

2013

2013-2014 Supreme Court Preview: Schedule and Panel Members

Institute of Bill of Rights Law at the William & Mary Law School

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2013-2014 Supreme Court Preview

Schedule of Events

Friday, September 27, 2013

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
AFFORDABLE CARE ACT	6:35 to 7:25 PM

Saturday, September 28, 2013

CIVIL RIGHTS	9:00 to 9:50 AM
BUSINESS	9:55 to 10:45 AM
<i>BREAK</i>	10:45 to 11:00 AM
FIRST AMENDMENT & SEPARATION OF POWERS	11:00 to 11:50 AM
LUNCH BREAKOUT SESSIONS	12:00 to 1:45 PM
1. DOMA & SAME-SEX MARRIAGE: WHAT'S NEXT?	
2. CHIEF JUSTICE ROBERTS V. JUSTICE KAGAN: THE BATTLE FOR THE COURT'S FUTURE	
3. THE WAR ON TERRORISM TODAY	
CRIMINAL	2:00 to 2:50 PM
ABORTION	2:55 to 3:45 PM
CONFERENCE CONCLUDES	3:45 PM

2013-2014 Supreme Court Preview

Panel Members

ROBERT BARNES has been a reporter and editor at The Washington Post for more than 25 years. He has covered politics, government and, since November 2006, the Supreme Court.

As a deputy national editor in charge of domestic policy, he supervised coverage of the Supreme Court, Justice Department, the census, demographics and race. As political editor during the first term of the Clinton administration, he coordinated coverage of national politics, the White House and Congress. He also served as metropolitan editor, directing the Post's local coverage of the District, Maryland and Virginia.

He returned to reporting in August 2005 as a political reporter and columnist, and began covering the Roberts Court in its second term. He took a brief break to cover the presidential race the summer and fall of 2008, and returned to the court after the election. He covered the nominations and confirmations of Justices Sonia Sotomayor and Elena Kagan. He writes a twice-a-month column called The High Court.

He gave up all thoughts of law school for a career in newspapers after taking a journalism class at the University of Florida.

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*.

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.

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 served until recently as the 43rd Solicitor General of the United States. He is currently a Visiting Professor at the Georgetown University Law Center and a Senior Fellow at the Center's Supreme Court Institute. 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 and then was a partner in the Washington, D.C., office of King & Spalding, where he headed the firm's appellate practice. 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 49 cases before the United States Supreme Court.

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 2013). He is currently completing a

biography of civil rights and women's rights lawyer and activist, Pauli Murray. He joined the William & Mary Law School faculty in 1990, and became Dean of the Law School in 2009.

ADAM GERSHOWITZ is a Professor of Law at William & 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 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 in 2012 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. 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.

MARCI A. HAMILTON is one of the United States' leading church/state scholars and holds the Paul R. Verkuil Chair in Public Law at the Benjamin N. Cardozo School of Law, Yeshiva University, where she specializes in church/state issues and the dynamics of child sex abuse in institutional settings. She is an author, lecturer, and advocate on the protection of the vulnerable from religious institutions. She is also a national leader for legislative reform -- particularly statute of limitations reform through her website www.sol-reform.com -- for the protection of children from sex abuse. During 2012, she was honored as one of Pennsylvania's Women of the Year, and received the National Crime Victim Bar Association's Frank Carrington Champion of Civil Justice Award.

Professor Hamilton is the author of *JUSTICE DENIED: WHAT AMERICA MUST DO TO PROTECT ITS CHILDREN* (Cambridge University Press 2008, 2012); *GOD VS. THE GAVEL: RELIGION AND THE RULE OF LAW* (Cambridge University Press 2005, 2007); and the co-editor of *FUNDAMENTALISM, POLITICS, AND THE LAW* (Palgrave Macmillan 2011). She is currently a bi-monthly columnist for www.justia.com and was a bi-monthly columnist for www.findlaw.com for ten years. Professor Hamilton was lead counsel for the City of Boerne, Texas, in *Boerne v. Flores*, 521 U.S. 507 (1997), before the United States Supreme Court in its seminal federalism and church/state case holding the Religious Freedom Restoration Act unconstitutional. She has been a visiting professor at Princeton University, New York University School of Law, Emory University School of Law, and the Princeton Theological Seminary. Professor Hamilton clerked for Associate Justice Sandra Day O'Connor of the United States Supreme Court after graduating from the University of Pennsylvania Law School; the Graduate School of Pennsylvania State University; and Vanderbilt University. She is a member of Phi Beta Kappa and Order of the Coif.

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.

MICHAEL J. KLARMAN is the Kirkland & Ellis Professor at Harvard Law School, where he joined the faculty in 2008. He received his B.A. and M.A. (political theory) from the University of Pennsylvania in 1980, his J.D. from Stanford Law School in 1983, and his D. Phil. in legal history from the University of Oxford (1988), where he was a Marshall Scholar. After law school, Professor Klarman clerked for the Honorable Ruth Bader Ginsburg on the United States

Court of Appeals for the D.C. Circuit (1983-84). He joined the faculty at the University of Virginia School of Law in 1987 and served there until 2008 as the James Monroe Distinguished Professor of Law and Professor of History.

Klarman has also served as the Ralph S. Tyler, Jr., Visiting Professor at Harvard Law School, Distinguished Visiting Lee Professor of Law at the Marshall Wythe School of Law at the College of William & Mary, Visiting Professor at Stanford Law School, and Visiting Professor at Yale Law School.

Klarman has won numerous awards for his teaching and scholarship, which are primarily in the areas of Constitutional Law and Constitutional History. In 2009 he was inducted into the American Academy of Arts & Sciences.

Klarman's first book, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality*, was published by Oxford University Press in 2004 and received the 2005 Bancroft Prize in History. He published two books in the summer of 2007, also with Oxford University Press: *Brown v. Board of Education and the Civil Rights Movement* and *Unfinished Business: Racial Equality in American History*, which is part of Oxford's Inalienable Rights series. In 2012, he published *From the Closet to the Altar: Courts, Backlash, and the Struggle for Same-Sex Marriage*. He is currently working on a revisionist history of the Founding.

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.

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 and Rolling Stone, and he has published articles in The Arizona Law Review, The Michigan Law Review and The New York University Annual Survey of American Law.

He is a visiting lecturer at Yale Law School and University of Chicago Law School.

DEANNE E. MAYNARD is chair of the Appellate and Supreme Court practice group at Morrison & Foerster LLP. She is a partner in the firm's Washington, D.C., office.

Ms. Maynard has argued 13 cases before the U.S. Supreme Court. Her arguments include the bankruptcy case *RadLAX Gateway Hotel, LLC v. Amalgamated Bank*, the patent case *MedImmune, Inc. v. Genentech, Inc.*, and the antitrust case *Pacific Bell Telephone Company v. linkLine Communications, Inc.* Ms. Maynard also has an active practice in the federal courts of appeals.

Ms. Maynard served as an Assistant to the Solicitor General at the U.S. Department of Justice from 2004-2009. Before joining the Solicitor General's office, Ms. Maynard was a partner at Jenner & Block. Ms. Maynard clerked twice on the Supreme Court of the United States: one Term for Justice Stephen Breyer and another for retired Supreme Court Justice Lewis Powell, during which Term she affiliated with Justice John Paul Stevens. Ms. Maynard also clerked for Judge Stanley Harris of the U.S. District Court for the District of Columbia.

Ms. Maynard graduated *magna cum laude* in 1991 from Harvard Law School, where she was an editor of the Harvard Law Review. She earned a B.A., with distinction, in English from the University of Virginia.

MICHAEL W. MCCONNELL is the Richard and Frances Mallery Professor and Director of the Constitutional Law Center at Stanford Law School. From 2002 to the summer of 2009, he served as Circuit Judge on the United States Court of Appeals for the Tenth Circuit. Prior to his appointment to the bench, McConnell was the Presidential Professor at the S.J. Quinney College of Law at the University of Utah, and before that the William B. Graham Professor of Law at the University of Chicago. He has also been a frequent visiting professor at Harvard Law School.

In his academic work, McConnell has written widely on such subjects as freedom of religion, segregation, unenumerated rights, and constitutional history and theory. He is co-editor of *The Constitution of the United States* (Foundation Press 2010), *Religion and the Law* (Aspen Pub. Co. 2002), and *Christian Perspectives on Legal Thought* (Yale Univ. Press 2002). In 1996, he was elected a Fellow of the American Academy of Arts and Sciences.

McConnell graduated from Michigan State University (B.A. 1976) and the University of Chicago Law School (J.D. 1979). Before entering teaching, he served as law clerk to Chief Judge J. Skelly Wright on the United States Court of Appeals for the D.C. Circuit and for Associate Justice William J. Brennan, Jr., on the United States Supreme Court, as Assistant General Counsel of the Office of Management and Budget, and as Assistant to the Solicitor General of the United States. McConnell has argued thirteen cases in the Supreme Court. In March he will argue *Horne v. U.S. Dep't of Agriculture*. He is of counsel to Kirkland & Ellis in D.C.

KEVIN C. NEWSOM is co-chair of the Appellate Litigation Group at Bradley Arant Boult Cummings LLP. Before joining Bradley Arant, Kevin served for three and a half years as the State of Alabama's Solicitor General. In that capacity, Kevin directed the State's appellate

litigation in the United States Supreme Court, the United States Courts of Appeals, and the Alabama Supreme Court. Kevin has argued four cases in the U.S. Supreme Court, has filed *amicus curiae* briefs in more than 20 others, and has authored numerous petitions for certiorari and briefs in opposition to certiorari. During Kevin's tenure as Solicitor General, he was awarded the National Association of Attorneys General "Best Brief" award, given for outstanding briefing in the U.S. Supreme Court, on four separate occasions. Outside the U.S. Supreme Court, Kevin has argued 21 cases in the U.S. Courts of Appeals for the Second, Third, Seventh, Eleventh, and D.C. Circuits, as well as in the Alabama Supreme Court and the Alabama Court of Criminal Appeals.

In January 2007, *The American Lawyer* magazine named Kevin one of its "Fab Fifty" – the top 50 litigators in the entire country under the age of 45. Kevin, who at 34 was the third-youngest attorney in the listing, was one of only seven appellate lawyers so honored. Kevin is listed in *Best Lawyers in America* in the field of Appellate Law.

Kevin served as a law clerk to Justice David H. Souter of the U.S. Supreme Court (2000-2001) and, before that, to Judge Diarmuid F. O'Scannlain of the U.S. Court of Appeals for the Ninth Circuit (1997-98). Kevin received his J.D. from Harvard Law School (1997); he graduated *magna cum laude* and was an Articles Editor of the *Harvard Law Review*. Kevin received a B.A. from Samford University (1994); he graduated *summa cum laude* and first in his class.

Kevin is the author of "Setting Incorporationism Straight: A Reinterpretation of the *Slaughter-House Cases*," published in the *Yale Law Journal*. He has taught law on an adjunct basis at both Georgetown University Law Center and Cumberland School of Law.

Kevin is a member of the American Law Institute and has commented on legal issues for Fox News Channel, C-SPAN, National Public Radio, *Time Magazine*, *USA Today*, *The National Law Journal*, *Forbes Magazine*, and *ABA Journal*.

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 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 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.

GREG STOHR has covered the U.S. Supreme Court for Bloomberg News and Bloomberg Businessweek since 1998. 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 covered the Justice Department and Federal Trade Commission for Bloomberg from 1996 to 1998. He is a graduate of Saint Louis University and 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.

BARBARA UNDERWOOD, Solicitor General of the State of New York. Barbara D. Underwood was appointed Solicitor General in January 2007. Prior to her appointment she served as Counsel and as Chief Assistant to the United States Attorney for the Eastern District of New York. From 1998 to 2001 she was the Acting Solicitor General and Principal Deputy Solicitor General of the United States. She has held executive positions in the Queens and Brooklyn District Attorneys’ Offices, and served as a trial attorney in the Manhattan District Attorney’s Office. She has argued 20 cases in the United States Supreme Court, as well as many cases in the state and federal courts of appeals. She has served as Chair of the Executive Committee and Chair of the Council on Criminal Justice of the New York City Bar Association. She was Professor of Law at Yale Law School, Visiting Professor at New York University School of Law, and Adjunct

Professor at Brooklyn Law School. She was a law clerk to Chief Judge David L. Bazelon of the U.S. Court of Appeals for the D.C. Circuit and to Justice Thurgood Marshall of the U.S. Supreme Court. She received a B.A. from Harvard University (Radcliffe College) and a J.D. from Georgetown University Law Center.

TIMOTHY ZICK is Robert & Elizabeth Scott Research Professor at William & Mary School of Law. Professor Zick is a *summa cum laude* graduate of Indiana University-Bloomington and Georgetown University Law Center. Professor Zick was an associate with the law firms of Williams & Connolly in Washington, D.C. and Foley Hoag in Boston. He also served as a law clerk to the Honorable Levin H. Campbell of the United States Court of Appeals for the First Circuit. Prior to entering academia, Professor Zick was an attorney in the Federal Programs Branch of the United States Department of Justice.

Professor Zick has published numerous articles on freedom of speech, federalism, and other constitutional issues. He is the author of *Speech Out of Doors: Preserving First Amendment Liberties in Public Places* (Cambridge Univ. Press, 2008). His most recent book, *The Cosmopolitan First Amendment: Protecting Transborder Expressive and Religious Liberties*, is forthcoming with Cambridge University Press.