a lecture on "The new finance in the time of the coronavirus: shareholder financing and bank financing" as part of the seminar on Corporate Law of Emergency organized by Prof. S. Fortunato at Roma Tre University
10. On February 17, 2022, I presented a first version of my paper Open banking: APIs, account access and new commodities in the digital age as part of a seminar organized by the Young Researchers Group of the European Banking Institute
11. On September 17, 2022, I presented a paper on "Information flows between publicly held companies and participating Administrations" at Icon-s Italia as part of the panel entitled "Data economy and public administrations: problems and perspectives," moderated by Prof. B.G. Mattarella
12. On October 13, 2022, I gave a lecture on "Sustainability in the law of financial markets" as part of the Advanced course on Financial Markets Law by Prof. M. Pellegrini (LUISS Guido Carli)

I authorize the processing of my personal data included in the CV in accordance with art. 13 d. lgs. 30 June 2003 n. 196 - "Code on the protection of personal data" and art. 13 GDPR 679/16 - "European Regulation on the protection of personal data"



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