

2015

2015-2016 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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2015 Supreme Court Preview

Schedule of Events

Friday, September 25, 2015

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
DID THE ROBERTS COURT TURN LEFTWARD?	6:35 to 7:25 PM

Saturday, September 26, 2015

ELECTION LAW	9:00 to 9:50 AM
BUSINESS	9:55 to 10:45 AM
<i>BREAK</i>	10:45 to 11:00 AM
RACE	11:00 to 11:50 AM
LUNCH BREAKOUT SESSIONS	12:10 to 1:05 PM
1. WHAT TO MAKE OF THE NEW WHITE HOT RHETORIC ON THE SUPREME COURT?	
2. OBAMA, THE COURT, AND THE BATTLE OVER EXECUTIVE POWER	
CRIMINAL	1:15 to 2:05 PM
SUPREME COURT BAR	2:10 to 3:00 PM
<i>BREAK</i>	3:00 to 3:10 PM
LOOKING AHEAD: ABORTION & CONTRACEPTION MANDATE	3:10 to 4:00 PM
CONFERENCE CONCLUDES	4:00 PM

2015-2016 Supreme Court Preview

Panel Members

ROBERT BARNES has been a Washington Post reporter and editor since 1987. He joined the paper to cover Maryland politics, and has served in various editing positions including metropolitan editor and national political editor. He has covered the Supreme Court since November 2006.

JOAN BISKUPIC has covered the Supreme Court since 1989 and is the author of three books on notable justices: *Sandra Day O'Connor* (2005), *American Original: The Life and Constitution of Supreme Court Justice Antonin Scalia* (2009) and *Breaking In: The Rise of Sonia Sotomayor and Politics of Justice* (2014). She joined Reuters News in February 2012 as a Legal Affairs editor-in-charge. She previously was the Supreme Court correspondent 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*.

JESS BRAVIN covers the U.S. Supreme Court for The Wall Street Journal, after earlier postings as United Nations correspondent and editor of the WSJ/California weekly.

Mr. Bravin is the author of "The Terror Courts" (Yale, 2013), an award-winning account of military trials at Guantanamo Bay, and "Squeaky: The Life and Times of Lynette Alice Fromme" (St. Martin's, 1997), and a contributor to books including "Violence in America: An Encyclopedia" (Scribner, 1999), "Crimes of War 2.0" (Norton, 2007) and "A Concise Introduction to Logic," Second Edition (Wadsworth, 1984). His work has been recognized with the Elizabeth Neuffer Memorial Prize, for coverage of the International Criminal Court, the American Bar Association's Silver Gavel Award, for coverage of the legal response to 9/11, and, with a Wall Street Journal team, the National Press Foundation's Excellence in Online Journalism Award for coverage of the Supreme Court's health care case.

Prior to joining The Wall Street Journal, Mr. Bravin wrote for publications including the Washington Post, Harper's Bazaar and Spy magazine, evaluated scripts for a Hollywood talent agency and managed a campaign for local school board. While in law school, he served as a member of the University of California Board of Regents and the Berkeley, Calif., Police Review Commission. Mr. Bravin also led the effort to designate Raymond Chandler Square (Los Angeles City Historic-Cultural Monument No. 597) in Hollywood, in honor of the hard-boiled novelist.

Mr. Bravin has taught at the University of California Washington Center, was awarded the 2006 John Jacobs Fellowship by UC Berkeley's Graduate School of Journalism and Institute of Governmental Studies, and held the 2015 John Field Simms Sr. Memorial Lectureship in Law at the University of New Mexico. He is a graduate of Harvard College and the University of California, Berkeley, School of Law (Boalt Hall).

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.

JOHN BURSCH co-chairs Warner’s Appellate & Supreme Court Practice. As reported in The Wall Street Journal, John argued more than 6% of all the cases before the U.S. Supreme Court from March 2011 through 2013, compiling a record the National Law Journal observed “even more veteran high court advocates would envy.” John represents Fortune 500 companies, foreign, state, and local governments, top public officials, and industry associations in high-stakes cases with extensive publicity (see below). John participated in 30% of the U.S. Supreme Court cases that The Wall Street Journal identified as the “biggest” of last Term, and he argued 12% of the non-criminal Michigan Supreme Court cases during the 2014 Term, including the case challenging Michigan’s Right to Work law. National commentators have described his oral advocacy as “unflappable,” “remarkable,” and “brilliant.” “He’s sure-footed, never wavers from his coherent theory of the case, leaves nothing on the table, and ends on exactly the right note.”

John has argued nine times in the U.S. Supreme Court since 2011—five in 2013 alone—winning three Best Brief Awards for his work (argument audio available here). He has also argued 18 Michigan Supreme Court cases, earning a record four Distinguished Brief Awards. John is a past chair of the ABA’s Council of Appellate Lawyers, has been named one of Michigan’s Top 100 attorneys by Michigan Super Lawyers, is Certified as an Appellate Specialist by the American Institute of Appellate Practice, was named a 2014 “Leader in the Law” by Michigan Lawyer’s Weekly, and is listed in Best Lawyers in the practice areas of Commercial Litigation and Appellate Practice. He is also a member of the American Law Institute.

John served as the principal author of the Michigan Supreme Court’s Guide for Counsel, co-author of the Michigan chapter in the ABA’s Appellate Practice Compendium, chapter author of the Michigan Appellate Handbook, and co-founder of Michigan’s leading appellate blog, the One Court of Justice Blog. John recently co-founded the WNJ Appellate Practice Academy, a unique-to-Michigan institution that includes John, former Michigan Court of Appeals Judges and Michigan Supreme Court Justices, and other appellate experts who moot lawyers preparing for oral argument.

MIKE CARVIN 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 recent constitutional challenge to the Affordable Care Act and the decisions invalidating Sarbanes-Oxley’s accounting board, 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.

JEFFREY L. FISHER is a professor at Stanford Law School and co-director of its Supreme Court Litigation Clinic. His academic and Supreme Court work runs the gamut of federal constitutional and statutory matters, but focuses on constitutional criminal procedure issues.

Professor Fisher has argued 23 cases in the Supreme Court, including successfully representing the petitioners in *Crawford v. Washington*, *Melendez-Diaz v. Massachusetts*, *Blakely v. Washington*, *Kennedy v. Louisiana*, and, most recently *Riley v. California*. In 2006, the National Law Journal named him one of the 100 most influential lawyers in the country – the youngest person on the list – and he has remained on that list since. He also is a recipient of the Heeney Award, the highest honor bestowed by the National Association of Criminal Defense Lawyers. Professor Fisher formerly served as a law clerk to Justice John Paul Stevens on the Supreme Court of the United States and to Judge Stephen Reinhardt on the U.S. Court of Appeals for the Ninth Circuit.

GREGORY GARRE is a partner in the Washington, D.C. office of Latham & Watkins LLP and chair of the firm's Supreme Court and appellate practice. He previously served as the 44th Solicitor General of the United States (2008-2009), Principal Deputy Solicitor General (2005-2008), and Assistant to the Solicitor General (2000-2004), and is the only person to have held all of those positions within the Office of the Solicitor General. He has argued 39 cases before the Supreme Court and numerous other cases before the courts of appeals. His recent cases include *Fisher v. University of Texas*, *Vance v. Ball State University*, *Florida v. Harris*, *United States v. Home Concrete Supply & Co.*, *Ashcroft v. Iqbal*, and *FCC v. Fox*. Following his graduation from law school, he served as a law clerk to Chief Justice William H. Rehnquist, and to Judge Anthony J. Scirica of the United States Court of Appeals for the Third Circuit. He speaks frequently on issues related to the Supreme Court and appellate practice.

EMILIO GARZA served as a judge on the U.S. Court of Appeals for the Fifth Circuit from 1991 until 2015.

Born in San Antonio, Texas, Garza earned his bachelor's and master's degree from the University of Notre Dame in 1969 and 1970. He was a captain in the U.S. Marine Corps from 1970 to 1973 and received his law degree from the University of Texas School of Law in 1976.

After law school, Garza worked in private practice at Clemens & Spencer, a San Antonio law firm, until he became a judge in Bexar County, Texas in 1987. In 1988, President Reagan nominated Judge Garza to the bench of the U.S. District Court for the Western District of Texas.

Judge Garza served on the federal district court until President George H. W. Bush nominated him to the U.S. Court of Appeals for the Fifth Circuit in 1991. After serving on the court for over two decades, Judge Garza retired from the Fifth Circuit in January of 2015.

ADAM GERSHOWITZ is the Associate Dean for Research and Faculty Development, Kelly Professor of Teaching Excellence, and Professor of Law at the William and Mary Law School. Professor Gershowitz received his undergraduate degree, summa cum laude, from the University of Delaware. He then earned his law degree from the University of Virginia School of Law, where he was the Articles Development Editor of the Virginia Law Review. After law school, Professor Gershowitz served as a law clerk to the Honorable Robert B. King of the United States Court of Appeals for the Fourth Circuit and worked as a litigation associate at Covington & Burling. Gershowitz previously taught at the University of Houston, where he won the All University Teaching Award as well as numerous other teaching awards. He is the author of more than twenty articles about criminal procedure as well as a recent casebook, *The Wire: Crime, Law, and Policy*.

LINDA GREENHOUSE is a Senior Research Scholar in Law, the Knight Distinguished Journalist in Residence, and Joseph Goldstein Lecturer in Law at Yale Law School. She covered the Supreme Court for the New York Times between 1978 and 2008, and currently writes a biweekly column on law. Ms. Greenhouse is a fellow of the American Academy of Arts and Sciences, where she serves on the council, and is one of two non-lawyer honorary members of the American Law Institute, which in 2002 awarded her its Henry J. Friendly Medal. She is a national board member of the American Constitution Society and a member of the Council of the American Philosophical Society, which in 2005 awarded her its Henry Allen Moe Prize for writing in the humanities and jurisprudence. She is a member of the Harvard University Board of Overseers and of the Senate of Phi Beta Kappa. She is a 1968 graduate of Radcliffe College (Harvard), where she was elected to Phi Beta Kappa. She earned a Master of Studies in Law degree from Yale Law School (1978), which she attended on a Ford Foundation Fellowship.

TARA LEIGH GROVE is an associate professor of law at the William and Mary Law School. 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. In Fall 2012, Grove was a visiting professor at Northwestern University School of Law. Grove's research focuses on the federal judiciary and the constitutional separation of powers. She has published with such prestigious law journals as the *Harvard Law Review*, *Columbia Law Review*, and *Cornell Law Review*. Grove's article, *The Article II Safeguards of Federal Jurisdiction*, 112 Colum. L. Rev. 250 (2012), received the award for Best Article by an untenured professor from the Federal Courts Section of the Association for American Law Schools. Her recent article, *Standing Outside of Article III*, 162 U. Pa. L. Rev. 1311 (2014), was one of three papers selected for the New Voices in Civil Justice Workshop at Vanderbilt

University Law School. Grove's articles are cited and discussed in leading Federal Courts casebooks. Professor Grove currently serves as the Chair of the Federal Courts Section of the Association of American Law Schools.

PAMELA S. KARLAN is currently serving as a Deputy Assistant Attorney General in the Civil Rights Division of the U.S. Department of Justice. Prior to her leave from Stanford Law School, she was co-director of the school's Supreme Court Litigation Clinic, where students litigate live cases before the Court. One of the nation's leading experts on voting and the political process, she has served as a commissioner on the California Fair Political Practices Commission and an assistant counsel and former cooperating attorney for the NAACP Legal Defense Fund. Professor Karlan is the co-author of leading casebooks on constitutional law, constitutional litigation, and the law of democracy, as well as numerous scholarly articles. She also wrote a column on the Supreme Court and legal issues for the Boston Review.

Before joining the Stanford Law School faculty in 1998, she was a professor of law at the University of Virginia School of Law and served as a law clerk to Justice Harry A. Blackmun of the U.S. Supreme Court and Judge Abraham D. Sofaer of the U.S. District Court for the Southern District of New York. Karlan is a member of the American Academy of Arts and Sciences, the American Academy of Appellate Lawyers, and the American Law Institute.

ALLISON ORR LARSEN is an associate 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, and statutory interpretation.

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

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. 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. He was awarded Hofstra University's Presidential Medal and an honorary doctorate from Stetson University College of Law.

Liptak is the author of "To Have and Uphold: The Supreme Court and the Battle for Same-Sex Marriage." His journalism has appeared in The New Yorker, Vanity Fair, Business Week and Rolling Stone, and he has published articles in several law reviews.

Liptak is a visiting lecturer at the University of Chicago Law School and has taught courses at Columbia, U.S.C., U.C.L.A. and Yale.

MICHAEL W. McCONNELL is the Richard and Frances Mallery Professor and director of the Constitutional Law Center at Stanford Law School, as well as Senior Fellow at the Hoover Institution. He is a leading authority on freedom of speech and religion, the relation of individual rights to government structure, originalism, and various other aspects of constitutional history and constitutional law. He is author of numerous articles and co-author of two casebooks: *The Constitution of the United States* (Foundation Press) and *Religion and the Constitution* (Aspen). He is co-editor of *Christian Perspectives on Legal Thought* (Yale Univ. Press). Since 1996, he has been a fellow of the American Academy of Arts and Sciences.

Professor McConnell brings wide practical experience to bear on his teaching and scholarship. Before joining Stanford in 2009, he served as a circuit judge on the U.S. Court of Appeals for the Tenth Circuit. He has argued 14 cases in the United States Supreme Court, most recently *Horne v. Department of Agriculture*, in 2013. Before his appointment to the bench, McConnell was Presidential Professor of Law at the S.J. Quinney College of Law at the

University of Utah, and prior to that the William B. Graham Professor of Law at the University of Chicago Law School. He has taught six times as a visiting professor at Harvard Law School. McConnell was assistant general counsel at the Office of Management and Budget, and Assistant to the Solicitor General in the Department of Justice, under President Ronald Reagan, and a member of the President's Intelligence Oversight Board from 1988-1990. He served as law clerk to then Chief Judge J. Skelly Wright of the U.S. Court of Appeals for the District of Columbia Circuit, and to Justice William J. Brennan Jr. of the U.S. Supreme Court. He is a graduate of Michigan State University (1976) and the University of Chicago Law School (1979). He is of counsel to the law firm of Kirkland & Ellis.

PATRICIA A. MILLETT was appointed to the United States Court of Appeals on December 10, 2013. She graduated from the University of Illinois at Urbana-Champaign (summa cum laude) in 1985 and from Harvard Law School (magna cum laude) in 1988. After working in a private law firm (Miller & Chevalier) for two years, she clerked for Judge Thomas Tang of the United States Court of Appeals for the Ninth Circuit. Following her clerkship, she worked for four years on the Appellate Staff of the Civil Division in the United States Department of Justice and for eleven years as an Assistant in the Office of the Solicitor General. In September 2007, she became a partner leading the Supreme Court and appellate practices at Akin Gump Strauss Hauer & Feld LLP. She has argued 32 cases before the U.S. Supreme Court and holds a second degree black belt in Tae Kwon Do.

ANDREW J. PINCUS focuses his appellate practice on briefing and arguing cases in the Supreme Court of the United States and in federal and state appellate courts, as well as on developing legal arguments in trial courts. Andy has argued 23 cases in the Supreme Court of the United States, four of them in the 2010 and 2011 Terms, including *AT&T Mobility v. Concepcion*, 131 S. Ct. 1740 (2011). For his victory in *Concepcion*, Andy was named Litigator of the Week by the American Lawyer and Appellate Lawyer of the Week by The National Law Journal. Andy's work in *Concepcion* and successful defense of Chicago Mayor Rahm Emanuel's right to run for office were cited by the American Lawyer in its article naming Mayer Brown as one of the top six US litigation firms in the 2012 Litigation Department of the Year report.

A former Assistant to the Solicitor General in the United States Department of Justice (1984-1988), Andy co-founded and serves as co-director of the Yale Law School's Supreme Court Advocacy Clinic (2006-present), which provides pro bono representation in 10-15 Supreme Court cases each year.

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 in 2010. He also 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 SHANMUGAM is a partner at Williams & Connolly focusing on Supreme Court and appellate litigation. He has argued 13 cases before the Supreme Court—tying him with the legendary Edward Bennett Williams for the most by a lawyer in the firm's history. He argued two cases before the Court in the 2012-2013 term, including *Maryland v. King*, the landmark case on the constitutionality of DNA testing of arrestees.

Mr. Shanmugam joined Williams & Connolly 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. Born and raised in Lawrence, Kansas, he received his A.B. *summa cum laude* from Harvard College; 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*. He clerked for Supreme Court Justice Antonin Scalia and for Judge J. Michael Luttig on the U.S. Court of Appeals for the Fourth Circuit.

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 fifteen

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 issues ranging from the First Amendment, to intellectual property, civil rights, and election law.

JAMES Y. STERN is an Assistant Professor of Law at the William & Mary Law School. He received his undergraduate degree from Harvard University in American history and literature. He subsequently taught British and American history in England as a Harvard-Shrewsbury Fellow. He received his J.D. from the University of Virginia, where he was awarded the Roger & Madeleine Traynor Prize for the best paper by a graduating student and was named a John M. Olin Law and Economics Fellow. He served as Articles Development Editor for the Virginia Law Review. He clerked for Justice Anthony Kennedy on the U.S. Supreme Court and for Judge J. Harvie Wilkinson on the U.S. Court of Appeals for the Fourth Circuit.

Prior to joining the William & Mary faculty, Professor Stern was Research Assistant Professor at University of Virginia Law School, where he taught courses in property theory and statutory interpretation. He was awarded the American Inns of Court Foundation's Temple Bar Scholarship in 2011 and is an honorary member of the Commercial Bar Association for England and Wales. His research interests include property law and private law theory, intellectual property, and conflict of laws.

GREG STOHR has covered the U.S. Supreme Court for Bloomberg News and Bloomberg Businessweek since 1998. He won the New York Press Club spot news award for his coverage of the Bush v. Gore Supreme Court decision that resolved the 2000 presidential election and the Society of American Business Editors and Writers breaking news award for the court's 2012 health care decision. 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. He is an adjunct professor at George Washington University Law School, teaching Constitutional Law and the Supreme Court.

JEFF WALL is the Co-Head of the Firm's Appellate Litigation Practice, which was recognized by The National Law Journal's 2014 Appellate Hot List. He has argued 10 cases before the Supreme Court and filed more than 150 merits or certiorari-stage briefs in that Court. He also has briefed and argued numerous cases before federal and state courts of appeals and administrative agencies. In addition to his appellate experience, Mr. Wall has represented clients in a range of complex civil and criminal matters at the trial level, including as lead counsel in a successful federal criminal trial.

In addition to being recognized by The National Law Journal as a "rising star" for being "one of the youngest advocates to rack up double-digit U.S. Supreme Court appearances," The Legal 500 United States 2015 noted that Jeff "takes charge of the process, strongly influences the direction and shape of the analysis and produces excellent briefs." He has handled significant matters before the Supreme Court in a number of areas, including securities, taxation, labor and employment, bankruptcy, preemption and the Foreign Sovereign Immunities Act, the False Claims Act, the First Amendment, and criminal law and procedure. In the past few Terms, he argued a pair of cases closely followed by the securities industry, *Gabelli v. SEC* and *Credit Suisse Securities (USA) LLC v. Simmonds*, both of which involved time limits on monetary claims against financial advisers and institutions. He has argued several other cases of importance to various industries in recent years, among them *Kasten v. Saint-Gobain Performance Plastics Corp.*, on the anti-retaliation provision of the Fair Labor Standards Act; *United States ex rel. Eisenstein v. City of New York*, on the time limit for certain appeals under the False Claims Act; and *Schwab v. Reilly*, on the proper treatment of exemptions in bankruptcy. He has briefed numerous cases involving major constitutional questions, including *Holder v. Humanitarian Law Project* (material support of terrorism), *Salazar v. Buono* (Establishment Clause remedies), and *Sorrell v. IMS Health Inc.* (restrictions on the sale of pharmaceutical information).

Prior to joining the Firm in 2013, Mr. Wall served as an Assistant to the Solicitor General in the U.S. Department of Justice for five years. He received a number of recognitions for his advocacy before the Supreme Court during that time, including awards from the Attorney General for outstanding contributions by a new employee and from the Internal Revenue Service for outstanding support to the Office of Chief Counsel.

Mr. Wall was a law clerk to Justice Clarence Thomas and Judge J. Harvie Wilkinson III of the U.S. Court of Appeals for the Fourth Circuit. He worked in the appellate practice of an international law firm, and taught courses in law school on administrative law and federal jurisdiction. He is an officer of the Edward Coke Appellate Inn of Court, and a member of the District of Columbia Advisory Committee on Procedures and the Supreme Court Historical Society.

AMY LAURA WAX, Robert Mundheim Professor of Law, University of Pennsylvania Law School, graduated with a B.S. from Yale in 1975, and holds an M.D. from Harvard and a J.D. from Columbia. From 1988 to 1994 she worked as an attorney in the Office of the Solicitor General at the Department of Justice, where she argued 15 cases before the United States Supreme Court. Her areas of teaching and research include civil procedure, remedies, social welfare law & policy, law & neuroscience, Supreme Court practice and process, and the law and economics of work and family. She has served as a member of the MacArthur Foundation working group on law & neuroscience and has written for the Wall Street Journal, National Affairs, Commentary Magazine, and First Things. Her book, *Race, Wrongs, and Remedies: Group Justice in the 21st Century*, was published by the Hoover Institution in Spring 2009.

J. HARVIE WILKINSON graduated from Yale University in 1967 and received his law degree from the University of Virginia in 1972.

He began his law career in 1972 as a clerk for U. S. Supreme Court Justice Lewis F. Powell, Jr. Wilkinson was a professor at the University of Virginia Law School from 1973-78, 1981-82, and 1983-84. In 1978, he became Editor of the Norfolk Virginian-Pilot. In 1982, he became Deputy Assistant Attorney General in the Civil Rights Division of the Department of Justice. President Reagan appointed him Circuit Judge for the United States Court of Appeals for the Fourth Circuit on August 13, 1984, and he was the Fourth Circuit's chief judge from 1996-2003.

From 1992-96, Wilkinson served on the Board of the Federal Judicial Center, and in 2003, he was appointed to the Board of the James Madison Memorial Fellowship Foundation. He served on the Board of Visitors of the University of Virginia from 1970 to 1973. In 2004, he was awarded the Thomas Jefferson Medal by the University of Virginia and the Thomas Jefferson Foundation. This award is the highest outside award offered by the University, which grants no honorary degrees. In 2008, he was awarded The Lawrenceville Medal, the highest award given by The Lawrenceville School. In 2009, he was selected as a Fellow of the American Academy of Arts & Sciences.

He is also the author of several books: Harry Byrd and the Changing Face of Virginia Politics, 1968; Serving Justice: A Supreme Court Clerk's View, 1974; From Brown to Bakke: The Supreme Court and School Integration, 1979; and One Nation Indivisible: How Ethnic Separatism Threatens America, 1997. His latest book is Cosmic Constitutional Theory: Why Americans Are Losing Their Inalienable Right to Self-Governance, 2012.

Judge Wilkinson lives in Charlottesville, Virginia. He and his wife Lossie have two children, Nelson and Porter.