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2016 Bushrod Moot Court Tournament Final Round and Presentation of the 2016 Edmund Randolph Silver Tongue Award (Program)

William & Mary Law School

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JUSTICES

Kathleen M. Sullivan, *Chief*
Professor Jeffrey Bellin
Professor Adam M. Gershowitz
Professor Jennifer R. Franklin
Professor Paul Marcus

COMPETITORS

Andrew Milam
Class of 2018
Arguing for the Petitioner

Daniel Sinclair
Class of 2018
Arguing for the Respondent

CASE SYNOPSIS

FACTS Interstate 66 lies between Colorado, where recreational marijuana is legal, and Dorne, where marijuana is strictly illegal. Officer Simmons regularly patrols I-66 and recognizes the road as a drug trafficking highway. After observing Ross Navidad “driving erratically” from Colorado into Dorne, Simmons stopped Navidad. Navidad declined Simmons’s request to search the car and passed a field sobriety test. With a strong belief that Navidad was transporting drugs, Simmons called his superior, Officer Kim.

When Officer Kim arrived, Simmons relayed his concerns and explained I-66’s reputation. Kim asked to search Navidad’s car, but Navidad again declined. Using a flashlight, Kim looked into Navidad’s car and discovered a box labeled “Starbuds.” Simmons recognized the name as a popular recreational marijuana dispensary in Denver. Kim immediately left the scene to secure a warrant from the local magistrate. The affidavit included the Starbuds box and Simmons’s expertise to conclude that Navidad was transporting illegal narcotics. Kim returned and executed a search of Navidad’s car, which revealed a large quantity of marijuana. Navidad was charged with possession of a controlled substance with intent to sell.

QUESTION PRESENTED Whether the Fourth Amendment permits introduction of evidence that was obtained pursuant to a warrant later found to be supported by evidence from a previous Fourth Amendment violation.

2016 Bushrod Moot Court Tournament Final Round

and

Presentation of the

2016 Edmund Randolph Silver Tongue Award

to

Kathleen M. Sullivan
Partner; Chair, National Appellate Practice
Quinn Emanuel Urquhart & Sullivan

Wednesday, February 10, 2016
McGlothlin Courtroom
William & Mary Law School

SCHEDULE OF EVENTS

- 4:30 Welcome and Presentation of the Edmund Randolph Award
- 4:55 Introduction to the Case and the Justices
- 5:10 Oral Argument
- 5:50 Final Decision and Closing
- 6:00 Reception

THE EDMUND RANDOLPH AWARD FOR EXCELLENCE IN ORAL ADVOCACY

The Edmund Randolph Silver Tongue Award recognizes outstanding appellate advocacy. The Student Division of the Institute of Bill of Rights Law presents the Award annually to a seasoned appellate practitioner who has dedicated his or her career to the improvement and enhancement of the standards of appellate practice, the administration of justice, and the ethics of the legal profession.

The Award was established in 2008 to honor our nation's first Attorney General, Edmund Jennings Randolph. Randolph devoted his career to the improvement and administration of the laws of the United States. Randolph was born on August 10, 1753 in Williamsburg, Virginia. He attended the College of William and Mary and pursued a career in law. Randolph served as General Washington's aide-de-camp in 1775 and later as a member of Congress in 1779 and as Governor of Virginia from 1786 to 1788. Randolph was also a delegate to the Annapolis Convention and later to the Constitutional Convention.

2016 AWARD RECIPIENT

Kathleen M. Sullivan

Kathleen M. Sullivan is partner and chair of the national appellate practice at Quinn Emanuel Urquhart & Sullivan, the nation's largest law firm devoted solely to business litigation. She was previously Dean of Stanford Law School and professor of law at Harvard and Stanford Law Schools. The first woman dean of any school at Stanford, she is also the first woman name partner at any AmLaw 100 firm.

Widely recognized as one of the nation's most preeminent appellate litigators, Ms. Sullivan handles appeals and motions in a wide range of business litigation matters. She has argued nine times in the US Supreme Court and numerous times in the US Courts of Appeals, US district courts, and state appellate courts. Meanwhile she continues to lecture and write on constitutional issues and to publish the classic casebook *Constitutional Law*.

Ms. Sullivan holds a B.A. from Cornell University, where she was a College Scholar and a Telluride Scholar, an M.A. from Oxford University, which she attended as a Marshall Scholar, and a J.D. from Harvard Law School, where she won the Ames Moot Court competition. She has been elected to the American Academy of Arts and Sciences and the American Philosophical Society. And she has been named to numerous honors, including repeat appearances on The National Law Journal's list of the 100 Most Influential Lawyers in America.



2015 Silver Tongue recipient Tom Goldstein with Bushrod champion Gordon Dobbs ('17)

PREVIOUS RECIPIENTS

- 2015 Thomas C. Goldstein
- 2014 Paul M. Smith
- 2013 Walter E. Dellinger
- 2012 Carter G. Phillips
- 2011 Edwin S. Kneedler
- 2010 Beth S. Brinkmann