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# Biographies of 2020 Supreme Court Preview Panelists

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## WILLIAM & MARY LAW SCHOOL

### **ROBERT BARNES - Washington Post**

Robert Barnes has spent most of his career at The Washington Post, as a reporter and editor. He joined the paper to cover politics in 1987, and has covered campaigns at the presidential, congressional and gubernatorial level. He served in various editing positions, including metropolitan editor, deputy national editor in charge of domestic issues and the Supreme Court, and national political editor.

He returned to reporting to cover the Supreme Court in November 2006, and has done so since then, with a brief break to cover the conclusion of the 2008 presidential campaign. He covered the Supreme Court nominations of Sonia Sotomayor, Elena Kagan, Neil Gorsuch and Brett Kavanaugh.

He is a native Floridian, and previously worked at the Associated Press and St. Petersburg (now, Tampa Bay) Times. He gave up law school plans for a life in newspapers after taking a journalism class at the University of Florida.

### **AMY BARRETT - U.S. Court of Appeals, Seven Circuit**

The Honorable Amy Coney Barrett was appointed to the U.S. Court of Appeals for the Seventh Circuit in November 2017. Before joining the bench, she served on the faculty of the Notre Dame Law School, where she continues to teach.

Judge Barrett earned her J.D., summa cum laude, from Notre Dame, where she was a Kiley Fellow, earned the Hoynes Prize, the Law School's highest honor, and served as executive editor of the Notre Dame Law Review. She 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. As an associate at Miller, Cassidy, Larroca & Lewin in Washington, D.C., she litigated constitutional, criminal, and commercial cases in both trial and appellate courts.

From 2010-2016, she served by appointment of the Chief Justice on the Advisory Committee for the Federal Rules of Appellate Procedure. Judge Barrett has published widely in the areas of federal courts, constitutional law, and statutory interpretation. Her scholarship in these fields has been published in leading journals, including the Columbia, Virginia, and Texas Law Reviews.

### **STEPHANOS BIBAS - U.S. Court of Appeals, Third Circuit**

Stephanos Bibas is a judge on the U.S. Court of Appeals for the Third Circuit. Judge Bibas was previously a professor of law and criminology at the University of Pennsylvania Law School. As director of the Penn Law Supreme Court Clinic, he argued six cases before the Supreme Court of the United States and filed briefs in dozens of others. He graduated summa cum laude and Phi Beta Kappa from Columbia University in 1989 with a B.A. in political theory and from Oxford University in 1991 with a B.A. in jurisprudence. He then earned his J.D. from Yale Law School in 1994.

After graduating from Yale Law, Judge Bibas clerked for Judge Patrick Higginbotham of the U.S. Court of Appeals for the Fifth Circuit and Justice Anthony Kennedy on the Supreme Court and was a litigation associate at Covington & Burling LLP in Washington, D.C. Thereafter, Judge Bibas served as an Assistant U.S. Attorney in the Southern District of New York, where he successfully prosecuted the world's leading expert in Tiffany stained glass for hiring a grave robber to steal priceless Tiffany windows from cemeteries. Before his tenure at Penn Law, Judge Bibas taught at the University of Chicago Law School and the University of Iowa College of Law and was a research fellow at Yale Law School. He has published two books and more than sixty scholarly articles.

### **JOAN BISKUPIC - CNN**

Joan Biskupic is a full-time CNN legal analyst and author of a 2019 biography of Chief Justice John Roberts. Before joining CNN in 2017, Biskupic was an editor-in-charge for Legal Affairs at Reuters and, previously, the Supreme Court correspondent for the Washington Post and for USA Today. She was a finalist for the Pulitzer Prize in explanatory journalism in 2015.

In addition to her latest biography, "The Chief: The Life and Turbulent Times of Chief Justice John Roberts," Biskupic is the author of books on Sandra Day O'Connor, Antonin Scalia, and Sonia Sotomayor. Before joining CNN, she spent a year as a visiting professor at the University of California, Irvine, law school. A native of Chicago, Biskupic holds a law degree from Georgetown University and lives in Washington, D.C.

### **JESS BRAVIN - Wall Street Journal**

Jess Bravin covers the U.S. Supreme Court for The Wall Street Journal, following earlier postings as United Nations correspondent and editor of the WSJ/California weekly. His books include "The Terror Courts," an account of military trials at Guantanamo Bay, and "Squeaky: The Life and Times of Lynette Alice Fromme," along with contributions to "Violence in America: An Encyclopedia," "Crimes of War 2.0" and "A Concise Introduction to Logic" (2nd ed.). Mr. Bravin is a regent emeritus of the University of California, delivered the John Field Simms Sr. Memorial Lecture in Law at the University of New Mexico School of Law and has taught at the University of California Washington Center. He served on the city Police Review Commission in Berkeley, Calif., and the UC Berkeley Police Review Board, and presently is a member of the Takoma Park, Md., Ethics

Commission. He attended Harvard College and holds a law degree from UC Berkeley.

**BETH BRINKMANN - Covington & Burling**

Beth Brinkmann is a veteran appellate litigator with extensive experience in handling complex client matters. Ms. Brinkmann joined Covington & Burling as co-chair of the Appellate and Supreme Court Litigation Group after serving as Deputy Assistant Attorney General in the U.S. Department of Justice, Civil Division, where she oversaw the Division's nationwide appellate litigation. She also has practiced for more than two decades before the Supreme Court of the United States, including as Assistant to the Solicitor General and in private practice. She argued her 25th case before the Supreme Court in 2019, and regularly argues in appellate courts across the country.

As the Civil Division's top appellate lawyer, Ms. Brinkmann represented federal agencies and Executive Branch officials in high-profile cases across a range of subject areas, including constitutional law, regulatory challenges, intellectual property matters, FOIA, federal preemption, and national security cases. She coordinated with government trial teams on analysis of potential legal arguments at early phases of litigation, and collaborated across offices on development of appellate and Supreme Court strategy. Ms. Brinkmann also presented congressional testimony and advised senior leadership of cabinet-level departments and regulatory agencies regarding litigation risk, legislative proposals, and rule-making matters.

Previously, Ms. Brinkmann served as Assistant to the Solicitor General, briefing and arguing Supreme Court cases on behalf of the federal government. She served as Assistant Federal Public Defender, representing indigent criminal defendants, including approximately a dozen felony jury trials. Following law school, she served as a law clerk to Hon. Phyllis A. Kravitch, U.S. Court of Appeals for the Eleventh Circuit, and to Hon. Harry A. Blackmun, Supreme Court of the United States. Ms. Brinkmann graduated from the University of California, Berkeley, A.B. She received her J.D. from Yale Law School.

**AARON-ANDREW BRUHL - William & Mary Law School**

Aaron-Andrew Bruhl is the Associate Dean for Research and Faculty Development and a Rita Anne Rollins Professor of Law at William & Mary Law School. Professor Bruhl teaches and writes on statutory interpretation, federal courts, and the legislative process. His scholarly publications have appeared in many of the nation's leading law journals. He was elected to the American Law Institute in 2014. He has offered expert commentary for television, radio, magazines, and national wire services.

Professor Bruhl received his J.D. degree from Yale Law School. While at Yale, he served as Book Reviews Editor for the Yale Law Journal and also worked on the Yale Law & Policy Review and the Yale Journal of Law & the Humanities. Professor Bruhl holds a master's degree in political theory from the University of Cambridge.

After law school, Professor Bruhl clerked for Chief Judge Carolyn Dineen King on the United States Court of Appeals for the Fifth Circuit. He then worked as a litigation associate in the Washington DC office of Jenner & Block LLP. His work focused on federal appellate litigation and included cases involving election law, the First Amendment, federal Indian law, and copyright infringement over online peer-to-peer file-sharing services.

Before joining the William & Mary faculty in 2015, Professor Bruhl taught at the University of Houston Law Center and served as a visiting professor at the University of Texas School of Law. He is a recipient of the Plumeri Award for Faculty Excellence for 2017 and the Walter Williams Teaching Award for 2020.

#### **ERWIN CHEMERINSKY - UC Berkeley School of Law**

Erwin Chemerinsky became the 13th Dean of Berkeley Law on July 1, 2017, when he joined the faculty as the Jesse H. Choper Distinguished Professor of Law. Prior to assuming this position, from 2008-2017, he was 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. Before that he was the Alston and Bird Professor of Law and Political Science at Duke University from 2004-2008, and from 1983-2004 was a professor at the University of Southern California Law School, including as the Sydney M. Irmas Professor of Public Interest Law, Legal Ethics, and Political Science.

He is the author of twelve books, including leading casebooks and treatises about constitutional law, criminal procedure, and federal jurisdiction. His most recent books are *The Religion Clauses: The Case for Separating Church and State* (with Howard Gillman) (Oxford University Press 2020), and *We the People: A Progressive Reading of the Constitution for the Twenty-First Century* (Picador Macmillan 2018).

He also is the author of more than 250 law review articles. He is a contributing writer for the Opinion section of the Los Angeles Times, and writes regular columns for the Sacramento Bee, the ABA Journal and the Daily Journal, and frequent op-eds in newspapers across the country. He frequently argues appellate cases, including in the United States Supreme Court.

#### **PAUL D. CLEMENT - Kirkland & Ellis**

Mr. Clement is a partner at Kirkland & Ellis. 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 100 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*, *ABC v. Aereo*, *Hobby Lobby v. Burwell*, and *Jesner v. Arab Bank*. He has also argued many important cases in the lower courts, including *Walker v. Cheney*, *United States v. Moussaoui*, and *NFL v. Brady*.

Mr. Clement 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. He also serves as a Senior Fellow of the Law Center's Supreme Court Institute.

#### **DAVID COLE - American Civil Liberties Union**

David Cole is the National Legal Director of the ACLU, and the Hon. George J. Mitchell Professor in Law and Public Policy at Georgetown University Law Center. He writes regularly for the New York Review of Books and is legal affairs correspondent for The Nation. He has published many books, including *No Equal Justice: Race and Class in the American Criminal Justice System*, and *Engines of Liberty: How Citizen Movements Succeed*.

Cole has litigated many constitutional cases in the Supreme Court, including *Texas v. Johnson* and *United States v. Eichman*, which extended First Amendment protection to flag burning; *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, in which the ACLU represented a gay couple refused service by a bakery because they sought a cake to celebrate their wedding; and *Bostock v. Clayton County*, which established that Title VII bans discrimination on the basis of transgender status and sexual orientation.

The late New York Times columnist Anthony Lewis called Cole "one of the country's great legal voices for civil liberties today," and the late Nat Hentoff called him "a one-man Committee of Correspondence in the tradition of patriot Sam Adams." Cole has received two honorary degrees and many awards for his civil liberties and human rights work, including the inaugural Norman Dorsen Presidential Prize from the ACLU, awarded to an academic for lifetime commitment to civil liberties.

#### **KATHERINE MIMS CROCKER - William & Mary Law School**

Professor Crocker joined the faculty of William & Mary Law School in 2019. Her scholarship concentrates on federal courts and structural constitutional law. She has published articles in the Michigan Law Review and the Georgia Law Review, essays in the Notre Dame Law Review and the Michigan Law Review Online, and a student note in the

Virginia Law Review. Professor Crocker's work has been cited in an opinion from the Supreme Court of the United States dissenting from the denial of certiorari, as well as in majority opinions from other courts.

At William & Mary, she teaches Federal Courts, State and Local Government Law, and Property Law, and at Duke University School of Law, she co-taught a course on judicial decisionmaking. Before coming to William & Mary, Professor Crocker was an Olin-Smith Fellow and Postdoctoral Associate at Duke. She also practiced law at McGuireWoods LLP in Richmond, Virginia. She clerked for Justice Antonin Scalia of the Supreme Court of the United States and for Judge J. Harvie Wilkinson III of the U.S. Court of Appeals for the Fourth Circuit.

**WALTER DELLINGER - O'Melveny & Myers LLP**

**NEAL DEVINS - William & Mary Law School**

Professor Devins is the Sandra Day O'Connor Professor of Law and Cabell Research Professor at William & Mary Law School. Serving on the faculty since 1987, Professor Devins was Director of the Institute of Bill of Rights from 2005-2020. He previously served as Assistant General Counsel for the U.S. Commission on Civil Rights and Project Director for the Vanderbilt Institute for Public Policy Studies.

Professor Devins is the author of *Shaping Constitutional Values: The Supreme Court, Elected Government, and the Abortion Dispute* (John Hopkins University Press, 1996) and the co-author of *The Company They Keep: How Partisan Divisions Came to the Supreme Court* (Oxford University Press, 2019), *The Democratic Constitution* (Oxford University Press, 2004), and *Political Dynamics of Constitutional Law* (West Pub. Co., 1992). He has written many articles in the *Chicago*, *Columbia*, *Stanford*, *Michigan*, *Pennsylvania*, *Virginia*, *California*, and *Yale* law reviews. He was also editor of the *Constitutional Conflicts Series* published by Duke University Press, and a contributor to many more books.

Professor Devins is also a consultant to the ABA Central and Eastern European Law Initiative, a reporter for the Congressional Process Committee of the ABA, and serves on the Board of Directors of AVALON (battered women's shelter). Professor Devins earned his B.A. from Georgetown University and his J.D. from Vanderbilt University.

**JEFFREY FISHER - Stanford Law School**

Jeffrey Fisher is a professor of law at Stanford Law School and co-director of the Stanford Supreme Court Litigation Clinic. He has argued 40 cases in the Supreme Court, on issues ranging from criminal procedure to maritime law to civil and human rights. He also has published academic articles on various constitutional issues and is a frequent commentator on the Court.

Professor Fisher's successes include the landmark cases of *Crawford v. Washington* and *Melendez-Diaz v. Massachusetts*, in which he persuaded the Court to adopt a new approach to the Constitution's Confrontation Clause; *Riley v. California*, in which the Court for the first time applied the Fourth Amendment's protections against unreasonable searches to digital information on smart phones; *Blakely v. Washington*, in which the Court held that the Sixth Amendment right to a jury trial applies to sentencing guidelines; and *Kennedy v. Louisiana*, in which the Court held that the Eighth Amendment prohibits states from imposing capital punishment for crimes against individuals that do not result in death. Professor Fisher was also co-counsel for the plaintiffs in *Obergefell v. Hodges*, in which the Court held that the Fourteenth Amendment guarantees same-sex couples a right to marry.

In addition to his work at Stanford, Professor Fisher also is special counsel at O'Melveny & Myers. He clerked for U.S. Supreme Court Justice John Paul Stevens and Judge Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit. Mr. Fisher earned his B.A. from Duke University and his J.D. from the University of Michigan Law School.

**GREGORY G. GARRE - Latham & Watkins, LLP**

Gregory Garre is a partner in the Washington, D.C. office of Latham & Watkins and Global Chair of the firm's Supreme Court & Appellate Practice. Mr. Garre handles a broad array of complex litigation matters at all levels of the federal and state court systems and counsels clients on constitutional, statutory, regulatory, and other legal matters.

Mr. Garre served as 44th Solicitor General of the United States from 2008-2009, after being unanimously confirmed to the position by the U.S. Senate. He also served as Principal Deputy Solicitor General from 2005-2008 and as an Assistant to the Solicitor General from 2000-2004. He is the only person to have held all these positions within the Office of the Solicitor General.

Mr. Garre has argued forty-four cases before the Supreme Court as well as briefing and serving as counsel of record for hundreds of additional cases before the Court at both the merits and certiorari stage. He successfully argued some of the highest profile cases before the Supreme Court including *Fisher v. University of Texas*, *Florida v. Georgia*, *Ashcroft v. Iqbal*, *Christian Legal Society v. Martinez*, *FCC v. Fox Television Stations, Inc.*, and *Winter v. Natural Resources Defense Council, Inc.*

In 2011, the Chief Justice of the United States appointed Mr. Garre to the Standing Committee on the Rules of Practice and Procedure of the Judicial Conference of the United States, the highest rule-making body in the US Judicial System, where he served until 2017. In that capacity, Mr. Garre also served as a liaison member of the Advisory Committee on Appellate Rules. In 2018, Mr. Garre was appointed to the Board of Directors of the US Chamber Litigation Center, the litigating arm of the US Chamber of Commerce. Mr. Garre has taught constitutional law and Supreme Court practice at the George Washington



University Law School, where he delivered the commencement address for the law school in its 150th anniversary year. He has testified before Congress on several occasions and speaks and publishes frequently on issues related to the Supreme Court and appellate practice.

Mr. Garre earned his B.A. from Dartmouth College, and his J.D. from George Washington University School of Law. Following his graduation from law school, Mr. Garre 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.

#### **ADAM GERSHOWITZ - William & Mary Law School**

Adam Gershowitz is the R. Hugh and Nolie Haynes Professor of Law at William & Mary Law School. He served as the Associate Dean for Research and Faculty Development from 2015 to 2019. Prior to joining William & Mary, Professor Gershowitz taught at the University of Houston Law Center and South Texas College of Law.

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.

Professor Gershowitz has won eight 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 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.

#### **BENJAMIN L. GINSBERG - Jones Day**

Ben Ginsberg is a nationally known political law advocate with 30 years experience representing participants in the political process. His clients include political parties, political campaigns, candidates, members of Congress and state legislatures, governors,

corporations, trade associations, political action committees (PACs), vendors, donors, and individuals.

He represents clients on a variety of election law and regulatory issues, including those involving federal and state campaign finance laws, ethics and gifts rules, pay-to-play laws, election administration, government investigations, redistricting, communications law, and election recounts and contests.

Mr. Ginsberg joined Jones Day in 2014. He has served as national counsel to the Bush-Cheney presidential campaigns in the 2004 and 2000 election cycles and played a central role in the 2000 Florida recount. In 2012 and 2008, he served as national counsel to the Romney for President campaign. He also has represented the campaigns and leadership PACs of numerous members of the Senate and House as well as the national party committees.

Before entering law school, Mr. Ginsberg spent five years as a newspaper reporter at The Boston Globe, Philadelphia Evening Bulletin, The Berkshire Eagle (Massachusetts), and The Riverside Press-Enterprise (California). He has been a guest lecturer at the Stanford University Law School, a Fellow at Harvard University's Institute of Politics, and an adjunct professor of law at Georgetown University Law Center. Ben recently served as co-chair of the Presidential Commission on Election Administration. He appears frequently on television as an on-air commentator about politics and the law.

#### **REBECCA GREEN - William & Mary Law School**

Professor Green is Professor of the Practice of Law and Co-Director of the Election Law Program, a joint project of William & Mary Law School and the National Center for State Courts. Professor Green's research interests focus on the intersection of privacy law and elections, most recently on the topics of candidate privacy and redistricting transparency. She has also explored the use of alternative dispute resolution in election processes. Professor Green co-founded Revive My Vote, a project to help Virginians with felony conviction histories regain the right to vote and is faculty advisor to a new group called the Alliance of Students at the Polls, a national network of law students working to recruit student poll workers for the November 2020 election. Professor Green earned a B.A. from Connecticut College, a master's degree in Chinese legal history from Harvard University, and her J.D. at Harvard Law School.

#### **LINDA GREENHOUSE - Yale Law School**

Linda Greenhouse is a senior research scholar at Yale Law School, where she has taught since 2009. She covered the Supreme Court for The New York Times between 1978 and 2008 and writes a biweekly op-ed column on law as a contributing columnist. Ms. Greenhouse received several major journalism awards during her 40-year career at the Times, including the Pulitzer Prize (1998) and the Goldsmith Career Award for Excellence

in Journalism from Harvard University's Kennedy School (2004). In 2002, the American Political Science Association gave her its Carey McWilliams Award for "a major journalistic contribution to our understanding of politics."

Her books include a biography of Justice Harry A. Blackmun, *Becoming Justice Blackmun: Before Roe v. Wade: Voices That Shaped the Abortion Debate Before the Supreme Court's Ruling* (with Reva B. Siegel); *The U.S. Supreme Court, A Very Short Introduction* (an updated second edition published this year in 2020), by Oxford University Press in 2012; and *The Burger Court and the Rise of the Judicial Right*, with Michael J. Graetz, published in 2016. Her latest book is *Just a Journalist: Reflections on the Press, Life, and the Spaces Between*, published by Harvard University Press in 2017.

In her extracurricular life, Ms. Greenhouse is president of the American Philosophical Society, the country's oldest learned society, which in 2005 awarded her its Henry Allen Moe Prize for writing in jurisprudence and the humanities. She also serves on the council of the American Academy of Arts and Sciences, the national Senate of Phi Beta Kappa, and is one of two non-lawyer honorary members elected to the American Law Institute, which in 2002 awarded her its Henry J. Friendly Medal. She has been awarded thirteen honorary degrees. Ms. Greenhouse earned a B.A. from Harvard University and a Master of Studies in Law from Yale Law School.

#### **PAMELA HARRIS - U.S. Court of Appeals, Fourth Circuit**

Pamela Harris is a judge on the United States Court of Appeals for the Fourth Circuit, appointed in 2014 by President Obama. Previously, Harris worked in private practice as a Supreme Court and appellate litigator with the firm of O'Melveny & Myers. She served twice in the U.S. Department of Justice, as principal deputy assistant attorney general for the Office of Legal Policy from 2010 to 2012, and as an attorney-advisor at the Office of Legal Counsel from 1993 to 1996.

Judge Harris also taught constitutional law and criminal procedure at the University of Pennsylvania Law School and the Georgetown Law Center, served as executive director of Georgetown Law Center's Supreme Court Institute, and was a co-director of Harvard Law School's Supreme Court and Appellate Advocacy Clinic. She teaches the short course *Current Issues in the Supreme Court* at the University of Virginia Law School. A graduate of Yale College and Yale Law School, she served as a law clerk to Justice John Paul Stevens of the United States Supreme Court and Judge Harry T. Edwards of the D.C. Circuit Court of Appeals.

#### **LAURA HEYMANN - William & Mary Law School**

Professor Heymann is the Chancellor Professor of Law at William & Mary Law School. Prior to joining the faculty in 2005, Professor Heymann was the inaugural Frank H. Marks Visiting Associate Professor of Law and Administrative Fellow in the Intellectual Property

Law Program at The George Washington University Law School. She has also served as an assistant general counsel at America Online, Inc. and as an associate at Wilmer, Cutler and Pickering in Washington, D.C.

Professor Heymann was selected by the 2008 graduating class as the recipient of the Walter L. Williams, Jr., Memorial Teaching Award and was the 2012 recipient of the College's Thomas Jefferson Teaching Award. She received a Plumeri Award for Faculty Excellence in 2012 and was the Class of 2014 Professor of Law from 2011 to 2014. She served as Vice Dean of the Law School from 2013 to 2017. She has published numerous scholarly articles in the areas of copyright law, trademark law, and naming.

Professor Heymann received her B.A. in English, *magna cum laude*, from Yale. She is a graduate of the University of California at Berkeley School of Law, where she was elected to Order of the Coif and served as the Book Review Editor on the *California Law Review*. After law school, she was a law clerk to the Hon. Patricia M. Wald of the U.S. Court of Appeals for the District of Columbia Circuit.

#### **PAMELA KARLAN - Stanford Law School**

Professor Karlan is co-director of the Stanford Law School's Supreme Court Litigation Clinic. 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, an assistant counsel and cooperating attorney for the NAACP Legal Defense Fund, and a Deputy Assistant Attorney General in the Civil Rights Division of the U.S. Department of Justice (where she received the Attorney General's Award for Exceptional Service – the department's highest award for employee performance – as part of the team responsible for implementing the Supreme Court's decision in *United States v. Windsor*). 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.

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

#### **ALLISON ORR LARSEN - William & Mary Law School**

Alli Larsen is Professor of Law and Director of the William & Mary Law School's Institute of Bill of Rights Law. Since joining the William & Mary law faculty in 2010, she has received many awards honoring her teaching and scholarship including: the university's Alumni Fellowship Award, the Walter L. Williams Jr. Memorial Teaching Award, two

university-wide Plumeri Awards, the inaugural McGlothlin Teaching Award and the state-wide Outstanding Faculty Award in the “Rising Star” category (the latter is Virginia’s highest faculty honor, awarded by the State Council of Higher Education for Virginia).

Professor Larsen is a scholar of constitutional law and legal institutions, with a focus on how information dynamics affect both. Her work on fact-finding at the Supreme Court has been featured multiple times in the New York Times, the Washington Post, and the Wall Street Journal. She has published in the nation’s top law reviews and has been cited by the U.S. Court of Appeals for the Ninth Circuit and for the Seventh Circuit. Larsen also appeared with Stephen Colbert as a guest on The Colbert Report (Comedy Central) to discuss her scholarship on Supreme Court amicus briefs.

Professor Larsen received her B.A. from William & Mary in 1999 and her law degree in 2004 from the University of Virginia where she graduated first in her class. After law school, Professor 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 & Mary faculty, Professor Larsen was an associate in the appellate practice group at O’Melveny and Myers in Washington DC.

Professor Larsen spent the fall of 2016 as a visiting scholar at Oxford University, and the fall of 2018 as the Daniel P.S. Paul Visiting Professor of Constitutional Law at Harvard Law School.

#### **ADAM LIPTAK - New York Times**

Mr. Liptak covers the Supreme Court for The New York Times. Liptak’s column on legal affairs, “Sidebar,” appears every other Tuesday. 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 has taught courses at Chicago, Columbia, U.S.C., U.C.L.A. and Yale.

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 is a member of the American Academy of Arts and Sciences.

#### **ERIN E. MURPHY - Kirkland & Ellis**

Erin Murphy is a partner in the Washington, D.C., office of Kirkland & Ellis LLP. Her practice focuses on Supreme Court, appellate, and constitutional litigation. She has argued four cases before the Supreme Court, including successfully arguing *McCutcheon v. FEC*;

successfully arguing on behalf of the U.S. House of Representatives in *Texas v. United States*; and successfully arguing on behalf of the Wisconsin State Legislature in *Gill v. Whitford*.

Ms. Murphy's work before the Supreme Court has included briefing such high-profile and high-impact cases as *Maine Community Health Options v. United States*, *American Broadcasting Companies v. Aereo*, *Bond v. United States*, and *NFIB v. Sebelius*. She also has a robust practice before the U.S. Courts of Appeals, where she has argued before most of the circuits on several important statutory and constitutional questions, including the scope of the First and Second Amendments, the Takings Clause, the Federal Power Act, and the National Labor Relations Act. Her extensive appellate experience spans a wide range of topics and has included several cases dealing with energy law, labor law, bankruptcy law, the Affordable Care Act, and property rights to submerged lands.

Ms. Murphy is an adjunct professor at Georgetown University Law Center, has served as the co-chair of programming for the Edward Coke Appellate Inn of Court, and frequently speaks on topics relating to the Supreme Court and appellate advocacy. She has appeared on national television to discuss the Supreme Court and has been featured in several publications. Ms. Murphy earned a B.S. from Northwestern University Medill School of Journalism and graduated magna cum laude from Georgetown University Law Center with her J.D. She clerked for Honorable Diane S. Sykes of the U.S. Court of Appeals, Seventh Circuit, and for Chief Justice John G. Roberts, Jr.

#### **KEVIN NEWSOM - U.S. Court of Appeals, Eleventh Circuit**

Judge Newsom is a member of the United States Court of Appeals for the Eleventh Circuit. He sits in Birmingham, Alabama. Before his appointment to the bench, Judge Newsom was the head of the appellate practice group at Bradley Arant Boult Cummings LLP and, before that, the Solicitor General of Alabama. As a practicing lawyer, Judge Newsom argued four cases in the Supreme Court of the United States, and nearly 40 more in the United States Courts of Appeals and state supreme and appellate courts.

Judge Newsom graduated summa cum laude from Samford University and magna cum laude from Harvard Law School, where he was an articles editor on the *Harvard Law Review*. Following law school, Judge Newsom clerked for Judge Diarmuid F. O'Scannlain of the United States Court of Appeals for the Ninth Circuit and Justice David H. Souter of the Supreme Court of the United States.

#### **ANDREW PINCUS - Mayer Brown**

Andrew 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; developing legal strategy for trial courts; and presenting policy and legal arguments to Congress, state

legislatures, and regulatory agencies. Mr. Pincus has argued 30 cases in the Supreme Court. Law360 ranked his victory in *AT&T Mobility v. Concepcion* (2011), as the most important Supreme Court class action decision of the last 15 years.

A former Assistant to the Solicitor General in the United States Department of Justice (1984-1988), Mr. Pincus 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. His practice also includes detailed written and oral advocacy before Congress, other legislative bodies, and regulatory agencies regarding a variety of policy and legal issues. He frequently testifies before Congress on a variety of subjects, including patent reform, the Consumer Financial Protection Bureau, reform of the federal litigation system, and the Supreme Court's decisions in cases involving business law issues. Mr. Pincus successfully represented clients in connection with passage of the Private Securities Litigation Reform Act. Reporters often turn to Mr. Pincus for commentary on Supreme Court cases. He also frequently speaks and writes on legal issues for academic, professional, and general audiences.

While serving as General Counsel of the United States Department of Commerce (1997-2000), Mr. Pincus had principal responsibility for the Digital Millennium Copyright Act and the Electronic Signatures in Global and National Commerce Act. He also participated in formulation of policy concerning intellectual property protection, privacy, domain name management, taxation of electronic commerce, export controls, international trade, and consumer protection. Before rejoining Mayer Brown, Mr. Pincus served as General Counsel of Andersen Worldwide S.C. Following law school graduation, Andy was Law Clerk to the Honorable Harold H. Greene, United States District Court for the District of Columbia (1981-1982), after which he practiced with another major law firm in Washington.

#### **PRATIK A. SHAH - Akin Gump**

Mr. Shah is co-head of Akin Gump's Supreme Court and Appellate practice. He has argued 15 cases before the United States Supreme Court and dozens more in federal and state appellate courts across the country. Named a "litigation trailblazer" (National Law Journal), Mr. Shah has been recognized for "practicing before the highest court in the land on some of the most groundbreaking cases of the 21st century" (Washington Business Journal) and described as "the complete package: an extremely gifted writer and an extremely effective oral advocate" (Chambers USA).

Before joining Akin Gump, Mr. Shah served for more than five years as an Assistant to the Solicitor General at the Department of Justice. He received a number of awards for his advocacy before the Supreme Court during that time, including the Attorney General's Distinguished Service Award for his role as lead drafter of the successful challenge to the Defense of Marriage Act in *United States v. Windsor*.

Prior to his work in the Solicitor General's office, Mr. Shah worked in the appellate practice of another international law firm, taught constitutional law, and clerked for Justice Stephen G. Breyer on the U.S. Supreme Court and Judge William A. Fletcher on the U.S. Court of Appeals for the 9th Circuit. He graduated summa cum laude with a B.S.E. from Princeton University and with a J.D. from the University of California, Berkeley, School of Law.

**KANNON SHANMUGAM - Paul | Weiss**

Mr. Shanmugam is chair of the Supreme Court and Appellate Practice group and managing partner of the Washington office for Paul | Weiss. He is widely recognized as one of the nation's top appellate litigators. He has argued 28 cases before the Supreme Court, including five cases in the last two years. Most recently, he was lead counsel in the successful constitutional challenge to the structure of the Consumer Financial Protection Bureau, described by the Wall Street Journal as the "constitutional case of the year." He has also argued dozens of appeals in courts across the country, including all 13 U.S. courts of appeals and numerous state courts.

Prior to private practice, Kannon served as an Assistant to the Solicitor General at the U.S. Department of Justice. He also served as a law clerk to Supreme Court Justice Antonin Scalia and to Judge J. Michael Luttig of the U.S. Court of Appeals for the Fourth Circuit. Mr. Shanmugam received his Bachelor of Arts and Juris Doctorate from Harvard University. He was also a Marshall Scholar at the University of Oxford.

One longtime Supreme Court reporter recently said that Kannon "has perhaps the most eloquent and elegant manner ... that I've ever seen in my 40 years covering the Court," adding that Kannon "projects calm, confidence, and authority from the moment he takes to the lectern." In ranking Kannon in Band 1 of appellate advocates nationwide, Chambers USA described him as "absolutely extraordinary" and praised him as "smooth, unflappable, effective, and elegant ... an incredible lawyer in all respects." Benchmark Litigation noted that Kannon is "one of the most respected and admired appellate practitioners" in the country, and Lawdragon praised him as "dazzlingly accomplished" and "inspiring and in demand."

**PAUL SMITH - Georgetown Law School and Campaign Legal Center**

Professor Smith has nearly four decades of experience litigating a wide range of cases. He has argued before the U.S. Supreme Court 21 times and secured numerous victories, including in important cases advancing civil liberties. Two examples are *Lawrence v. Texas*, the landmark gay rights case, and *Brown v. Entertainment Merchants Ass'n*, which established First Amendment rights of those who produce and sell video games.



In addition, Paul has argued a number of important voting rights cases at the Supreme Court, including *Gill v. Whitford* and *Vieth v. Jubelirer*, involving partisan gerrymandering, *LULAC v. Perry*, involving the legality of Texas's mid-decade redrawing of congressional districts, *Crawford v. Marion County Election Board*, involving the constitutionality of a voter identification law, and *Harris v. Arizona Independent Redistricting Commission*, involving a constitutional challenge to Arizona's legislative map.

Paul previously served as a partner in the law firm of Jenner & Block, where he was chair of the firm's Appellate and Supreme Court Practice and co-chair of the firm's Election Law and Redistricting Practice. He is now a Professor from Practice at Georgetown University Law Center and the VP for Litigation and Strategy at the Campaign Legal Center.

Paul graduated from Amherst College and Yale Law School, where he served as Editor-in-Chief of the Yale Law Journal. He clerked for Supreme Court Justice Lewis F. Powell Jr. In 2010, he was given the Thurgood Marshall Award by the ABA Section of Civil Rights and Social Justice for his work promoting civil rights and civil liberties.

**FRANITA TOLSON - University of Southern California, Gould School of Law**

Franita Tolson is Vice Dean for Faculty and Academic Affairs and Professor of Law at University of Southern California Gould School of Law. Her scholarship and teaching focus on the areas of election law, constitutional law, legal history and employment discrimination. She has written on a wide range of topics including partisan gerrymandering, the Elections Clause, the Voting Rights Act of 1965, and the Fourteenth and Fifteenth Amendments. Her research has appeared in leading law reviews, and she has written or appeared as a commentator for various mass media outlets including The New York Times, Reuters, and Bloomberg Law. Her forthcoming book, *In Congress We Trust?: Enforcing Voting Rights from the Founding to the Jim Crow Era*, will be published in 2021 by Cambridge University Press.

Prior to joining USC, Vice Dean Tolson was the Betty T. Ferguson Professor of Voting Rights at Florida State University College of Law and a visiting assistant professor at Northwestern University School of Law. Before entering academia, she clerked for the Honorable Ann Claire Williams of the United States Court of Appeals for the Seventh Circuit and the Honorable Ruben Castillo of the Northern District of Illinois. Vice Dean Tolson is a graduate of the University of Chicago Law School, where she will be a Visiting Professor of Law during the Spring 2021 quarter.

**ADAM UNIKOWSKY - Jenner & Block**

Adam G. Unikowsky is a partner in the Litigation Department and a member of the Appellate and Supreme Court, Communications, and Technology Litigation Practices at Jenner & Block. Since 2016, he has won eight Supreme Court cases as lead counsel, while losing none. He also handles high-stakes appellate and district court litigation in numerous areas of law, including patent law, telecommunications law, and securities law.

Mr. Unikowsky litigates cases in the United States Supreme Court, appellate courts, trial courts, and administrative agencies. At the U.S. Supreme Court, he has won eight cases as lead counsel. Among those cases were *Kokesh v. SEC*, a case limiting the SEC's power to obtain disgorgement, which led to Law360 recognizing him as a Securities Law "MVP of the Year." Mr. Unikowsky has also filed Supreme Court amicus briefs on a wide range of subjects, such as commercial speech, class arbitration and FOIA.

At the appellate level, Mr. Unikowsky litigates appeals in a wide range of areas, including securities law, patent law, telecommunications, and government contracts. At the trial level, Mr. Unikowsky regularly litigates patent cases involving a wide range of computer and electrical engineering technologies. He has litigated cases in several other substantive areas, including telecommunications, insurance, copyright, energy, and government contracts. He has also handled telecommunications disputes in federal and state administrative agencies.

#### **DONALD VERRILLI - Munger, Tolles, & Olson**

Donald B. Verrilli, Jr. is a partner with Munger, Tolles & Olson, and the founder of its Washington, D.C., office. In addition to handling matters before the U.S. Supreme Court and the courts of appeals, Mr. Verrilli's practice focuses on representing and counseling clients on multi-dimensional problems, where litigation, regulation and public policy intersect to shape markets and industries in our evolving economy.

Mr. Verrilli is one of the nation's premier Supreme Court and appellate advocates. He served as Solicitor General of the United States from June 2011 to June 2016. During that time he argued dozens of cases before the U.S. Supreme Court, was responsible for representing the United States government in all appellate matters before the High Court and in the courts of appeals, and was a legal advisor to President Barack Obama and the Attorney General.

Mr. Verrilli's landmark victories include his successful advocacy in defense of the Affordable Care Act in *National Federation of Independent Businesses v. Sebelius* and *King v. Burwell*; his successful advocacy for marriage equality in *Obergefell v. Hodges* and *United States v. Windsor*; and his vindication of federal immigration authority in *Arizona v. United States*. He also achieved important victories in two patent cases, *Alice Corp. v. CLS Bank* and *Association for Molecular Pathology v. Myriad Genetics*, in a case vindicating the president's foreign affairs authority in *Zivotofsky v. Kerry*, and in numerous cases involving civil rights, women's rights and other matters of national importance.

Before serving as Solicitor General, Mr. Verrilli served as Deputy White House Counsel, and previously as Associate Deputy Attorney General in the U.S. Department of Justice. In those positions, he counseled President Obama, Cabinet secretaries and other senior government officials on a wide range of legal issues involving national security, economic regulation, domestic policy and the scope of executive and administrative authority.

Before joining the government, Mr. Verrilli spent two decades in private practice representing companies in their most high stakes matters, particularly in the areas of media and entertainment, telecommunications and First Amendment law. During this time, Mr. Verrilli argued a dozen cases before the U.S. Supreme Court, including *MGM Studios, Inc. v. Grokster*, which established in 2005 that file sharing services were subject to the copyright laws, and *FCC v. NextWave*, which established that the bankruptcy laws allow FCC licensees to keep their licenses while reorganizing. He also achieved a landmark victory before the U.S. Supreme Court in *Wiggins v. Smith*, a case that established the standards for effective assistance of counsel in capital sentencing proceedings. While in practice previously, he taught First Amendment law for many years at the Georgetown University Law Center.

**STEPHEN VLADECK - University of Texas School of Law**

Professor Vladeck is the A. Dalton Cross Professor in Law at the University of Texas School of Law. He is a nationally recognized expert on the federal courts, constitutional law, national security law, and military justice. Professor Vladeck has argued multiple cases before the U.S. Supreme Court and the lower federal courts. He has served as an expert witness both in United States and foreign tribunals. He has been repeatedly recognized for his influential and widely-cited legal scholarship, his prolific popular writing, his teaching, and his service to the legal profession.

Professor Vladeck is co-host, together with Professor Bobby Chesney, of the popular and award-winning “National Security Law Podcast.” He is CNN’s Supreme Court analyst and a co-author of Aspen Publisher’s leading national security law and counterterrorism law casebooks. He is Executive Editor of the Just Security blog and a senior editor of the Lawfare blog.

Professor Vladeck earned a B.A. summa cum laude with Highest Distinction in History and Mathematics from Amherst College and his J.D. from Yale Law School. As a law student, he was the Executive Editor of the Yale Law Journal and the Student Director of the Balancing Civil Liberties & National Security Post-9/11 Litigation Project. Professor Vladeck clerked for the Honorable Marsha S. Berzon on the United States Court of Appeals for the Ninth Circuit and the Honorable Rosemary Barkett on the United States Court of Appeals for the Eleventh Circuit.

**JEFFREY WALL - Office of the Solicitor General of the United States**

Jeffrey B. Wall is the Principal Deputy Solicitor General and current Acting Solicitor General of the United States. He has argued 27 cases in the Supreme Court and numerous cases in the courts of appeals. Before joining the Department of Justice, he was the co-chair of the appellate litigation practice at Sullivan & Cromwell LLP. He is a former law clerk to Justice Clarence Thomas and Judge J. Harvie Wilkinson III. Jeff received a J.D. from the University of Chicago Law School and a B.A. from Georgetown University.

## **TIMOTHY ZICK - William & Mary Law School**

Timothy Zick is John Marshall Professor of Government and Citizenship at William & Mary. Prior to entering academia, Professor Zick was an associate with Williams and Connolly in Washington, D.C., and Foley Hoag in Boston. He also served as a Trial Attorney in the Federal Programs Branch of the United States Department of Justice and as law clerk to the Honorable Levin H. Campbell of the United States Court of Appeals for the First Circuit. Prior to joining the faculty at William & Mary, Professor Zick taught at St. John's University School of Law.

Professor Zick has written on a wide variety of constitutional issues, with a special focus on freedom of speech. He is the author of four books: *Speech Out Of Doors: Preserving First Amendment Liberties In Public Places* (Cambridge University Press 2009); *The Cosmopolitan First Amendment: Protecting Transborder Expressive and Religious Liberties* (Cambridge University Press 2013); *The Dynamic Free Speech Clause: Freedom of Speech And Its Relation to Other Constitutional Rights* (Oxford University Press, 2018); and *The First Amendment in the Trump Era* (Oxford University Press, 2019).

Professor Zick is a frequent commentator on First Amendment issues in local, national, and international media. He testified before a subcommittee of the U.S. Congress regarding the First Amendment rights of participants in the Occupy Wall Street protests.