

2014

2014-2015 Supreme Court Preview: Schedule and Panel Members

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

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2014-2015 Supreme Court Preview

Schedule of Events

Friday, September 27, 2013

WELCOME	5:05 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
CONGRESS & THE OBAMA WHITE HOUSE	6:35 to 7:25 PM

Saturday, September 28, 2013

CIVIL RIGHTS	9:00 to 9:50 AM
BUSINESS	9:55 to 11:05 AM
<i>BREAK</i>	11:05 to 11:20 AM
FIRST AMENDMENT	11:20 to 12:10 PM
LUNCH BREAKOUT SESSIONS	12:15 to 1:50 PM
1. LIBERALISM ON THE ROBERTS COURT	
2. ELECTION LAW	
CRIMINAL	2:00 to 2:50 PM
SAME-SEX MARRIAGE	2:55 to 3:45 PM
CONFERENCE CONCLUDES	3:45 PM

2014-2015 Supreme Court Preview

Panel Members

JEFFREY BELLIN received his undergraduate degree from Columbia University (*summa cum laude*) and his law degree from Stanford Law School (order of the coif). After graduating from law school, Professor Bellin clerked for the Honorable Merrick B. Garland of the U.S. Court of Appeals for the District of Columbia Circuit.

Following his clerkship, Professor Bellin served as a prosecutor with the United States Attorney's Office in Washington, D.C. While at the U.S. Attorney's Office, he argued a number of significant cases before the U.S. Court of Appeals for the D.C. Circuit and the D.C. Court of Appeals. Professor Bellin subsequently practiced with the San Diego office of Latham & Watkins where he handled complex litigation matters, and served as a senior attorney for the California Courts of Appeal.

Professor Bellin received the Walter Williams Jr. Memorial Teaching Award from the 2014 Graduating Class. Prior to joining the faculty at William & Mary, Professor Bellin was an Assistant Professor at the Southern Methodist University School of Law where he was awarded the Don M. Smart Award for Excellence in Teaching by the 2012 graduating class. His legal commentary has been featured in numerous media outlets, including *CNN.com*, *ABC Nightline*, *the Washington Post*, *the Christian Science Monitor*, *the Los Angeles Times*, and *NPR*.

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*.

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

PAUL D. CLEMENT is a partner at Bancroft PLLC. Mr. Clement served as the 43rd Solicitor General of the United States from June 2005 until June 2008. He has argued over 70 cases before the United States Supreme Court, including *McConnell v. FEC*, *Tennessee v. Lane*, *Rumsfeld v. Padilla*, *United States v. Booker*, *MGM v. Grokster*, *ABC v. Aereo*, and *Hobby Lobby v. Burwell*. He has argued before the Supreme Court 21 times in just the last three Terms, an unprecedented number for a lawyer in private practice. 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. Mr. Clement has been an Adjunct or Visiting Professor at the Georgetown University Law Center since 1998, where he teaches a seminar on the separation of powers. He also serves as a Senior Fellow of the Law Center's Supreme Court Institute.

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

Dellinger served as Assistant Attorney General and head of the Office of Legal Counsel (OLC) from 1993 to 1996. He was acting Solicitor General for the 1996-97 Term of the Supreme Court.

During that time, Walter argued nine cases before the Court, the most by any Solicitor General in more than 20 years. His arguments included cases dealing with physician-assisted suicide, the line item veto, the cable television act, the Brady Act, the Religious Freedom Restoration Act, and the constitutionality of remedial services for parochial school children.

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

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

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

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

GARRETT EPPS is Professor of Law at the University of Baltimore, where he teaches courses in Constitutional Law, First Amendment, and Fiction and Non-Fiction Writing for Law Students. Before entering law school in 1988, he spent 15 years as a journalist and free lance writer. He covers the Supreme Court for The Atlantic Online. He is spending this semester as a visiting editor at *The Washington Monthly*. His most recent book, *American Justice 2014: Nine Clashing Visions on the Supreme Court*, was published this month by the University of Pennsylvania Press. His three previous books, *American Epic: Reading the US Constitution* (2013), *Democracy Reborn: The Fourteenth Amendment and the Fight for Equal Rights in Post-Civil*

War America (2006), and *To An Unknown God: Religious Freedom on Trial* (2001), were all finalists for the Silver Gavel Book Award of the American Bar Association. A former staff writer for the *Washington Post*, Epps has written for *The New York Times*, *The New York Review of Books*, *The Nation*, *The New Republic*, and *The American Prospect*. Epps received his LL.M. (in Comparative and International Law) and his J.D. from Duke University. Epps earned his M.A. in English Writing from Hollins College in 1975, and his B.A. from Harvard College in 1972, where he was an editor of the Harvard Crimson.

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.

IRVING GORNSTEIN is the Executive Director of the Supreme Court Institute and a Visiting Professor at Georgetown Law Center. He previously worked at O'Melveny & Myers in the firm's appellate practice, specializing in Supreme Court litigation. He was also a Lecturer at the Harvard Law School Appellate Advocacy Clinic. Before that, Professor Gornstein worked in the Department of Justice, first in the Appellate Section of the Civil Rights Division and then at the Solicitor General's Office. Professor Gornstein has argued 36 cases in the Supreme Court and

more than 30 cases in the courts of appeals. He has been recognized as one of the leading appellate lawyers in Chambers USA.

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.

NEAL KATYAL is the Paul and Patricia Saunders Professor of Law at Georgetown University and a Partner at Hogan Lovells. He served as Acting Solicitor General of the United States (and before that Principal Deputy Solicitor General), 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. In 2006, he won the landmark *Hamdan v. Rumsfeld* in the Supreme Court, a case that challenged President Bush's Guantanamo and Geneva Convention policies. He has argued 21 cases before the U.S. Supreme Court of the United States, with 19 of them in the last 5 years. He is already counsel in five cases that have been granted for the October, 2014 Term at the Supreme Court, and is expected to be arguing during the Court's November, December, and January sessions.

At Georgetown, Neal was one of the youngest professors to have received tenure and a chaired professorship in the university's history. He 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 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 seven years. He also won the National Law Journal's pro bono award in 2004. His articles have appeared in nearly every major national law review and newspaper, and Neal has been a guest on the Colbert Report (three times).

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.

DAHLIA LITHWICK, a senior editor and legal correspondent for *Slate*, writes the column “Supreme Court Dispatches” and has covered the Microsoft trial and other legal issues.

Before joining *Slate*, she worked for a family law firm in Reno, Nev., and clerked for Procter Hug, chief justice of the ninth Circuit Court of Appeals in 1996. Her work has appeared in the *New Republic*, *Commentary*, *The New York Times*, *The Washington Post*, *Elle* and on CNN.com. She is a weekly legal commentator for the NPR show, *Day to Day*.

She is co-author of “Me v. Everybody: Absurd Contracts for an Absurd World” (Workman Publishing, 2003), a legal humor book, and “I Will Sing Life: Voices from the Hole in the Wall Gang Camp” (Little, Brown & Co., 1992), a book about seven children from Paul Newman’s camp who have life-threatening illnesses.

Ms. Lithwick was awarded the Online News Association’s award for online commentary in 2001. She received a B.A degree in English from Yale University in 1990 and a J.D degree from Stanford Law School in 1996.

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.

ERIN E. MURPHY is a partner at Bancroft PLLC. Her practice focuses on Supreme Court, appellate, and constitutional litigation. Ms. Murphy has worked on numerous significant matters in the Supreme Court and successfully argued *McCutcheon v. FEC*, in which the Court held the federal aggregate limits on campaign contributions unconstitutional. Ms. Murphy also has argued before the U.S. Courts of Appeals on important constitutional questions, including the scope of the recess appointment power and the application of the Ex Post Facto Clause to the Sentencing Guidelines. Ms. Murphy has briefed several high-profile Supreme Court cases, such as the landmark challenge to the Affordable Care Act, *Bond v. United States*, and *American Broadcasting Companies v. Aereo*. She also has worked on a wide range of civil and criminal issues in the Courts of Appeals, including First Amendment, Second Amendment, Fifth Amendment, Seventh Amendment, Due Process Clause, SEC, FERC, copyright, tax, and complex administrative law issues.

Before joining Bancroft, Ms. Murphy served as a law clerk to Chief Justice John G. Roberts, Jr., in the Supreme Court of the United States and Judge Diane S. Sykes of the U.S. Court of Appeals for the Seventh Circuit. Between clerkships, she served as a Bristow Fellow in the Office of the Solicitor General, and afterward, she worked in the national appellate practice of King & Spalding. Ms. Murphy is a member of the Edward Coke Appellate Inn of Court and a frequent speaker on topics relating to the Supreme Court and appellate advocacy. She has been profiled by the *Legal Times* for her work on the Affordable Care Act, and her role in *McCutcheon* has been featured in multiple news and other publications.

Ms. Murphy graduated *magna cum laude* from Georgetown University Law Center, where she served as Managing Editor of the *Georgetown Law Journal's Annual Review of Criminal Procedure*. She earned her undergraduate degree from Northwestern University's Medill School of Journalism and is a native of Naperville, Illinois.

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.

MICHAEL SCODRO is a partner in the Appellate and Supreme Court Practice of Jenner & Block LLP in Chicago. He recently completed more than six years of service as the Illinois Solicitor General, in which capacity he oversaw the civil and criminal appeals divisions of the Attorney General’s Office and argued on behalf of the State in the U.S. Supreme Court, Illinois Supreme Court, U.S. Court of Appeals for the Seventh Circuit, and Illinois Appellate Court. Michael teaches a seminar on the U.S. Supreme Court as a Lecturer in Law at the University of Chicago Law Schools, serves as the Vice President of the Appellate Lawyers Association, was elected to membership in the American Law Institute, and is a member of the ABA’s Council of Appellate Lawyers, where he chairs the Government Appellate Lawyers Committee, and the Seventh Circuit Bar Association, where he chairs the Committee on Administration of Justice. After graduating from Yale Law School, Michael served as a law clerk to the Honorable José A. Cabranes of the U.S. Court of Appeals for the Second Circuit and the Honorable Sandra Day O’Connor of the U.S. Supreme Court. Following several years in the appellate group at Mayer Brown LLP, he became an Associate Professor of Law at Chicago-Kent College of Law. In 2007, the Illinois Attorney General named him Solicitor General, and he joined Jenner & Block as a partner in 2014.

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.

JEFFREY S. SUTTON sits on the United States Court of Appeals for the Sixth Circuit. Judge Sutton was a partner with the law firm of Jones Day Reavis & Pogue in Columbus, Ohio, and served as State Solicitor of the State of Ohio. He also served as a law clerk to the Honorable Lewis F. Powell, Jr. (Ret.), the Honorable Antonin Scalia and the Honorable Thomas J. Meskill.

RICHARD WOLF has been a USA TODAY reporter and editor for more than 25 years and is working on his third branch of government. He has covered the Supreme Court since 2012; his indoctrination was the Affordable Care Act oral arguments. He covered the White House during the Bush and Obama administrations and spent a decade reporting on Congress. In between, he spent five years on the dark side as a congressional and political editor before seeing the light and returning to reporting. He began his reporting career in New York before moving to Washington in 1986.

TIMOTHY ZICK is Mills E. Godwin, Jr. Professor of Law 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, 2009). His most recent book, *The Cosmopolitan First Amendment: Protecting Transborder Expressive and Religious Liberties*, (Cambridge University Press 2013), examines the First Amendment's relationship with international borders.