

2016

2016-2017 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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2016-2017 Supreme Court Preview

Schedule of Events

Friday, September 23, 2016

WELCOME 5:00 PM

MOOT COURT 5:05 to 6:05 PM

CHIEF JUSTICE: JOAN BISKUPIC

JUSTICES: BOB BARNES, JESS BRAVIN, LINDA GREENHOUSE, PATRICIA MILLETT, DAVID SAVAGE, PAUL SMITH, GREG STOHR, RICHARD WOLF

ADVOCATES: CHRISTOPHER LANDAU & DAVID STRAUSS

BREAK 6:05 to 6:15 PM

MOOT COURT DISCUSSION 6:15 to 6:30 PM

THE COURT AND THE 2016 ELECTION 6:35 to 7:25 PM

MODERATOR: ADAM LIPTAK

PANELISTS: PAM KARLAN, NEAL KATYAL, KANNON SHANMUGAM, DAVID STRAUSS

Saturday, September 24, 2016

BUSINESS 9:00 to 10:05 AM

MODERATOR: ANDY PINCUS

PANELISTS: JEFF FISHER, NEAL KATYAL, PATRICIA MILLETT, KANNON SHANMUGAM

CRIMINAL 10:15 to 11:05 AM

MODERATOR: ADAM GERSHOWITZ

PANELISTS: BETH BRINKMANN, JEFF FISHER, LEONDR A KRUGER, DAVID SAVAGE

BREAK 11:05 to 11:20 AM

CIVIL RIGHTS AND LIBERTIES

11:20 AM to 12:35 PM

MODERATOR: BOB BARNES

PANELISTS: ERWIN CHEMERINSKY, PAUL CLEMENT, GREG GARRE, PAUL SMITH

BREAK

12:35 to 12:55 PM

LUNCH BREAKOUT SESSIONS

12:55 to 1:45 PM

ROOM 119: RACE AND THE ROBERTS COURT

MODERATOR: LYLE DENNISTON

PANELISTS: ERWIN CHEMERINSKY, GREG GARRE, LINDA GREENHOUSE

ROOM 124: THE LEGACY OF JUSTICE ANTONIN SCALIA

MODERATOR: JOAN BISKUPIC

PANELISTS: PAUL CLEMENT, PAM KARLAN, CHRISTOPHER LANDAU, ALAN MEESE

ROOM 127: AN 8 MEMBER SUPREME COURT?

MODERATOR: TARA GROVE

PANELISTS: BETH BRINKMANN, JEFF FISHER, ADAM LIPTAK, ANDY PINCUS

IMMIGRATION

2:00 to 2:50 PM

MODERATOR: JESS BRAVIN

PANELISTS: ERWIN CHEMERINSKY, GREG GARRE, LEONDR A KRUGER

ELECTION LAW

3:00 to 3:50 PM

MODERATOR: REBECCA GREEN

PANELISTS: PAUL CLEMENT, LYLE DENNISTON, PAM KARLAN, PAUL SMITH

CONFERENCE CONCLUDES

3:50 PM

2016-2017 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 for 25 years and has written several books on the judiciary, including *Breaking In: The Rise of Sonia Sotomayor and the Politics of Justice* (2014) and *American Original: The Life and Constitution of Supreme Court Justice Antonin Scalia* (2009). She is also the author of *Sandra Day O'Connor: How the First Woman on the Supreme Court Became Its Most Influential Justice* (2005). She currently is working on a biography of Chief Justice John Roberts.

During the 2016-17 academic year, she will be a visiting professor at the University of California, Irvine, law school and a contributing legal analyst for CNN. She is on a one-year sabbatical from her position at Reuters as an editor in charge for Legal Affairs. Before joining Reuters in 2012, she was the Supreme Court reporter for The Washington Post and for USA Today. She is a regular panelist on PBS's Washington Week with Gwen Ifill. A graduate of Georgetown University Law Center, she was a finalist for the Pulitzer Prize in 2015.

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.

ERWIN CHEMERINSKY is the founding Dean and Distinguished Professor of Law, and Raymond Pryke Professor of First Amendment Law, at University of California, Irvine School of Law, with a joint appointment in Political Science.

Prior to assuming this position in 2008, he was the Alston and Bird Professor of Law and Political Science at Duke University from 2004-2008, and before that was a professor at the University of Southern California Law School from 1983-2004, including as the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science. He also has taught at DePaul College of Law and UCLA Law School.

He is the author of ten books, including *The Case Against the Supreme Court*, published by Viking in 2014, and two books to be published by Yale University Press in 2017, *Closing the Courthouse Doors: How the Supreme Court Made Your Rights Unenforceable* and *Renewing Free Speech on College Campuses* (with Howard Gillman). He also is the author of more than 200 law review articles. He writes a weekly column for the Orange County Register, monthly columns for the ABA Journal and the Daily Journal, and frequent op-eds in newspapers across the country. In January 2014, National Jurist magazine named Dean Chemerinsky as the most influential person in legal education in the United States.

Chemerinsky holds a law degree from Harvard Law School and a bachelor's degree from Northwestern University.

PAUL D. CLEMENT is a partner at Bancroft PLLC. Mr. Clement served as the 43rd Solicitor General of the United States from June 2005 until June 2008. Before his confirmation as Solicitor General, he served as Acting Solicitor General for nearly a year and as Principal Deputy Solicitor General for over three years. He has argued over 80 cases before the United States Supreme Court, including *McConnell v. FEC*, *Tennessee v. Lane*, *Rumsfeld v. Padilla*, *Credit Suisse v. Billing*, *United States v. Booker*, *MGM v. Grokster*, *ABC v. Aereo*, and *Hobby Lobby v. Burwell*. He has argued before the Supreme Court 24 times in just the last four Terms. Indeed, Mr. Clement has argued more Supreme Court cases since 2000 than any lawyer in or out of government. Mr. Clement has also argued many important cases in the lower courts, including *Walker v. Cheney*, *United States v. Moussaoui*, and *NFL v. Brady*.

Mr. Clement's practice focuses on appellate matters, constitutional litigation, and strategic counseling. He represents a broad array of clients in the Supreme Court and in federal and state appellate courts. Last year, for example, he successfully argued Supreme Court cases involving significant issues of copyright law, religious liberty and labor law, and he successfully defended a \$1.2 billion jury verdict for clients in the Tenth Circuit, while securing the reversal of an over \$2 billion jury verdict for another client in the Seventh Circuit. In addition, he successfully argued a preemption appeal to the Third Circuit, a significant Due Process appeal to the D.C. Circuit, a bankruptcy appeal in the Second Circuit, and secured the reversal of an adverse jury verdict in the Eleventh Circuit. He has initiated major administrative law challenges and constitutional litigation against the federal government, such as the airlines' challenge to fee increases and the First Amendment challenge in *Allergan v. United States*. He also counsels clients on a variety of strategic legal questions, whether arising from pending legislation, government inquiries or ongoing litigation. Mr. Clement has undertaken substantial pro bono engagements in the Supreme Court, such as twice successfully representing the defendant in *Bond v. United States* and successfully representing the guardian ad litem in *Adoptive Couple v. Baby Girl* and the defendant in *Sekhar v. United States*. He was recognized as the 2012 Lawyer of the Year by The Bar Association of the District of Columbia and was selected by the National Law Journal in 2013 as one of the 100 most influential lawyers in America.

Mr. Clement is a native of Cedarburg, Wisconsin, and a graduate of the Cedarburg public schools. 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, Mr. Clement went on to serve as Chief Counsel of the U.S. Senate Subcommittee on the Constitution, Federalism and Property Rights.

Mr. Clement is a Distinguished Lecturer in Law at the Georgetown University Law Center, where he has taught in various capacities since 1998, and a Distinguished Lecturer in Government at Georgetown University. He also serves as a Senior Fellow of the Law Center's Supreme Court Institute.

LYLE DENNISTON is the longest-serving reporter in the U.S. Supreme Court's press corps. He currently writes for his own blog, lyldenlawnews.com, and for Constitution Daily, the blog of the National Constitution Center in Philadelphia. He covered the Court for 12 years for scotusblog.com. This year, he is a visiting professor at the University of Baltimore Law School, lecturing on the Supreme Court and its history.

Mr. Denniston has covered one-fourth of the justices ever to sit on the Supreme Court, and has reported on the entire careers of 10 justices. He has been a journalist of the law for 63 years, beginning at the Otoe County Courthouse in Nebraska City, Nebraska, in the fall of 1948. Mr. Denniston is the author of *The Reporter and The Law: Techniques of Covering the Courts* and contributed two chapters to *100 Americans Making Constitutional History*.

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 Heene 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.

ADAM M. 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 elected to the Order of the Coif, won the Roger and Madeleine Traynor Prize for best paper by a graduating student, and served as 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. Prior to joining William & Mary, Professor Gershowitz taught at the University of Houston Law Center and South Texas College of Law.

Professor Gershowitz has won seven teaching awards, including the Professor of the Year prize at three different law schools. In 2015, the graduating class honored him with the Walter L. Williams, Jr. Memorial Teaching Award. Previously, he was awarded the All University Teaching Award at the University of Houston. Outside of the classroom, Professor Gershowitz has been quoted in hundreds of media stories, including in *The New York Times*, *Wall Street Journal*, *Washington Post*, *Los Angeles Times*, and NPR.

Professor Gershowitz is the author of more than two dozen scholarly articles, which have appeared in the *Michigan Law Review*, *Northwestern University Law Review*, *UCLA Law Review*, *Vanderbilt Law Review*, and other

leading journals. The College of William & Mary recognized Professor Gershowitz's research with a Plumeri Award for Faculty Excellence in 2015. The Supreme Court cited his amicus brief in its ruling in *Riley v. California*, 134 S. Ct. 2473 (2014) forbidding warrantless cell phone searches.

REBECCA GREEN is Professor of Practice and Co-Director of the Election Law Program at William & Mary Law School. In addition to teaching and writing in the areas of Privacy, Election Law, and Alternative Dispute Resolution, Professor Green oversees the Election Law Program's annual symposia and speaker series and undertakes a series of projects including the State Election Law "eBenchbook" project to educate judges about state election laws and Revive My Vote, a program that helps Virginians with prior felony convictions regain their right to vote. Professor Green also serves as the faculty advisor to the student-run State of Elections blog. She was an undergraduate at Connecticut College and received a master's and JD degree at Harvard.

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 a 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, and in Fall 2017, Grove will be a visiting professor at Harvard Law School. 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, New York University 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. In 2016, Grove received the Paul M. Bator Award, which is conferred annually by the Federalist Society on an outstanding legal scholar under the age of forty. Grove's articles are cited and discussed in leading Federal Courts casebooks, and she has served as the Chair of the Federal Courts Section of the Association of American Law Schools.

PAMELA S. KARLAN is the Kenneth and Harle Montgomery Professor of Public Interest Law and co-director of the school's Supreme Court Litigation Clinic, where students litigate live cases before the Court. From 2013-2015, she served as Deputy Assistant Attorney General in the Civil Rights Division of the U.S. Department of Justice. 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.

NEAL KATYAL is a partner at Hogan Lovells focused on appellate and complex litigation. He has extensive experience in matters of patent, securities, criminal, employment, 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. As Acting Solicitor General, Neal was responsible for representing the federal government of the United States in all appellate matters before the U.S. Supreme Court and the Courts of Appeals throughout the nation. He served as Counsel of Record hundreds of times in the U.S. Supreme Court. He was also the only head of the Solicitor General's office to argue a case in the U.S. Court of Appeals for the Federal Circuit, on the important question of whether certain aspects of the human genome were patentable.

Neal has also served as a law professor for nearly two decades 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 has also served as a visiting professor at both Harvard and Yale Law Schools.

After graduating from Yale Law School, Neal clerked for The Honorable Guido Calabresi of the U.S. Court of Appeals for the Second Circuit as well as for The Honorable Justice Stephen G. Breyer of the U.S. Supreme Court. He also served in the Deputy Attorney General's Office at the Justice Department as National Security Advisor and as Special Assistant to the Deputy Attorney General during 1998-1999. Neal has published dozens of scholarly articles in law journals, as well as many op-ed articles in such publications as the New York Times and the Washington Post, and has testified numerous times before various committees of both the U.S. House of Representatives and the U.S. Senate.

Neal is the recipient of the very highest award given to a civilian by the U.S. Department of Justice, the Edmund Randolph Award, which the Attorney General presented to him in 2011. The Chief Justice of the United States appointed him in 2011 (and again in 2014) to the Advisory Committee on Federal Appellate Rules. Additionally, he was named as One of the 40 Most Influential Lawyers of the Last Decade Nationwide by National Law Journal (2010); One of the 90 Greatest Washington Lawyers Over the Last 30 Years by Legal Times (2008); Lawyer of the Year by Lawyers USA (2006); Runner-Up for Lawyer of the Year by National Law Journal (2006); One of the Top 50 Litigators Nationwide 45 Years Old or Younger by American Lawyer (2007); and one of the top 500 lawyers in the country by LawDragon Magazine for each of the last nine years. He also won the National Law Journal's pro bono award in 2004.

After graduating from Yale Law School, he worked as a summer associate with Hogan Lovells' legacy law firm, Hogan & Hartson.

LEONDR A KRUGER is an Associate Justice of the Supreme Court of California, the court's youngest appointee; and a former Obama administration official. Immediately before joining the court, Justice Kruger served in the United States Department of Justice as a Deputy Assistant Attorney General for the Office of Legal Counsel. From 2007 to 2013, she served in the Department as an Assistant to the Solicitor General and as Acting Deputy Solicitor General. During her tenure in the Office of the Solicitor General, she argued 12 cases in the United States Supreme Court on behalf of the federal government. In 2013 and in 2014, she received the Attorney General's Award for Exceptional Service, the Department's highest award for employee performance.

Justice Kruger had previously been in private practice, where she specialized in appellate and Supreme Court litigation, and taught as a visiting assistant professor at the University of Chicago Law School.

A native of the Los Angeles area, Justice Kruger attended high school in Pasadena. She received her bachelor's degree with high honors from Harvard College, where she was elected to Phi Beta Kappa. She received her J.D. from Yale Law School, where she served as Editor-in-Chief of the Yale Law Journal. Following graduation, she served as a law clerk to Judge David S. Tatel of the United States Court of Appeals for the D.C. Circuit, and to Justice John Paul Stevens of the United States Supreme Court.

CHRISTOPHER LANDAU is a partner at Kirkland & Ellis, LLP. He is the head of the Firm's Appellate Litigation Practice, based in the Washington office. He has briefed and argued appeals involving a wide range of subject matters in courts all across the country, including the United States Supreme Court, every one of the federal courts of appeals, and many state appellate courts. Chris served twice as a law clerk at the United States Supreme Court, first to Justice Antonin Scalia (1990-91) and then to Justice Clarence Thomas (1991-92).

Most recently, Chris has been recognized by Chambers USA as a leading lawyer in appellate law. The 2015 edition called him “articulate, fast-thinking, well prepared, and someone who has the respect of the panel.” The 2014 edition noted his “mastery of a number of substantive areas” and “huge amount of credibility with the Supreme Court.” Peers also commended him as “a hugely impressive lawyer” with “a lot of good qualities.” The 2013 edition singled him out as a “superb appellate attorney” who is “a very effective advocate, both orally and in written briefs” and the 2012 edition described him as “an absolute top-notch appellate litigator,” who “easily takes command of the facts, making convincing arguments to the court.” The 2011 edition praised how “he impresses clients with his first-class intellectual ability and wise tactical sense” and the 2010 edition commended Chris on his “clear, direct and crisp style, and absolutely terrific business sense.” Previous editions of Chambers noted that he is a “wonderful resource, with great talent and the ability to communicate the most important issues to the judges.” Chris has also commented on the Supreme Court on a variety of media outlets, including CNN, PBS, MSNBC, C-SPAN and radio.

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.

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.

ALAN J. MEESE is the Ball Professor of Law and Tazewell Taylor Research Professor of Law at the William & Mary Law School. He graduated first in his class with high honors in Ancient Greek from the College of William and Mary, where he also earned a secondary concentration in Economics. He then attended the University of Chicago Law School from which he graduated with honors, served as a Comment Editor on the Law Review and was elected to Order of the Coif. After law school he clerked for Judge Frank H. Easterbrook of the U.S. Court of Appeals for the Seventh Circuit and Justice Antonin Scalia of the U.S. Supreme Court. He was admitted to the Virginia Bar and practiced law at Skadden, Arps, Slate, Meagher and Flom in Washington, D.C.

Professor Meese joined the William and Mary faculty in 1995 and was a Visiting Professor of Law at the University of Virginia in the 2001-2002 academic year. He was the Cabell Research Professor of Law in 2001-2002, 2011-2012, 2013-2014, and 2014-15.

Meese is the author or co-author of more than thirty five scholarly articles and essays appearing in The Green Bag, Antitrust Bulletin, Cornell Journal of Law and Public Policy, Antitrust Law Journal, Harvard Journal of Law and Public Policy, Law and Contemporary Problems, the William and Mary Bill of Rights Journal, and the University of Pennsylvania, Creighton, Fordham, Michigan, George Mason, Illinois, Boston University, Cornell, Southern

California, Iowa, UCLA, North Carolina, Minnesota, NYU, Chicago, and William and Mary law reviews. He is a frequent lecturer on antitrust issues and has served as a referee for the *Journal of Legal Studies*.

Professor Meese is an active participant in Faculty Governance and Leadership at the University Level. Most recently he served for two years as the Faculty representative on the College's Board of Visitors. He previously served as Vice President and then President of the Faculty Assembly, and he co-chaired the Committee on Religion in a Public University. He has twice chaired the College's Procedural Review Committee, co-chaired the Faculty and University Priorities Committee and served for three years on the University Planning Steering Committee.

Professor Meese received the Walter L. Williams Jr. Teaching Award in 2000 and received a Plumeri Fellowship for Faculty Excellence in 2010 and 2013.

Meese currently serves on the Executive Committee of the AALS Section on Antitrust and Economic Regulation. In the summer of 2013, Professor Meese participated in a National Endowment for the Humanities Summer Institute on the History of Political Economy at Duke University. He also served as a Senior Advisor to the Antitrust Modernization Commission from 2004-2007.

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

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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.

DAVID STRAUSS is the Gerald Ratner Distinguished Service Professor of Law at the University of Chicago Law School. He graduated from Harvard College summa cum laude in 1973. He then spent two years at Magdalen College, Oxford, on the Marshall Scholarship and received a BPhil in politics from Oxford in 1975. In 1978, he graduated magna cum laude from Harvard Law School, where he was developments editor of the Law Review. Before joining the Law School faculty, he worked as an Attorney-Adviser in the Office of Legal Counsel of the U.S. Department of Justice and was an Assistant to the Solicitor General of the United States.

Strauss joined the Law School faculty in 1985. He has published articles on a variety of subjects, principally in constitutional law and related areas, and recently published *The Living Constitution* (Oxford University Press, 2010). He is, with Geoffrey Stone and Dennis Hutchinson, editor of the *Supreme Court Review*. He has been a visiting professor at Harvard and Georgetown. He is a Fellow of the American Academy of Arts and Sciences.

Strauss has argued eighteen cases before the United States Supreme Court. In 1990, he served as Special Counsel to the Committee on the Judiciary of the United States Senate. He is a member of the national Board of Directors of the American Constitution Society. He has also served Chair of the Board of Trustees of the University of Chicago Laboratory Schools and as a member of the Board of Governors of the Chicago Council of Lawyers. In addition to his current teaching interests - constitutional law, federal jurisdiction, elements of the law, and administrative law - he has taught civil procedure and torts.

RICHARD WOLF has been a USA TODAY reporter and editor for more than 25 years in Washington, where he has covered all three branches of government. He has been the Supreme Court correspondent since 2012, beginning with the first ACA case. He reported from the White House during the George W. Bush and Obama administrations and covered Congress from 1987-96. In between he spent five years as the paper's congressional editor. He also has reported on the federal budget and economics, health care and welfare policy, and national politics. Before joining USA TODAY, he was a Washington correspondent for Gannett News Service and a reporter and editor at Gannett newspapers in New York.