

2012

2012-2013 Supreme Court Preview: Schedule and Panel Members

Institute of Bill of Rights Law at The College of William & Mary School of Law

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2012-2013 Supreme Court Preview

Schedule of Events

Friday, September 28, 2012

WELCOME	5:00 PM
MOOT COURT	5:05 to 6:05 PM
<i>BREAK</i>	6:05 to 6:15 PM
MOOT COURT DISCUSSION	6:15 to 6:30 PM
ROBERTS COURT	6:35 to 7:25 PM

Saturday, September 29, 2012

ELECTION LAW	9:00 to 9:50 AM
INTERNATIONAL LAW	9:55 to 10:45 AM
<i>BREAK</i>	10:45 to 11:00 AM
BUSINESS	11:00 to 11:50 AM
LUNCH BREAKOUT SESSIONS	12:00 to 1:45 PM
1. IMPLICATIONS OF THE AFFORDABLE CARE ACT DECISION	
2. THE SUPREME COURT AND THE 2012 ELECTION	
3. THE CONSERVATIVE LEGAL MOVEMENT AND JUDICIAL ACTIVISM	
CRIMINAL	2:00 to 2:50 PM
GAY RIGHTS	2:55 to 3:45 PM
CONFERENCE CONCLUDES	3:45 PM

2012-2013 Supreme Court Preview

Panel Members

DEBO P. ADEGBILE is the Acting President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (“LDF”), the nation’s leading civil rights legal organization. Debo has served LDF in various roles over the last decade, and, until recently, served as its Associate Director-Counsel and Director of Litigation. LDF’s legal program is focused in the areas Economic Justice, Criminal Justice, Education, Political Participation, policy and legislative advocacy. Its national litigation practice encompasses trial, appellate, and U.S. Supreme Court cases. In 2009, Debo successfully argued against a constitutional challenge to the core federal preclearance provision of the Voting Rights Act before the U.S. Supreme Court in *Northwest Austin Municipal Utility District No. One v. Holder*. In 2010, Debo supervised the LDF team that successfully litigated an employment case before the U.S. Supreme Court on behalf of African-American firefighter applicants in *Lewis v. City of Chicago*. John Payton argued the case and achieved a rare unanimous ruling in this civil rights case. Drawing upon his litigation expertise, Debo has testified before Congress on multiple occasions. Prior to joining LDF in 2001, Debo was a litigation associate at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison for seven years. At Paul, Weiss, Debo worked closely with Judge A. Leon Higginbotham, Jr. on several major cases, and represented the firm’s clients in a broad range of civil rights and commercial matters. Debo received a J.D. from New York University School of Law in 1994; and a B.A. in Government from Connecticut College in 1991, where he was awarded the Anna Lord Strauss Medal given annually to the graduating senior who has rendered outstanding college and community service.

JOAN BISKUPIC has covered the Supreme Court since 1989 and is the author of two judicial biographies: *American Original: The Life and Constitution of Supreme Court Justice Antonin Scalia* (2009) and *Sandra Day O’Connor* (2005). She joined Reuters News in February 2012 as Legal Affairs editor-in-charge, based in Washington, D.C. She previously covered the Supreme Court for *USA Today* and the *Washington Post*. She holds a law degree from Georgetown University and has authored several legal reference books. She is a regular panelist on PBS’s *Washington Week with Gwen Ifill*.

JOHN H. BLUME, Cornell University Law School is Professor of Law; Director of Clinical, Advocacy and Skills Programs; Director, Cornell Death Penalty Project

Prof. Blume clerked for the Hon. Thomas A. Clark of the U.S. Court of Appeals for the Eleventh Circuit. After private practice, he became Executive Director of the South Carolina Death Penalty Project, where he remained until 1996. He joined Cornell Law School in 1993 and, in conjunction with Cornell Professors Sherri Lynn Johnson and Stephen Garvey, formed the Cornell Death Penalty Project to foster empirical scholarship on the death penalty, offer students an opportunity to work on death penalty cases, and provides information and assistance for death penalty lawyers. He has served since 1996 on the Habeas Assistance and Training Project Counsel, which consults the Defender Services Committee of the United States Courts. He

teaches Criminal Procedure, Evidence, the Death Penalty in America, and supervises several capital clinics.

JESS BRAVIN (A.B., Harvard; J.D., UC Berkeley) has covered the Supreme Court for *The Wall Street Journal* since 2005, following stints as United Nations correspondent and editor of the weekly WSJ/California section. He is the author of *Squeaky: The Life and Times of Lynette Alice Fromme*, a contributor to books including *Crimes of War 2.0* and *Violence in America: An Encyclopedia*, and a lecturer at the University of California Washington Center. He received the American Bar Association's Silver Gavel Award for his coverage of law and terrorism after 9/11 and the U.N. Correspondents Association's Elizabeth Neuffer Memorial Prize for reporting on the International Criminal Court. Bravin is a regent emeritus of the University of California and, while in law school, served on the Berkeley, Calif., Police Review Commission. Bravin's book on military commission trials at Guantanamo Bay is scheduled to be published in 2013 by Yale University Press.

BETH S. BRINKMANN currently serves as Deputy Assistant Attorney General in the Civil Division of the United States Department of Justice. She directs the Appellate Staff of the Civil Division, which is responsible for briefing and arguing cases on behalf of the United States, its departments and agencies, in the appellate courts throughout the country. She handles a broad range of legal issues in this role, including the defense of federal statutes and regulations against constitutional challenge, administrative law, governmental immunity issues, national security issues, government contracts, employment law, qui tam litigation, intellectual property matters, and federal preemption.

Ms. Brinkmann formerly practiced law in both private and public interest law offices, including before the Supreme Court of the United States for approximately 15 years, first as an Assistant to the Solicitor General and then as chair of Morrison & Foerster's Supreme Court and Appellate practice. She argued 24 cases before the Court during that time. Ms. Brinkmann received her undergraduate degree from the University of California, Berkeley, and her J.D. from Yale Law School. Before entering practice, she served as a law clerk to Judge Phyllis A. Kravitch of the United States Court of Appeals for the Eleventh Circuit, and for Justice Harry A. Blackmun of the Supreme Court of the United States.

MICHAEL CARVIN, Jones Day, focuses on constitutional, appellate, civil rights, and civil litigation against the federal government. He has argued numerous cases in the United States Supreme Court and in virtually every federal appeals court. These cases include the decisions preventing the Justice Department from obtaining monetary relief against the tobacco industry under RICO, overturning the federal government's plan to statistically adjust the census, limiting the Justice Department's ability to create "majority-minority" districts, and upholding Proposition 209's ban on racial preferences in California.

Mike was one of the lead lawyers, and argued before the Florida Supreme Court, on behalf of George W. Bush in the 2000 election Florida recount controversy. He also has represented state governments, financial institutions, telecommunications, and energy companies in "takings," First Amendment, civil rights, and statutory challenges to federal government actions.

ERWIN CHEMERINSKY, Dean and Distinguished Professor of Law, University of California, Irvine School of Law. Prior to accepting this position, was a professor at Duke University School of Law, the University of Southern California Law School, and DePaul College of Law. Author of seven books, including *The Conservative Assault on the Constitution* (Simon and Schuster, Sept, 2010) and over 100 law review articles. Chemerinsky frequently argues appellate cases, including in the United States Supreme Court.

PAUL D. CLEMENT is a partner at Bancroft PLLC. Mr. Clement served as the 43rd Solicitor General of the United States. He received his bachelor's degree summa cum laude from the Georgetown University School of Foreign Service, and a master's degree in economics from Cambridge University. He graduated magna cum laude from Harvard Law School where he was the Supreme Court editor of the Harvard Law Review.

Following graduation, Mr. Clement clerked for Judge Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit, and for Associate Justice Antonin Scalia of the U.S. Supreme Court. After his clerkships, he served as Chief Counsel of the U.S. Senate Subcommittee on the Constitution, Federalism, and Property Rights.

Mr. Clement joined the Department of Justice in February of 2001. Before his confirmation as Solicitor General, he served as Acting Solicitor General for nearly a year and as Principal Deputy Solicitor General. He has argued over 60 cases before the United States Supreme Court. He also serves as a visiting professor at Georgetown University Law School and is a Senior Fellow at Georgetown's Supreme Court Institute.

WALTER DELLINGER is Chair of the Appellate Practice at O'Melveny, is a Visiting Professor of Law at Harvard University, and heads the Harvard/O'Melveny Supreme Court and Appellate Practice Clinic. He is on leave from his professorship at Duke Law School. In the current term of the United States Supreme Court he argued *Morgan Stanley v. Public Utility District*, *Exxon v. Baker*, and *Heller v. District of Columbia*.

Dellinger served as Assistant Attorney General and head of the Office of Legal Counsel (OLC) from 1993 to 1996. He was acting Solicitor General for the 1996-97 Term of the Supreme Court. During that time, Walter argued nine cases before the Court, the most by any Solicitor General in more than 20 years. His arguments included cases dealing with physician-assisted suicide, the line item veto, the cable television act, the Brady Act, the Religious Freedom Restoration Act, and the constitutionality of remedial services for parochial school children.

His most recent successful arguments before the U.S. Supreme Court include *Jackson v. Birmingham School District*, *Brown v. Legal Foundation of Washington*, *US Airways v. Barnett*, *Utah v. Evans*, *Hunt v. Cromartie*, and *Hunt v. Easley*. His Court of Appeals arguments include *Martha Stewart v. United States*, *Whiteside v. United States*, *Exxon v. Alabama*, *LCI v. Phillips* and *Bank of America v. Miller*.

He has served as Special Counsel to the Board of Directors of the New York Stock Exchange in connection with the NYSE's transformation into a publicly held company and its acquisition of an electronic trading company.

After serving in early 1993 in the White House as an advisor to the President on constitutional issues, Walter was nominated by the President to be Assistant Attorney General and was confirmed by the Senate in October 1993 and served for three years. As head of the OLC, Walter issued opinions on a wide variety of issues, including: the President's authority to deploy United States forces in Haiti and Bosnia; whether the trade agreements required treaty ratification; and a major review of separation of powers questions. He provided extensive legal advice on questions arising out of the shutdown of the federal government, on national debt ceiling issues, and on loan guarantees for Mexico.

Walter has published articles on constitutional issues for scholarly journals, including the *Harvard Law Review*, the *Yale Law Journal*, and the *Duke Law Journal*, and has written for *The New York Times*, *The Washington Post*, *Newsweek*, *The New Republic*, and *The London Times*. He has been a visiting professor at the Catholic University of Belgium and has given lectures to university faculties in Florence, Siena, Nuremberg, Copenhagen, Leiden, Utrecht, Tilburg, Mexico, and Rio de Janeiro and has delivered major lectures at Stanford, Yale, Harvard, Michigan, Berkeley, Penn, Duke, Chicago, and other U.S. law schools. He has testified more than 25 times before committees of Congress.

LYLE DENNISTON covers the Supreme Court for an online legal clearinghouse about the Court, SCOTUSblog, and is the Supreme Court correspondent for Station WBUR, an NPR affiliate in Boston. He is a graduate of the University of Nebraska and received a master's degree in history and political science from Georgetown University. After retiring from the *Baltimore Sun*, he covered the Court for three years for the *Boston Globe*. He is the longest-serving correspondent for any news organization covering the Court. He is a recipient of the annual Toni House Award from the American Judicature Society for his career in covering the law and has been named to the Hall of Fame of the Washington, D.C., chapter of the Society of Professional Journalists. He has received an Honorary Doctor of Laws degree from the Massachusetts School of Law in Andover. He is the author of *The Reporter and The Law: Techniques of Covering the Courts* (Columbia University Press, 1992) and is a chapter author for *A Year in the Life of the Supreme Court* (Duke University Press, 1995), which won the 1996 ABA Silver Gavel Award. He contributed two articles to *100 Americans Making Constitutional History* (ed. by Melvin Urofsky, CQ Press, 2004) and a chapter to *The Public Debate over Controversial Supreme Court Decisions* (ed. by Melvin Urofsky, CQ Press, 2006).

He also contributed a chapter to *A Good Quarrel*, a book by Supreme Court reporters analyzing oral argument before the Court. He is now serving as adviser on constitutional literacy to the National Constitution Center in Philadelphia; he leads a series of programs and events there on the founding document and what it means today.

DAVISON M. DOUGLAS is the Dean and Arthur B. Hanson Professor of Law at the William and Mary Law School. Douglas graduated *summa cum laude* from Princeton University and received a law degree, Ph.D. in history, and a master's degree in religion from Yale University. Douglas has written several books and articles on American constitutional law and history, including *Jim Crow Moves North: The Battle Over Northern School Segregation, 1865-1954* (2005), *Constitutional Law in Context* (3d. ed. 2011) (with co-authors), and *The Constitutional Law*

Lectures of Justice John Marshall Harlan (forthcoming 2012). He is currently completing a biography of civil rights and women's rights lawyer and activist, Pauli Murray.

THOMAS C. GOLDSTEIN is a partner in the Washington, D.C. law firm Goldstein & Russell. Mr. Goldstein's practice is focused on Supreme Court litigation. He has argued 25 cases before the Court on a diverse array of federal law questions, and will argue *Moncrieffe v. Holder* in the Fall.

In addition to practicing law, Mr. Goldstein teaches Supreme Court litigation at Stanford Law School and Harvard Law School. Mr. Goldstein also founded and publishes SCOTUSblog, which in 2010 became the only weblog ever to receive the American Bar Association's Silver Gavel Award for fostering the American public's understanding of law and the legal system. Mr. Goldstein has been repeatedly recognized as a leading member of the bar. Among various recognitions, he has been named one of the nation's 100 most influential lawyers (National Law Journal); the 90 greatest Washington lawyers of the past 30 years (Legal Times); and the 50 most influential people in Washington, DC (GQ).

LINDA GREENHOUSE is Knight Distinguished Journalist in Residence and Joseph Goldstein Lecturer in Law at Yale Law School, where she has taught since 2009 after retiring from a 40-year career at the *New York Times*. She also writes a bi-weekly op-ed column on law for the *Times* Web site. From 1978-2008, she was the newspaper's Supreme Court correspondent. She won several major awards during her journalism career, including a Pulitzer Prize in 1998; the Goldsmith Career Award for Excellence in Journalism from Harvard University's Kennedy School in 2004, and the American Political Science Association's Carey McWilliams Award in 2002 for "a major journalistic contribution to our understanding of politics."

Her biography of Justice Harry A. Blackmun, *Becoming Justice Blackmun*, was published in 2005. She is the co-author (with Reva B. Siegel) of *Before Roe v. Wade: Voices That Shaped the Abortion Debate Before the Supreme Court's Ruling*, published in June 2010. A new book, *The U.S. Supreme Court: A Very Short Introduction* was published this year by Oxford University Press.

Ms. Greenhouse is a member of the Harvard University Board of Overseers and serves on several other non-profit boards, including the American Academy of Arts and Sciences, the American Philosophical Society, Phi Beta Kappa, and the American Constitution Society. She is one of two non-lawyer honorary members of the American Law Institute. She is a 1968 graduate of Radcliffe College (Harvard) and earned a Master of Studies in Law Degree from Yale Law School, which she attended on a Ford Foundation fellowship.

TARA LEIGH GROVE is an associate professor of law at the William and Mary Law School, who is visiting this fall at Northwestern University School of Law. She graduated *summa cum laude* from Duke University and *magna cum laude* from Harvard Law School, where she served as the Supreme Court Chair of the *Harvard Law Review*. Grove clerked for Judge Emilio Garza on the U.S. Court of Appeals for the Fifth Circuit, and then spent four years as an attorney for the U.S. Department of Justice, Civil Appellate Staff, where she argued fifteen cases in the courts of appeals. Grove has published articles on structural constitutional issues in scholarly journals,

including the *Harvard Law Review*, *Columbia Law Review*, and *Cornell Law Review*. Her research and teaching interests include federal courts, constitutional law, statutory interpretation, and bankruptcy.

AMY HOWE has worked on SCOTUSblog, most recently as its editor, since 2003. She is also a partner at Goldstein & Russell, P.C., a Supreme Court litigation boutique. She has served as counsel in over two dozen merits cases at the Supreme Court and has argued two cases there; she has also argued in the District of Columbia and Fourth Circuits. From 2004 until 2011, she co-taught Supreme Court litigation at Stanford Law School; since 2005, she has co-taught a similar class at Harvard Law School. She has also served as an adjunct professor at American University's Washington College of Law. Amy is a graduate of the Georgetown University Law Center.

PAMELA KARLAN is the Kenneth and Harle Montgomery Professor of Public Interest Law at Stanford Law School where she is also co-director of the Stanford Law School Supreme Court Litigation Clinic. She is co-author of three leading casebooks on constitutional law, civil rights litigation, and regulation of the political process, as well as numerous scholarly articles. In the past several terms, the Stanford Clinic has represented the parties in more than two dozen merits cases, amici in other merits cases, and many petitioners or respondents at the certiorari stage. Karlan received her B.A., M.A. (history), and J.D. from Yale, and prior to entering academe, she served as a law clerk to Judge Abraham D. Sofaer of the United States District Court for the Southern District of New York and to Justice Harry A. Blackmun of the United States Supreme Court and as an assistant counsel at the NAACP Legal Defense and Educational Fund, where she remains a cooperating attorney.

NEAL KATYAL is a Partner at Hogan Lovells US LLP who focuses on appellate and complex litigation. He has extensive experience in matters of patent, securities, criminal, tort, and constitutional law. Prior to joining Hogan Lovells, Neal served as Acting Solicitor General of the United States, where he argued several major Supreme Court cases involving a variety of issues, such as his successful defense of the constitutionality of the Voting Rights Act of 1965, his victorious defense of former Attorney General John Ashcroft for alleged abuses in the war on terror, his unanimous victory against 8 states who sued the nation's leading power plants for contributing to global warming, and a variety of other matters.

Neal has also served as a law professor for nearly 15 years at Georgetown University Law Center, where he was one of the youngest professors to have received tenure and a chaired professorship in the university's history. He was also Director of the Georgetown Center on National Security and the Law until his appointment to Principal Deputy Solicitor General at the Justice Department. Additionally, he served as a visiting professor at both Harvard and Yale Law Schools.

ALLISON ORR LARSEN is an assistant professor of law at the William and Mary Law School. She graduated *magna cum laude* from William & Mary, and then received her law degree from the University of Virginia School of Law where she graduated first in her class. After law school, Larsen clerked for Judge J. Harvie Wilkinson on the U.S. Court of Appeals for the Fourth Circuit and for Justice David Souter on the U.S. Supreme Court. Prior to joining the William and Mary

faculty, Professor Larsen was an associate in the appellate practice group at O'Melveny and Myers in Washington, DC. She was also a visiting professor at Catholic University. Her research and teaching interests include constitutional law, administrative law, legislation and criminal procedure.

ADAM LIPTAK covers the Supreme Court for *The New York Times*. Liptak's column on legal affairs, "Sidebar," appears every other Tuesday.

Liptak was a finalist for the Pulitzer Prize in explanatory reporting in 2009 for "American Exception," a series of articles examining ways in which the American legal system differs from those of other developed nations. He received the 2010 Scripps Howard Award for Washington reporting for a five-part series on the Roberts Court.

A graduate of Yale College and Yale Law School, Liptak practiced law at a large New York City law firm and in the legal department of *The New York Times Company* before joining the paper's news staff in 2002.

His journalism has appeared in *The New Yorker*, *Vanity Fair*, *Business Week* and *Rolling Stone*, and he has published law review articles in *The Arizona Law Review*, *The Michigan Law Review* and *The New York University Annual Survey of American Law*.

He has taught courses on media law and on the Supreme Court at the Columbia University School of Journalism, U.C.L.A. School of Law, University of Southern California Gould School of Law and Yale Law School.

CARTER G. PHILLIPS is the Co-Chairman of the Executive Committee of Sidley Austin LLP and was the managing partner of the firm's Washington, D.C. office from 1995 to 2012. He served as a law clerk to both Judge Robert A. Sprecher of the United States Court of Appeals for the Seventh Circuit and Chief Justice Warren E. Burger of the Supreme Court of the United States. Mr. Phillips was Assistant to the Solicitor General for three years during which time he argued nine cases on behalf of the federal government in the Supreme Court. Since joining Sidley, Mr. Phillips has argued 67 cases in the Supreme Court and his career total of 76 arguments before that Court are the most of any lawyer currently in private practice. Mr. Phillips is a member of the American Academy of Appellate Lawyers, the American Law Institute, and a fellow in the American College of Trial Lawyers. In September 2007, Mr. Phillips received the Lewis F. Powell Award for Business Advocacy from the National Chamber Litigation Center, the public policy law firm of the U.S. Chamber of Commerce. In 2008 the *Legal Times* named him one of the "90 Greatest Washington Lawyers of the Last 30 Years." In March 2010 he was named one of "The Decade's Most Influential Lawyers" by the *National Law Journal*.

DAVID SAVAGE covers the Supreme Court for the *Los Angeles Times* and the *Chicago Tribune*. He has been a court reporter in Washington since 1986. He has covered the Senate confirmation hearings for all the current justices, from Antonin Scalia to Elena Kagan. Prior to covering the Court, he was an education writer for the paper in Los Angeles. He is the author of *Turning Right: the Making of the Rehnquist Court* (1992) and of the revised two-volume *Guide to the U.S. Supreme Court* published by the CQ Press this year. Last year, he wrote for CQ two other

reference books: “The Supreme Court and Individual Rights” and “The Supreme Court and the Powers of Government.” He was a chapter author for *A Year in the Life of the Supreme Court* (1995 and 2004). He has an undergraduate degree from the University of North Carolina at Chapel Hill and a master’s degree from Northwestern University.

KANNON K. SHANMUGAM, a partner at Williams & Connolly, focuses on Supreme Court and appellate litigation. He has argued 11 cases before the Supreme Court—most recently, successfully representing Juan Smith, a Louisiana death-row inmate, in *Smith v. Cain*. Mr. Shanmugam has handled other significant matters before the Supreme Court in a number of areas, including securities, antitrust, and criminal litigation. Among those matters, he argued *Merck & Co. v. Reynolds*, which concerned the statute of limitations for private securities-fraud actions. While representing the United States, he successfully argued *Tellabs v. Makor Rights*, which involved the standard for pleading state of mind in securities-fraud actions, and *Weyerhaeuser v. Ross-Simmons*, which concerned the standard for predatory-bidding claims under the federal antitrust laws.

Born and raised in Lawrence, Kansas, Mr. Shanmugam received his A.B. *summa cum laude* from Harvard College in 1993; his M. Litt. from the University of Oxford, where he was a Marshall Scholar; and his J.D. *magna cum laude* from Harvard Law School, where he was executive editor of the *Harvard Law Review*. Mr. Shanmugam clerked for Supreme Court Justice Antonin Scalia and for Judge J. Michael Luttig on the U.S. Court of Appeals for the Fourth Circuit. Mr. Shanmugam joined Williams & Connolly LLP in 2008 after serving as an Assistant to the Solicitor General in the Department of Justice. He was the first lawyer to join the firm directly as a partner for 22 years.

PAUL M. SMITH is a partner in Jenner & Block’s Washington, DC office and a member of the Firm’s Policy Committee. He is Chair of the Firm’s Appellate & Supreme Court practice and co-chairs the Election Law and First Amendment Practices. Mr. Smith has had an active Supreme Court practice for many years. He has argued fourteen Supreme Court cases, including *Lawrence v. Texas* in 2003 and *Brown v. Entertainment Merchants Association*. He also represents various clients in trial and appellate cases involving commercial and telecommunications issues, the First Amendment, intellectual property, civil rights, and election law.

Mr. Smith graduated from Amherst and Yale Law School and clerked for Supreme Court Justice Lewis Powell. He is a former Chair of the National Board of Directors of the American Constitution Society and a former Co-Chair of the Board of Directors of Lambda Legal. In 2008, the *Legal Times* named him one of thirty “Champions” of the past 30 years in DC—lawyers who have stood out for upholding the profession’s core values of public duty and client service. In 2010, the *National Law Journal* named him one of the 40 Most Influential Lawyers of the Past Decade. That same year, he received the prestigious Thurgood Marshall Award for his work promoting civil rights and civil liberties from the ABA Section of Individual Rights and Responsibilities. In 2012 he also received the D.C. Bar’s Thurgood Marshall Award.

GREG STOHR has covered the U.S. Supreme Court for Bloomberg News and Bloomberg Businessweek since 1998. He won the 2001 New York Press Club spot news award for his coverage of the Bush v. Gore Supreme Court decision that resolved the 2000 presidential

election. His book, “A Black and White Case: How Affirmative Action Survived Its Greatest Legal Challenge,” told the story of the University of Michigan admissions cases resolved by the Supreme Court in 2003. He previously covered the Justice Department and Federal Trade Commission for Bloomberg, starting in 1996. He is a 1989 graduate of Saint Louis University, 1995 graduate of Harvard Law School and a former law clerk to U.S. District Judge Frank A. Kaufman in Baltimore. He previously served as press secretary for U.S. Congressman Tom Campbell of California.

AMY LAURA WAX, Robert Mundheim Professor of Law, University of Pennsylvania Law School, served from 1988 to 1994 as an Assistant to the Solicitor General at the Department of Justice, where she argued 15 cases before the United States Supreme Court. She then taught at the University of Virginia Law School before coming to Penn Law School in 2001. Her areas of teaching and research include procedure, remedies, social welfare law & policy, employment discrimination law, the law and economics of work and family, and Supreme Court practice and process. She has written on social welfare issues for the Wall Street Journal, Policy Review, and National Affairs, and has served as a member of the MacArthur Foundation working group on law & neuroscience. Her book, *Race, Wrongs, and Remedies: Group Justice in the 21st Century*, was published by the Hoover Institution in 2009.

JUDGE DIANE P. WOOD is a federal judge on the United States Court of Appeals for the Seventh Circuit, and a Senior Lecturer at the University of Chicago Law School.

Wood received her BA in 1971 and her JD in 1975 from the University of Texas at Austin. After graduation, she clerked for Judge Irving L. Goldberg of the Fifth Circuit and for Justice Harry A. Blackmun of the U.S. Supreme Court. She then worked briefly for the U.S. State Department on international investment, antitrust, and transfer of technology issues. Moving on to Covington & Burling, Judge Wood continued a more general antitrust and commercial litigation practice until June 1980. In 1980–81, she was an assistant professor at the Georgetown University Law Center. In 1981, she joined the faculty of the Law School. She spent 1985–86 on leave as a Visiting Professor at Cornell Law School, and she was on leave during the fall quarter 1986, while she worked on the project to revise the Department of Justice Antitrust Guide for International Operations. She served as Associate Dean from 1989 through 1992. From 1993 until 1995, she was deputy assistant general in the Antitrust Division of the U.S. Department of Justice with responsibility for the Division’s International, Appellate, and Legal Policy matters. Before becoming a judge of the U.S. Court of Appeals for the Seventh Circuit in 1995, Judge Wood was the Harold J. and Marion F. Green Professor of International Legal Studies.

Judge Wood’s research interests include antitrust (both international and general), federal civil procedure, and international trade and business. She has taught in all three fields.