

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR JUDICIAL NOMINEES**

**PUBLIC**

1. **Name**: State full name (include any former names used).

Alison Julie Nathan

2. **Position**: State the position for which you have been nominated.

United States District Judge for the Southern District of New York

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office of the Attorney General of the State of New York  
Solicitor General's Office  
120 Broadway, 25<sup>th</sup> Floor  
New York, New York 10271

4. **Birthplace**: State year and place of birth.

1972; Philadelphia, Pennsylvania

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

1997 – 2000, Cornell Law School; J.D. (*magna cum laude*), 2000

1996 – 1997, Cornell University, Falcon Intensive Japanese Language Program; no degree received

1990 – 1994, Cornell University; B.A., 1994

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2010 – present  
Office of the Attorney General of New York  
120 Broadway, 25<sup>th</sup> Floor  
New York, New York 10271  
Special Counsel to the Solicitor General

2009 – 2010  
White House Counsel's Office  
The White House  
Washington, D.C. 20502  
Special Assistant to the President and Associate White House Counsel

2008 – 2009  
New York University School of Law  
40 Washington Square South  
New York, New York 10012  
Fritz Alexander Fellow

2006 – 2008  
Fordham University School of Law  
140 West 62<sup>nd</sup> Street  
New York, New York 10023  
Visiting Assistant Professor of Law

2005 – 2006  
Wilmer Cutler Pickering Hale and Dorr LLP  
399 Park Avenue  
New York, New York 10022  
Associate

2002 – 2005  
Wilmer Cutler Pickering Hale and Dorr LLP  
1875 Pennsylvania Avenue, NW  
Washington, D.C. 20006  
Associate

August – November 2004 (on unpaid leave from WilmerHale)  
Kerry-Edwards 2004/Democratic National Committee  
901 15<sup>th</sup> Street, NW  
Suite 600  
Washington, D.C. 20005  
Volunteer Legal Advisor/Associate National Counsel (unpaid)

2001 – 2002

Associate Justice John Paul Stevens  
Supreme Court of the United States  
1 First Street, NE  
Washington, D.C. 20002  
Law Clerk

2000 – 2001

Judge Betty B. Fletcher  
United States Court of Appeals for the Ninth Circuit  
1010 Fifth Avenue  
Seattle, Washington 98104  
Law Clerk

Summer 2000

Bar/Bri Bar Preparation  
1500 Broadway  
New York, New York 10036  
Student Representative (part time, while residing in Ithaca, NY)

Summer 2000

Sandra Babcock, Esq.  
Northwestern Law  
375 East Chicago Avenue  
Chicago, Illinois 60611  
Research Assistant (part time, while residing in Ithaca, NY)

Spring 2000

Professor Robert Hillman  
Cornell Law School  
Myron Taylor Hall  
Ithaca, New York 14853  
Teaching Assistant (part-time)

Summer 1999

Crowell & Moring LLP  
1001 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Summer Associate

Summer 1999

National Women's Law Center  
11 Dupont Circle, NW #800  
Washington, D.C. 20036  
Summer Law Clerk

Summer 1998  
Professor Kathryn Abrams  
Cornell Law School  
Myron Taylor Hall  
Ithaca, New York 14853  
Research Assistant (part-time)

Summer 1998  
Cornell Legal Aid  
Myron Taylor Hall  
Ithaca, New York 14853  
Summer Law Clerk

1995 – 1996  
Thailand Times English Language Daily  
99 Bromrajachonnee Road Taling Chan  
Bangkok, Thailand  
Editor (part-time)

Summer 1995  
Cornell University Hotel School  
Statler Hall  
Ithaca, New York 14850  
Temporary Administrative Assistant (part-time)

1994 – 1995  
Nova English Language School  
Harajuku 'Carillo'; 1-8-9 Jungu-Mae Shibuya-ku  
Tokyo, Japan  
English Instructor (part-time)

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the military. I have not registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Louis J. Lefkowitz Memorial Achievement Award, in recognition of outstanding performance on behalf of the Office of the Attorney General and the people of the State of New York, 2010

WilmerHale, Pro Bono Award, 2003, 2004, 2005

Editor-in-Chief, Cornell Law Review, 1999 – 2000

Order of the Coif, Cornell Law School, 2000

Morris P. Glushien Prize, Cornell Law School, 2000

CALI Excellence for the Future Award, 2000

Frazer Prize, 1999

West Publishing Outstanding Scholastic Achievement Award, 1999

West Publishing Corpus Juris Secundum Award, 1999

Franklin S. Wood Memorial Scholarship Fund, 1999

Uncommon Legacy Foundation Scholarship, 1998

Foreign Language and Area Studies Fellowship (FLAS), full year-long funding by the Department of Education for intensive language study, 1996 – 1997

Quill & Dagger Senior Honor Society, Cornell University, 1994

Dean's List, Cornell University, 1991 – 1994

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association

DC Bar Association (member of the Litigation Committee)

New York City Bar Association

New York State Bar Association

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

New York, 2003

Washington, D.C., 2004

There have been no lapses in membership.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States, 2006  
United States Court of Appeals for the Second Circuit, 2010  
United States Court of Appeals for the Fourth Circuit, 2003  
United States Court of Appeals for the Ninth Circuit, 2004  
United States District Court for the Southern District of New York, 2003  
United States Court of Appeals for the Armed Forces, 2003  
United States Army Court of Criminal Appeals, 2003  
State of New York, 2003  
District of Columbia, 2004

There have been no lapses in membership.

**11. Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Quill & Dagger Honor Society; in college I became a member of the Quill & Dagger Senior Honor Society; although I have not had any direct involvement since college I am still considered a member.

New York Democratic Lawyer's Council; in conjunction with volunteering I did for the Obama campaign, in 2008 I attended several meetings of the New York Democratic Lawyer's Council. I attended one additional fundraiser in 2010.

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To my knowledge, neither of the organizations listed above discriminates or formerly discriminated on the basis of race, sex, religion, or national origin

through formal membership requirements or the practical implementation of membership policies.

**12. Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Letter to the Editor, *The Truth Is That Executions Go Wrong*, Legal Times (Jan. 21, 2008). Copy supplied.

Commentary, *Please Ignore the Pain*, Legal Times (Jan. 9, 2008). Copy supplied.

*Supreme Court Preview: Baze v. Rees: What Is and Is Not at Stake in the Lethal Injection Litigation*, ACSblog (Jan. 7, 2008). Copy supplied.

In response to an article written by Orin Kerr entitled *What Does Foreign Law Teach Us About the Constitutionality of Methods of Execution?*, Volokh Conspiracy Blog (Jan. 2, 2008), I posted several online comments. Copy supplied.

*Baze-d and Confused: What's the Deal With Lethal Injection?*, 156 U. Pa. L. Rev. Pennumbra 312 (Jan. 2008) (debate with Douglas A. Berman). Copy supplied.

*Arresting Juxtapositions: The Story of Roper v. Simmons*, in Human Rights Advocacy Stories (Deena R. Hurwitz and Margaret L. Satterthwaite eds., 2008). Copy supplied.

*Pausing the Machinery of Death: The Supreme Court Takes Baze*, Jurist (Sept. 27, 2007). Copy supplied.

*Supreme Legacy: Gerald Ford and John Paul Stevens*, Jurist (Dec. 31, 2006). Copy supplied.

*History Starts Today: The Perils of Habeas-Stripping*, Jurist (Sept. 26, 2006). Copy supplied.

Letter to the Editor, *Mr. Santorum on the Right to Privacy*, Washington Post (Apr. 25, 2003). Copy supplied.

Note, *At the Intersection of Domestic Violence and Guns: The Public Interest Exception and the Lautenberg Amendment*, 85 Cornell L. Rev. 822 (2000). Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have not prepared or contributed in the preparation of any reports, memoranda or policy statements on behalf of any bar association, committee, conference, or organization of which I am or was a member.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have not issued or provided (nor have others presented on my behalf) testimony, official statements or other communications related, in whole or in part, to matters of public policy or legal interpretation to public bodies or public officials.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

Prior to accepting a position in the White House Counsel's Office, I was on the law school academic job market during the fall of 2008. Although these were not public presentations, I presented to several law faculties an early draft of a paper relating to the procedural interest in finality in the context of post-conviction habeas challenges brought by state prisoners. The draft, which I did not complete nor seek to publish, is attached. Other presentations are individually listed below.

Categorical Exclusions to the Death Penalty, invited scholar presentation at Prof. Deborah Denno's Colloquium on Criminal Sentencing and the Death Penalty, Fordham Law School, March 25, 2008. Notes supplied.

The Counter-Consensus Difficulty: Constitutional Challenges to Pervasive Methods of Execution, presented at The Lethal Injection Debate: Law and Science, sponsored by the Fordham Urban Law Journal, March 7, 2008. Notes supplied.

Supreme Court Preview: OT 2007, panel presentation on death penalty cases on the Supreme Court's 2007-2008 docket, Fordham University School of Law, November 7, 2007. Notes supplied.

The Impact of *Lawrence v. Texas* on Don't Ask, Don't Tell, panel presentation at Georgetown University Law Center Conference, "Don't Ask, Don't Tell: Different Perspectives," April 7, 2005. I have no notes, transcript, or recording. The address of Georgetown Law is 600 New Jersey Avenue NW, Washington, D.C. 20001.

AEDPA and Beyond: Post-Conviction Habeas, panel presentation at Cornell Law Review Symposium, "The Great Writ: Developments In the Law of Habeas Corpus," April 2, 2005. I have no notes, transcript, or recording. The address of Cornell Law is Myron Taylor Hall, Ithaca, New York 14853.

Challenging The Military's Criminal Sodomy Prohibition After *Lawrence*, panel presentation at the University of Florida Lambda Legal Alliance GLBT Law and Policy Conference, "The Implications of *Lawrence vs. Texas* on the Military," January 24, 2004. I have no notes, transcript, or recording. The address of the University of Florida Law School is P.O. Box 117620, Gainesville, Florida 32611.

I spoke on an alumni panel at Cornell Law School about clerkships at some point in the year 2001 to 2002. I have no notes, transcript, or recording. The address of Cornell Law is Myron Taylor Hall, Ithaca, New York 14853.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

*Nathan '00 Named Associate White House Counsel*, Cornell Law Forum, Fall 2009. Copy supplied.

Sam Cross, *Cornell Law School Alumnus and Professor Join New Administrations*, Cornell Daily Sun, Feb. 2, 2009. Copy supplied.

Christopher Collette, *Supreme Court Blocks Execution of Fla. Child Killer*, WTSP.com, Nov. 15, 2007. Copy supplied.

Paul Flemming and John Torres, *High Court Clears Way for State Executions*, The News-Press, Nov. 2, 2007. Copy supplied.

In 2007, I was interviewed by a news outlet for an on-line news report about *Baze v. Rees*. I have not been able to locate a copy of the interview or link to the video.

In 2001, I was interviewed by the Cornell Law Forum regarding my clerkship with Justice Stevens. Copy supplied.

Press release, *Cornell Law Professor Kathryn Abrams is Honored for Motivating Law School Women*, Cornell News, May 15, 2000. Copy supplied.

*Students to Resubmit Gay Dorm Proposal to Cornell Officials*, The Post-Standard (Syracuse, NY), Apr. 29, 1994 at B1. Copy supplied.

Michael Winerip, *In School*, New York Times, Apr. 20, 1994 at B13. Copy supplied.

Jonathan D. Salant, *Marchers Demand Gay Rights*, The Post-Standard (Syracuse, NY), Apr. 26, 1993. Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held a judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_

- i. Of these, approximately what percent were:

jury trials: \_\_\_\_\_%  
bench trials: \_\_\_\_\_% [total 100%]

civil proceedings: \_\_\_\_\_%  
criminal proceedings: \_\_\_\_\_% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

- e. Provide a list of all cases in which certiorari was requested or granted.
  - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
  - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:
- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
  - b. a brief description of the asserted conflict of interest or other ground for recusal;
  - c. the procedure you followed in determining whether or not to recuse yourself;
  - d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

I have not held judicial office.

15. **Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed

you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

Since September 2010, I have served as Special Counsel to the Solicitor General of New York. I was appointed by New York Attorney General Andrew Cuomo.

I served as a Special Assistant to the President and Associate White House Counsel from January 2009 to July 2010. I was appointed by President Barack Obama on January 22, 2009.

I have not had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

Volunteer Voter Protection Advisor (unpaid), Obama-Biden Campaign for Change; February 2008 – November 2008. I provided volunteer legal advice to the campaign General Counsel on election law and helped to recruit and organize volunteer lawyers during the primaries and general election campaign. I also served on the LGBT issues policy committee.

Obama Administration DOJ Transition Team, volunteer member.

Volunteer Lawyer, Maryland Democratic Party, November 2006.

Legal Advisor/Associate Counsel (unpaid), Kerry-Edwards 2004, Washington D.C., August –November 2000 (on leave from WilmerHale). I provided volunteer legal advice to the campaign General Counsel on election law and I helped to recruit and organize volunteer lawyers. I also served as a volunteer policy advisor on civil rights issues.

Volunteer Lawyer, Democratic National Committee, November 2002.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I served as a law clerk to Supreme Court Justice John Paul Stevens from 2001 – 2002 and to Ninth Circuit Court of Appeals Judge Betty B. Fletcher from 2000 – 2001.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

2002 – 2005  
Wilmer Cutler Pickering Hale and Dorr LLP  
1875 Pennsylvania Avenue, NW  
Washington D.C. 20006  
Associate

2005 – 2006  
Wilmer Cutler Pickering Hale and Dorr LLP  
399 Park Avenue  
New York, New York 10022  
Associate

2009 – 2010  
White House Counsel's Office  
The White House  
Washington, D.C. 20502  
Special Assistant to the President and Associate White House Counsel

2010 – present  
Office of the Attorney General of New York  
120 Broadway, 25<sup>th</sup> Floor  
New York, NY 10271  
Special Counsel to the Solicitor General

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

I was a federal law clerk for Judge Betty Fletcher on the Ninth Circuit Court of Appeals from 2000 until 2001 and for Justice John Paul Stevens from 2001 until 2002.

From 2002 until 2006, I was in private practice at the law firm of Wilmer, Cutler, Pickering Hale & Dorr LLP, where I was part of the following practice groups: Litigation, Supreme Court and Appellate Litigation, and Regulatory and Government Affairs. I participated in significant phases of trial and appellate court litigation, including: developing legal strategy, conducting investigations, drafting pleadings and briefs, engaging in discovery, examining witnesses, and arguing motions and appeals in court.

From 2006 until 2008, I was a Visiting Assistant Professor of Law at Fordham University School of Law, where I taught and specialized in civil and criminal procedure and constitutional law.

In late 2008, I decided to pursue employment as a government lawyer. I was offered and accepted a position in the White House Counsel's Office, where I reviewed legislation, analyzed various legal issues, advised staff members on legal matters, and assisted in the preparation of judicial and executive branch nominees for confirmation hearings. I served in the Counsel's Office until returning with my family to New York in July 2010. At that time, I decided to remain in government service and since September 2010, I have served as Special Counsel to the Solicitor General of New York. In this capacity, I draft briefs and argue cases in the state and federal trial and appellate courts. I also supervise Assistant Solicitors General in their brief and oral argument preparations.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

When I was in private practice, I had a range of clients, including large corporations, media organizations, national advocacy organizations, and indigent criminal defendants. I specialized in complex federal litigation and constitutional law. In government service, I provide legal advice to executive officials and represent governmental agencies. I continue to specialize in federal civil procedure, complex federal litigation, appellate litigation, and constitutional law.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

During my time in private practice, approximately 90% of my practice involved litigation. I appeared in court occasionally. In my current position as Special Counsel to the Solicitor General, approximately 95% of my practice involves litigation (including supervision of Assistant Solicitors General in litigation). I appear in court occasionally.

- i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 75% |
| 2. state courts of record:  | 24% |
| 3. other courts:            | 1%  |
| 4. administrative agencies: | 0%  |

- ii. Indicate the percentage of your practice in:

- |                          |     |
|--------------------------|-----|
| 1. civil proceedings:    | 85% |
| 2. criminal proceedings: | 15% |

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

In private practice, I served as associate counsel on approximately 6 trial court litigation matters that reached judgment or final decision (including based on dispositive motions). One of those matters was an evidentiary hearing/bench trial that was tried to judgment in federal district court.

- i. What percentage of these trials were:

- |              |      |
|--------------|------|
| 1. jury:     | 0%   |
| 2. non-jury: | 100% |

I am currently involved in other litigation matters that have not yet reached judgment, including two forthcoming trials in the Southern District of New York. If they proceed to trial, both will be tried before a jury and I am serving as associate counsel on both.

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I am a member of the Supreme Court bar. While in private practice at WilmerHale, I was a member of the Supreme Court and Appellate Litigation

practice group. In this capacity, I participated in the drafting and filing of several petitions for certiorari and amicus briefs before the Supreme Court. In addition, while a Visiting Assistant Professor at Fordham School of Law, I served as primary author and counsel of record for one amicus brief filed with the Supreme Court. In my current position as Special Counsel to the Solicitor General of New York, I also participate in Supreme Court litigation.

I served as counsel on the following briefs, which are supplied:

*Cahill v. Alexander*, 10-203, Reply Brief for the Petitioner

*Baze v. Rees*, 07-5439, Brief for the Fordham School of Law Stein Center as Amicus Curiae in Support of Petitioner

*Clark v. Arizona*, 05-5966, Brief Amicus Curiae for the American Psychological Association, the American Psychiatric Association, and the American Academy of Psychiatry and the Law Supporting Petitioner

*Hill v. McDonough*, 05-8794, Brief for Amicus Curiae Darick Walker in Support of Petitioner

*Mayle v. Felix*, 04-563, Brief of Amici Curiae Habeas Law Scholars in Support of Respondent

*Walker v. True*, 05-6942, Petition for Certiorari and Reply filed on behalf of WilmerHale client Darick Walker. The Supreme Court granted, vacated, and remanded for further consideration.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:
- a. the date of representation;
  - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
  - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *Liden v. Devane*, No. 400532/09 (Appellate Division First Department)

This case involves an individual who the New York Board of Examiners of Sex Offenders determined must register in New York as a sex offender based upon a conviction from another jurisdiction. The Petitioner challenged that determination in an administrative proceeding. His petition was dismissed as untimely and he has now appealed to the Appellate Division, First Department. I am the lead appellate lawyer in the Solicitor General's Office defending the Board's determination and the lower court's dismissal of his petition. I have briefed the case and will argue the matter before the First Department.

A First Department panel has not yet been announced. My co-counsel in the Solicitor General's Office is Benjamin Gutman, 120 Broadway, 25<sup>th</sup> Floor, New York, NY 10271, 212-416-8020. The opposing counsel is Robert Newman, The Legal Aid Society, 199 Water Street, New York, NY 10038, 212-577-3354.

2. *Seneca Nation of Indians, et al. v. Paterson* (and multiple related matters in the Northern and Western District of New York and in the Second Circuit)

Multiple Indian Tribes brought suit against New York state officials in federal district courts in the Western and Northern Districts of New York challenging the constitutionality of recent amendments to a New York State tax law relating to the taxation of cigarettes sold by reservation retailers to individuals who are not Tribal members. I am part of a state team of lawyers, led by Solicitor General Barbara Underwood, who are defending the constitutionality of the state tax statute. My role to date has included legal analysis and strategy as well as drafting district court and appellate court pleadings and briefs.

In the Western District of New York, the matters were before Judge Arcara (10-CV-687A; 10-CV-711A; 10-CV-811A) and in the Northern District of New York, the matter was before Judge Hurd (6:10-cv-01071). Judge Arcara denied the Tribes' request for a preliminary injunction, but stayed enforcement of the tax statute pending appeal. Judge Hurd granted the Tribes' motion for a preliminary injunction. All of the matters are now consolidated before the Court of Appeals for the Second Circuit (10-4272; 10-4265; 10-4598) and the cases were recently briefed and argued before Judges Wesley, Chin, and Lohier. The Second Circuit has not yet issued a decision.

At the Solicitor General's Office, I work with the following individuals on this matter: Barbara Underwood, Andrew Bing, and Steven Wu, 120 Broadway, 25<sup>th</sup> Floor, New York, NY 10271, 212-416-8020. Opposing counsel include the following individuals: David DeBruin, Jenner & Block LLP, 1099 New York Avenue, NW, Suite 900, Washington D.C. 20001, 202-639-6000; Riyaz Kanji, Kanji & Katzen, 101 North Main Street, Suite 555, Ann Arbor, MI 48104, 734-769-5400; Carol Heckman, Harter Secrest & Emery LLP, Twelve Fountain Plaza, Suite 400, Buffalo, NY 14202, 716-853-1616.

3. *New York v. Greenberg and Smith*, Index No. 401720/05 (Appellate Division, First Department)

This is an action for civil penalties and injunctive relief under the Martin Act, New York State's securities fraud statute. The lawsuit alleges that the former heads of a major insurance company initiated and structured two sham reinsurance transactions that misled the investing public. Thus far, the trial court has granted New York's summary judgment motion with respect to one of the transactions and denied the defendants' summary judgment motion with respect to the other. The Solicitor General's office is handling the appeals of these interlocutory rulings. I am working on the brief defending the trial court's denial of the defendants' summary judgment motion. The issues in the case center on evidentiary rulings and the summary judgment standard.

My co-counsel in the Attorney General's Office are Richard Dearing, Richard Jackson, and David Ellenhorn, 120 Broadway, 25<sup>th</sup> Floor, New York, NY 10271, 212-416-8020. Opposing counsel includes David Boies, Boies, Schiller & Flexner, LLP, 575 Lexington Avenue - 7<sup>th</sup> Floor, New York, NY 10022, 212-446-2300.

4. *Red Earth LLC v. United States*, 10-3165 (United States Court of Appeals for the Second Circuit)

This case involves a constitutional challenge by remote sellers of cigarettes to the recently enacted Prevent All Cigarette Trafficking (PACT) Act, which provides that internet and other remote sellers of tobacco products must comply with the state and local laws that apply in the areas where their products are delivered, including state and local laws that prevent sales to children and that require payment of excise taxes. The district court concluded that the Due Process Clause does not permit Congress to require that interstate tobacco retailers comply with the laws of the states and localities into which their products are physically delivered. The case has been briefed and argued. The Second Circuit has not yet handed down a decision.

I served as lead counsel on a multi-state amicus brief filed in support of the United States. Forty-one States and the District of Columbia joined the brief I authored.

My co-counsel are Barbara Underwood and Benjamin Gutman, 120 Broadway, 25<sup>th</sup> Floor, New York, NY 10271, 212-416-8020. Counsels for the United States are Tony West, Beth Brinkmann, Alisa Klein and Michael Abate, Department of Justice, Civil Division, Room 7318, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530. Opposing counsel is Riyaz Kanji, Kanji and Katzen, PLLC, 101 North Main Street, Suite 555, Ann Arbor, MI 48104, 734-769-5400.

5. *Warney v. State of New York*, App. Div. No. CA 08-02611 (Claim No. 114826) (New York Court of Appeals)

Warney sued the State of New York pursuant to Court of Claims Act § 8-b (Unjust Conviction Act), seeking compensation for his wrongful conviction. His claim was

dismissed by the Court of Claims based upon § 8-b(4), which bars claimants from compensation if their conduct caused or brought about their conviction. The Appellate Division affirmed. The Court of Appeals granted leave to appeal and the case was argued on February 8, 2011. I argued the appeal on behalf of the State. On March 31, 2011, the Court of Appeals reversed and denied the State's motion to dismiss.

Co-counsel at the Solicitor General's Office is Barbara Underwood, Andrew Bing, and Frank Walsh, 120 Broadway, 25<sup>th</sup> Floor, New York, NY 10271, 212-416-8020. Opposing counsel is Peter Neufeld at Neufeld Scheck & Brustin, LLP, 99 Hudson Street, 8<sup>th</sup> Floor, New York, NY 10013, 212-965-9081.

6. *Hayes v. New York Attorney Grievance Committee*, 10-1587 (United States Court of Appeals for the Second Circuit)

This case involves a First Amendment challenge to one of New York's attorney advertising rules. The rule in issue governs statements by attorneys in which they describe themselves as certified specialists in a particular area of law. The federal district court (Western District of New York) rejected the challenge and granted summary judgment in favor of the State. The matter is now on appeal to the Second Circuit. I am the lead lawyer handling the case and will argue the matter before the Second Circuit.

My co-counsel at the Solicitor General's Office is Nancy Spiegel, Office of the New York State Attorney General, The Capital, Albany, NY, 12224, 518-474-7168. Opposing counsel is J. Michael Hayes, Esq., 69 Delaware Avenue, Suite 1111, Buffalo, NY 14202, 716-852-1111.

7. *Shell Oil Company v. Franco* (multiple litigation matters in the Central District of California):

WilmerHale represented Shell Oil Company in multiple pieces of litigation that arose out of tort judgments entered against U.S. companies by courts in Nicaragua. In the above captioned component of the litigation, WilmerHale filed a complaint seeking a declaration that the \$489 million Nicaraguan court judgments entered against Shell Oil and other defendants were not enforceable in the United States. District Court Judge Nora M. Manella granted the summary judgment motion, holding that the judgments were not enforceable because the Nicaraguan court had lacked personal jurisdiction over Shell Oil, which had never done business in that country. My role on the litigation team consisted of factual investigation, working with experts, developing legal arguments, drafting dispositive motions, and conducting and responding to extensive discovery requests.

Among the many co-counsel who worked on this case at WilmerHale were David Ogden, Ethan Shenkman, Jennifer O'Connor, and David O'Neil, WilmerHale, 1875 Pennsylvania Avenue, NW, Washington, D.C. 20006, 202-663-6000. Lead U.S. Counsel for the Nicaraguan defendants were Walter J. Lack, Engstrom, Lipscomb & Lack, 10100 Santa Monica Boulevard, 16<sup>th</sup> Floor, Los Angeles, CA 90067, 310-552-3800; and Thomas V. Girardi, Girardi & Keese, 1126 Wilshire Boulevard, Los Angeles, CA 90017, 213-977-0211.

8. *Walker v. True* (multiple litigation matters in the Eastern District of Virginia, before Judge Claude Hilton, the Court of Appeals for the Fourth Circuit, and the Supreme Court of the United States)

WilmerHale represented pro bono Darick Walker, an indigent death row inmate in Virginia, in a variety of different habeas proceedings, appeals and litigation matters. My role included factual investigation; working with experts; developing legal arguments and strategy; drafting pleadings, dispositive motions, and appellate briefs; conducting discovery; and examining and cross-examining witnesses. The litigation team sought Supreme Court review at several instances and the Supreme Court twice granted, vacated, and remanded our petitions. Darick Walker was ultimately executed by the Commonwealth of Virginia in May of 2010.

Among the many co-counsel who worked on this case at WilmerHale were Seth Waxman, David Ogden, Danielle Spinelli, and Jody Kris, WilmerHale, 1875 Pennsylvania Avenue, NW, Washington, D.C. 20006, 202-663-6000. Lead counsel for the Virginia Attorney General's Office during the time I was involved with the matter was Robert Q. Harris, Senior Assistant Attorney General, 900 East Main Street, Richmond, VA 23219, 804-786-2071.

9. *Marcum v. United States*, 02-0944 (Court of Appeals for the Armed Forces) and *Meno v. United States*, ARMY 2000733 (Army Court of Criminal Appeals).

WilmerHale represented pro bono several national civil rights organizations that sought to challenge the military's criminal prohibition against consensual, private sodomy following the Supreme Court's decision in *Lawrence v. Texas*. In the *Marcum* case, the Court of Appeals of the Armed Forces granted us leave to file briefs and make oral argument on the constitutional issues. Although the conviction was affirmed on other grounds, the Court of Appeals for the Armed Forces adopted significant components of our argument, concluding that *Lawrence v. Texas* does apply to the military. My role in the matter consisted of developing legal strategy and arguments and brief drafting.

Stuart Delery and Josh Goldfoot were the lawyers at WilmerHale with whom I primarily worked, 1875 Pennsylvania Avenue, NW, Washington, D.C. 20006, 202-663-6000. Lead counsel for the defendant included Frank Spinner; 7035 Campus Drive, Suite 904, Colorado Springs, CO 80920 and Colonel Beverly B. Knott. Lead counsel for the United States included Colonel LeEllen Coacher, Air Force Legal Services Agency, United States Air Force, 202-767-1546.

In a similar case that followed *Marcum* and involved the same issues, WilmerHale continued to represent pro bono several national civil rights organizations as amici in *Meno v. United States*. In addition to drafting the appellate brief, I argued this matter on behalf of amici. Our arguments prevailed.

Stuart Delery and Josh Goldfoot were the lawyers at WilmerHale with whom I primarily worked, 1875 Pennsylvania Avenue, NW, Washington, D.C. 20006, 202-663-6000. Lead

counsel for the defendant was Captain Fansu Ku, 703-696-2810. Lead counsel for the United States was Captain Abraham Carpio. I have searched for but not been able to find contact information for Captain Carpio.

10. *Broadcom/Disqualification Motion*, Inv. No. 337-TA-543 (U.S. International Trade Commission)

WilmerHale client, Broadcom, was involved in significant litigation before the U.S. International Trade Commission related to Tariff Act protections regarding the importation and sale of certain processor chips. I was part of the litigation team that focused on opposing an effort to disqualify WilmerHale. My role consisted of legal research, development of legal strategy, drafting pleadings, and preparing for oral argument.

At WilmerHale, I worked with Bill Lee and Paul Wolfson, 1875 Pennsylvania Avenue, NW, Washington, D.C. 20006, 202-663-6000. Opposing counsel included Michael Kellogg, Mark Hansen, Reid Feigel, Aaron Panner, and Geoffrey Klineberg, Kellog Huber, Sumner Square, 1615 M Street NW, Suite 400, Washington, D.C. 20036, 202-326-7900.

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

In my current position as Special Counsel to the Solicitor General, I have provided legal advice to the trial lawyers in litigation involving violations of the Martin Act, New York State's civil and criminal security fraud statute. I am also currently assisting in the trial preparation for two matters (both § 1983 litigation brought by prisoners) that are soon scheduled to go to trial in the Southern District of New York. If the matters do proceed to trial, I will participate in all aspects of the trial proceedings.

As an Associate White House Counsel, I engaged in significant legal activities such as reviewing legislation, analyzing statutory and constitutional questions, advising staff members of the Executive Office of the President on legal matters, and preparing judicial and executive branch nominees for confirmation hearings.

When I was in private practice at WilmerHale, I assisted partners Howard Shapiro and Seth Waxman in representing a media client and reporters during an investigation by a U.S. Attorney into whether violations of law occurred in the leaking of the identity of a CIA agent. My role in the representation included legal research and analysis.

I have not performed lobbying activity.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

Civil Procedure, Fordham School of Law, 2007, 2008. Spring 2008 syllabus supplied.

Constitutional Law Seminar on the Supreme Court and the Death Penalty, Fordham School of Law, 2006, 2007. Fall 2007 syllabus supplied.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I have no such income or benefits.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

I have no plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

My partner is a professor in the clinical program at NYU School of Law and is occasionally involved in litigation matters, and I would recuse myself from any matters in which she is involved. Potential conflicts might also arise from my past involvement with the law firm of WilmerHale, with Fordham University, in matters in which I participated while serving as Special Counsel to the Solicitor General and as Associate White House Counsel, and in all other matters in which I have had involvement. With respect to all of these matters, if confirmed I would carefully study the recusal statute, the Code of Conduct for United States Judges, and consult with colleagues in order to determine what recusals would be necessary and appropriate.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

I will handle all matters involving actual or potential conflicts of interest by carefully studying and applying the Code of Conduct for United States Judges and any other relevant ethical canons or statutory provisions.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

While in private practice, I devoted substantial portions of time to pro bono representations. For example, I worked on significant pro bono matters including the *Walker* matter described above in Question 17. I received WilmerHale's Pro Bono Award several years in a row. I also served as a volunteer for the Georgetown Supreme Court Advocacy Project. I continued to do pro bono work while a Visiting Assistant Professor at Fordham School of Law. While employed at the White House, I was a participant in a mentor program for local area high school girls, which was organized by the First Lady. Mentors would accompany mentees on various events, such as a visit to the Supreme Court or preparation of grocery bags of donated food for low income families.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

I submitted application materials to Senator Schumer's Judicial Selection Committee on June 2, 2010. I met with Senator Schumer on June 9, 2010, regarding my interest in being considered for a judgeship. I interviewed with Senator Schumer's Judicial Selection Committee on August 30, 2010. I was contacted by Senator Schumer's Judiciary Committee Chief Counsel, Stephanie Martz, on December 15, 2010. Ms. Martz informed me that Senator Schumer had recommended me to the White House for a vacancy on the District Court for the Southern District of New York. I also received a call on December 15, 2010, from the White House Counsel's Office conveying the same information. Since December 17, 2010, I have been in contact with pre-nomination officials at the Department of Justice. On January 31, 2011, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On March 31, 2011, the President submitted my nomination to the Senate.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AFFIDAVIT

I, Alison J. Nathan, do swear  
that the information provided in this statement is, to the best  
of my knowledge, true and accurate.

3/29/2011  
(DATE)

Alison J. Nathan  
(NAME)

Ann P. Zybert  
(NOTARY)

ANN P. ZYBERT  
Notary Public, State of New York  
No. 30-4996219  
Qualified in Nassau County  
Commission Expires ~~May 11, 2011~~ May 11, 2014

Alison J. Nathan  
120 Broadway, 25<sup>th</sup> Floor  
New York, NY 100271  
(212) 416-6274

June 6, 2011

The Honorable Patrick J. Leahy  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Charles Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Chairman Leahy and Senator Grassley:

I write to provide the Committee with an update to the questionnaire I submitted in connection with my March 31, 2011 nomination to the United States District Court for the Southern District of New York.

In question 12(c), I indicated that I had not issued “communications related, in whole or in part, to matters of public policy or legal interpretation to public bodies or public officials.” However, last night, as I was preparing for my hearing, I found on-line a letter to Congress to which I was a signatory. At the time I completed my questionnaire, I had not recalled signing this letter and had not otherwise discovered the letter through a search of my records or through the electronic searches I conducted in preparing my questionnaire. Upon seeing the letter and realizing that it was responsive to the questionnaire, I searched on-line further and found a second letter to Congress to which I was a signatory. Both letters are attached.

Please accept my sincerest apologies. I appreciate the Committee’s consideration of my nomination and regret that I did not remember or discover these letters until now.

Sincerely,

A handwritten signature in black ink, appearing to read "Alison J. Nathan". The signature is fluid and cursive, with a prominent initial "A" and a long, sweeping underline.

Alison J. Nathan

# **LAW PROFESSORS OPPOSED TO SPLITTING THE NINTH CIRCUIT**

September 27, 2006

The Honorable Arlen Specter  
Chairman, Senate Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

The Honorable Patrick J. Leahy  
Ranking Member, Senate Committee on the Judiciary  
United States Senate  
Washington, D.C. 20510

Dear Chairman Specter and Ranking Member Leahy:

The undersigned law professors write to urge that Congress reject current proposals that would split the boundaries of the Ninth Circuit Court of Appeals.

While our ranks include professors belonging to both major political parties, we wish to emphasize that the basis for our position is not partisan, but grounded in the belief that a circuit split would be unnecessary, costly and inefficient.

The split proposal that is being considered by the Senate Judiciary Committee this month would leave the current Ninth Circuit with just California, Hawai'i, Guam and the Northern Mariana Islands, and create a new Twelfth Circuit composed of Arizona, Nevada, Idaho, Montana, Oregon, Washington and Alaska.

Dividing the court isn't necessary. To be sure, the Ninth Circuit bears the most cases of any federal appellate court (about 16,000 new cases were filed this year, versus 1,300 in the D.C. Circuit; the next highest is the Fifth Circuit, which includes Texas, with 9,300). But it also has more

judges than any other circuit in the country and appears to face no problem of a quality or magnitude any different than those faced by any other court.

For example, although it has a much higher caseload, the real measure of whether too much pressure harms quality is the number of cases decided and opinions written by each judge. On this score, Ninth Circuit judges appear to write opinions and dispose of cases at the average for all federal appeals court judges. Although critics have alleged conflicts of decisional law within the Ninth Circuit, there is no serious evidence of such a conflict; indeed, the circuit's active use of its en banc review process (when the Court sits in groups larger than its standard three-judge panels) has effectively resolved precisely such conflicts. And although supporters of a split often cite statistics involving U.S. Supreme Court reversal of the Ninth Circuit, it must be remembered that the Ninth Circuit decisions selected for Supreme Court review reflect a minuscule fraction (approximately 0.3 percent) of those cases decided by the Ninth Circuit in any given year.

Nor does a split make sense from a budgetary perspective. Dividing the Ninth Circuit would require the creation of an additional costly bureaucracy to administer the new circuit, eliminating the economies of scale achieved by a single administration. Furthermore, a split would require expenditures for expanded courthouses and administrative buildings. The Administrative Office of the U.S. Courts estimates start-up costs of almost \$100 million and annual recurring additional costs of almost \$16 million.

Finally, a split would result in judicial inefficiency. A "new" Ninth Circuit comprised of California and Hawai'i would maintain 72 percent of the caseload, but only 60 percent of the judges. Such a circuit would yield 536 cases per judge, moreover, contrasted with 317 cases per judge in the proposed Twelfth Circuit. These statistical disparities in fact understate the true extent of the inequity resulting from a circuit split, given that the more than 600 death penalty cases originating in California are enormously time-consuming for judges and at present can be divided among all Ninth Circuit judges.

In our country's history, there have been only two instances in which a circuit was divided, and both times -- unlike at present -- the division was supported by a substantial majority of the judges and attorneys who were

to be affected by the division. The Ninth Circuit judges themselves believe a circuit split to be a bad idea. Only three of the active judges (out of 26) on the Ninth Circuit support the breakup. The state bar associations that have voted on the idea -- Alaska, Arizona, Hawai'i, Montana, Nevada and Washington -- all oppose it. California's present and former governors Arnold Schwarzenegger, Gray Davis and Pete Wilson; California's senators Dianne Feinstein and Barbara Boxer; Arizona Governor Janet Napolitano and former Washington State Governor Gary Locke; and many other public officials oppose a division of the Ninth Circuit.

We thus believe that splitting the Ninth Circuit is unwise and urge you to vote against any such split.

Sincerely,

[Titles and Schools listed for identification purposes only]

**Richard L. Abel**

Michael J. Connell Professor  
UCLA School of Law  
Los Angeles, California

**Robert W. Adler**

James I. Farr Chair and Professor  
S.J. Quinney College of Law  
University of Utah  
Salt Lake City, Utah

**Robert B. Ahdieh**

Associate Professor  
Emory University School of Law  
Atlanta, Georgia

**Janet Cooper Alexander**

Frederick I. Richman Professor  
Stanford Law School  
Stanford, California

**Rabbi Yitzchok Adlerstein**

Sydney M. Irmas Chair in Jewish Law and  
Ethics  
Loyola Law School  
Los Angeles, California

**Ann Althouse**

Robert W. and Irma M. Arthur-Bascom  
Professor  
University of Wisconsin Law School  
Madison, Wisconsin

**Vikram Amar**

Professor  
Hastings College of the Law  
University of California  
San Francisco, California  
Visiting Professor  
Boalt Hall School of Law  
University of California, Berkeley  
Berkeley, California

**Adell Amos**  
Assistant Professor  
University of Oregon School of Law  
Eugene, Oregon

**Angelo N. Ancheta**  
Assistant Professor  
Santa Clara University School of Law  
Santa Clara, California

**Jerry L. Anderson**  
Richard M. and Anita Calkins Distinguished  
Professor  
Drake University Law School  
Des Moines, Iowa

**Robert T. Anderson**  
Associate Professor and Director, Native  
American Law Center  
University of Washington School of Law  
Seattle, Washington

**William L. Andreen**  
Edgar L. Clarkson Professor  
University of Alabama School of Law  
Tuscaloosa, Alabama

**Thomas Andrews**  
Professor  
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**Denise E. Antolini**  
Associate Professor and Director,  
Environmental Law Program  
William S. Richardson School of Law  
University of Hawai'i  
Honolulu, Hawai'i

**Keith Aoki**  
Philip H. Knight Professor  
University of Oregon School of Law  
Eugene, Oregon

**Peter A. Appel**  
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University of Georgia School of Law  
Athens, Georgia

**Robert H. Aronson**  
Betts, Patterson and Mines Professor  
University of Washington School of Law  
Seattle, Washington

**Gerald G. Ashdown**  
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Morgantown, West Virginia

**Michael Asimow**  
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Los Angeles, California

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James E. Rogers College of Law  
University of Arizona  
Tucson, Arizona

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Judge John Crown Professor, Emerita  
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Stanford, California

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**Samuel R. Bagenstos**  
Professor  
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St. Louis, Missouri

**Stuart Banner**  
Professor  
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University of California, Berkeley  
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**John A. Barrett, Jr.**

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University of Toledo College of Law  
Toledo, Ohio

**Robert Bartels**

Charles M. Brewer Professor  
Sandra Day O'Connor College of Law  
Arizona State University  
Tempe, Arizona

**Loftus Becker**

Professor  
School of Law  
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Hartford, Connecticut

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Seattle, Washington  
Affiliate Professor  
University of Washington School of Law  
Seattle, Washington

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Chicago, Illinois

**Marilyn J. Berger**

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Seattle, Washington

**Paul Bergman**

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Los Angeles, California

**Anita Bernstein**

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Atlanta, Georgia  
Wallace Stevens Professor  
New York Law School  
New York, New York

**Robert C. Berring**

Walter Perry Johnson Professor  
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University of California, Berkeley  
Berkeley, California

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University of Nevada, Las Vegas  
Las Vegas, Nevada

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Minneapolis, Minnesota

**Carl S. Bjerre**

Professor  
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Eugene, Oregon

**Susan Low Bloch**

Professor  
Georgetown University Law Center  
Washington, D.C.

**Frederic M. Bloom**

Assistant Professor  
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St. Louis, Missouri

**John H. Blume**  
Associate Professor  
Cornell University Law School  
Ithaca, New York

**Michael C. Blumm**  
Professor  
Lewis and Clark Law School  
Portland, Oregon

**John Bonine**  
Professor  
University of Oregon School of Law  
Eugene, Oregon

**Amelia Boss**  
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Beasley School of Law  
Temple University  
Philadelphia, Pennsylvania

**Mary Nicol Bowman**  
Legal Writing Professor  
Seattle University School of Law  
Seattle, Washington

**Beth Brennan**  
Adjunct Professor  
University of Montana School of Law  
Missoula, Montana

**Eve L. Brensike**  
Assistant Professor  
University of Michigan Law School  
Ann Arbor, Michigan

**Barbara B. Bressler**  
Associate Professor  
Director, Clinical Programs  
DePaul University College of Law  
Chicago, Illinois

**Edward C. Brewer, III**  
Professor  
Salmon P. Chase College of Law  
Northern Kentucky University  
Highland Heights, Kentucky

**James M. Brown**  
Adjunct Professor  
Seattle University School of Law  
Seattle, Washington

**Maryann Brown**  
Legal Writing Professor  
Widener University School of Law  
Wilmington, Delaware

**Tom Buchele**  
Clinical Associate Professor  
University of Pittsburgh School of Law  
Pittsburgh, Pennsylvania

**Jordan C. Budd**  
Professor  
Franklin Pierce Law Center  
Concord, New Hampshire

**Sande L. Buhai**  
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Los Angeles, California

**Alafair S. Burke**  
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Hofstra University School of Law  
Hempstead, New York

**Bari Burke**  
Professor  
University of Montana School of Law  
Missoula, Montana

**J. Martin Burke**

Dean Emeritus  
Professor  
University of Montana School of Law  
Missoula, Montana

**Scott J. Burnham**

Professor  
University of Montana School of Law  
Missoula, Montana

**Scott Burris**

James E. Beasley Professor  
Beasley School of Law  
Temple University  
Philadelphia, Pennsylvania

**J. Peter Byrne**

Professor  
Georgetown University Law Center  
Washington, D.C.

**Phoenix Cai**

Assistant Professor  
Sturm College of Law  
University of Denver  
Denver, Colorado

**Burton Caine**

Professor  
Beasley School of Law  
Temple University  
Philadelphia, Pennsylvania

**Charles Calleros**

Professor  
Sandra Day O'Connor College of Law  
Arizona State University  
Tempe, Arizona

**Christopher David Ruiz Cameron**

Associate Dean for Academic Affairs  
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Los Angeles, California

**Evan Caminker**

Dean and Professor  
University of Michigan Law School  
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**Megan M. Carpenter**

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**David N. Cassuto**

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White Plains, New York

**Cathleen Cavell**

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Newton, Massachusetts

**Jennifer Chacon**

Professor  
UC Davis School of Law  
Davis, California

**Williamson B.C. Chang**

Professor  
William S. Richardson School of Law  
University of Hawai'i  
Honolulu, Hawai'i

**Federico Cheever**

Professor and Director, Environmental and  
Natural Resources Law Program  
Sturm College of Law  
University of Denver  
Denver, Colorado

**Erwin Chemerinsky**  
Alston and Bird Professor  
Duke University School of Law  
Durham, North Carolina

**Margaret Chon**  
Professor and Dean's Distinguished Scholar  
Seattle University School of Law  
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September 26, 2006

Dear Members of Congress,

We write as legal scholars to urge you to prevent adoption of the so-called “compromise” bill, S.3929, which would rob individuals detained by the United States of the hallmark of American freedom, the right of anyone detained by the government to demand to know why and to challenge the conditions of confinement before a federal court, independent of the executive and the military. Responding to the real challenges posed by the dangers of terrorism does not require the sacrifice of our vital legal traditions—on the contrary, upholding the rule of law can keep us all safer. We identify three central reasons why this bill presents us with an urgent test of our nation’s constitutional and democratic values, and we ask you in the strongest possible terms to reject it.

- The bill’s most shocking feature is its elimination of habeas corpus review for non-U.S. citizen detainees. Triggered the moment that the executive labels an individual as an enemy combatant,<sup>1</sup> the bill confines judicial review to verifying the military commission decision if there is one. Habeas would not be available to test prolonged detention with no status review. By eliminating habeas corpus review for non-U.S. citizens detained in U.S. jurisdiction and sharply confining courts’ jurisdiction over actions concerning any aspect of their detention, the bill prevents consideration of the conditions of detention and interrogation. The Supreme Court has described, “[t]he writ of habeas corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action,” Harris v. Nelson, 394 U.S. 286, 290-91 (1969), yet **Congress is poised to eviscerate the courts’ power to consider habeas corpus petitions** on behalf of non-U.S. citizens, and to strip the courts’ jurisdiction “to consider any other action against the United States or its agents relating to any aspect of the detention.”<sup>2</sup> If this provision takes effect as law and withstands legal challenges, the President evidently will be able to detain individuals indefinitely, unrestrained by any judicial check on conditions of their detention. Both prior to and following determination of combatant status, detainees

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<sup>1</sup> Thus, Sect. 106a2 reads: “(e)(1) No court, justice, or judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus filed by or on behalf of an alien detained by the United States who--

`(A) is currently in United States custody; and

`(B) has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination.”

The term is defined in Sect. 948a(4): “UNLAWFUL ENEMY COMBATANT- The term `unlawful enemy combatant’ means an individual engaged in hostilities against the United States who is not a lawful enemy combatant.” A lawful enemy combatant is defined as follows in Sect. 948a(3) “LAWFUL ENEMY COMBATANT- The term `lawful enemy combatant’ means an individual who is--

`(A) a member of the regular forces of a State party engaged in hostilities against the United States;

`(B) a member of a militia, volunteer corps, or organized resistance movement belonging to a State party engaged in such hostilities, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the law of war; or

`(C) a member of a regular armed force who professes allegiance to a government engaged in such hostilities, but not recognized by the United States.”

<sup>2</sup> Bill S.3929, Sec. 106.

apparently would have no way to force the government to bring criminal charges. Blocked from access to nonpolitical judges, the detainees will have no forum in which to challenge detention without criminal trial or unlawful treatment. Their only remaining alternative would be to challenge their continued detention before the U.S. Military's Administrative Review Board, a mechanism so inadequate that it has proven on numerous occasions to be unable to effectuate the release of the very Guantanamo detainees it has recommended for release or repatriation.<sup>3</sup> Moreover, to eliminate any doubt that the bill seeks to tie the hands of the judiciary with regard to issues of detainee abuse, it provides that "[n]o person may invoke the Geneva Conventions... as a source of rights in any court of the United States or its States or territories."<sup>4</sup> The proponents justify this dramatic abandonment of the historic instrument of freedom and safeguard against government abuse as a means of saving time, not a crucial tool to ensure national safety.

- The bill drastically narrows the grounds for criminal liability under the Federal War Crimes Act, 18 U.S.C. 2441.<sup>5</sup> In doing so, it seems to license the executive to reinterpret the Geneva Conventions in ways that would uproot understandings that have been in place since 1949, that the Supreme Court has recently affirmed in Hamdan v. Rumsfeld, – U.S. – (June 29, 2006) and that have recently been affirmed by Senator John McCain.<sup>6</sup> These sections degrade the ability of the judiciary to fulfill its central function of interpreting the law. The proposed legislation would hand to **the President apparently exclusive authority to decide which techniques violate the Geneva Conventions for purposes of criminal sanction under the War Crimes Act, so long as they do not fall within the category of "grave breaches" created by this bill.**<sup>7</sup> Only those enumerated "grave breaches," like "Rape" and "Murder," would be definitely criminalized, leaving abuses which are not on the list, such as manslaughter, up to presidential discretion. This bill could potentially permit Central Intelligence Agency personnel to escape liability for beating people to the point of leaving multiple bruises, or for inducing hypothermia by

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<sup>3</sup> See, e.g., "Stuck in Guantánamo," International Herald Tribune, April 22, 2006, available at [http://www.iht.com/bin/print\\_ipub.php?file=/articles/2006/04/21/news/gitmo.php](http://www.iht.com/bin/print_ipub.php?file=/articles/2006/04/21/news/gitmo.php). The provision curtailing habeas corpus for detainees will inevitably give rise to a constitutional challenge under Art. I, section 9, clause 2 (limiting Congressional power to suspend the writ to circumstances of rebellion or invasion) and the due process clause of the 5<sup>th</sup> Amendment. The inevitability of judicial review underscores how the rush to enact the current compromise bill reflects partisan political maneuvering.

<sup>4</sup> Bill S.3929, Sec. 107(a).

<sup>5</sup> The War Crimes Act defines war crime to include any conduct "(3) which constitutes a violation of common Article 3 of the international conventions signed at Geneva, 12 August 1949, or any protocol to such convention to which the United States is a party and which deals with non-international armed conflict;" while the compromise bill substitutes

"(3) which constitutes a grave breach of common Article 3 as defined in subsection (d) when committed in the context of and in association with an armed conflict not of an international character; or." Bill S. 3929, Sec. 108(b)(1).

<sup>6</sup> McCain Comments on Military Commission Act of 2006, Sept. 15, 2006, [http://mccain.senate.gov/index.cfm?fuseaction=NewsCenter.ViewPressRelease&Content\\_id=2284](http://mccain.senate.gov/index.cfm?fuseaction=NewsCenter.ViewPressRelease&Content_id=2284).

<sup>7</sup> Bill S.3929, Sec. 108(a)(2)-(3), 108(b)(d)(1)(A)-(I); see also Convention (III) Relative to the Treatment of Prisoners of War. Geneva, 12 Aug. 1949, Art. 129-130.

placing detainees in a cold cell and pouring freezing water on them. No one can say what the result will be, or how far the bar on acceptable practice will have been irreversibly lowered.

- Finally, the bill **abandons our longstanding constitutional protections against punishing people on the basis of coerced testimony<sup>8</sup> and against denying individuals the opportunity to defend themselves through access to exculpatory evidence known to the government.<sup>9</sup>** These provisions reward and encourage torture, and undermine the fairness of the resulting trials.

Taken together, the bill's provisions rewrite American law to evade the fundamental principles of separation of powers, due process, habeas corpus, fair trials, and the rule of law, principles that, together, prohibit state-sanctioned violence. If there is any fixed point in the historical understandings of constitutional freedom that help to define us as a people, it is that no one may be picked up and locked up by the American state in secret or at an unknown location, or without opportunity to petition an independent court for inspection of the lawfulness of the lockup and of the treatment handed out by the state to the person locked up, under legal standards from time to time defined by Congress. This core principle should apply with full force to all detentions by the American state, regardless of the citizenship of detainees.

The legislation now pending before Congress would constitute a gross and direct repudiation of this principle. It aims to prevent any degree of judicial inspection of conditions of detention of any person whom the executive for any reason, disclosed or undisclosed, may choose to label and treat as an enemy combatant. It also seeks to prevent any degree of judicial inspection of grounds or reasons for detention of any person thus labeled whom the executive may choose to keep locked up forever without any official determination of combatant status. Such lawmaking by Congress would deal a body blow to American constitutional identity and American constitutional pride. It would in that way weaken us as a people, not only abroad but at home. It would produce major legal challenges and once more invite both our international critics and our friends to point to the U.S. government's apparent effort to evade widely accepted legal and moral constraints, tarnishing our reputation and our standing.

Legislation so grave ought not even to be seriously considered, much less enacted, in the absence of overwhelmingly urgent reasons. We are told that pending and foreseeable habeas corpus petitions make demands on judicial time and energies, and that having to fashion responses to them is distracting to military personnel and thus impedes our war effort. With all respect, those reasons are paltry when set beside the core principles of American justice and decency at stake.

No doubt there is a possibility that courts in some habeas corpus cases could get more seriously in the way of the executive. A habeas court might find that our country's laws as they stand, unless and until changed by Congress, require adjustments of military and executive branch practice that the executive would find undesirable or contrary to the national interest. We have not heard any of our legislators objecting to habeas corpus on that ground, and we believe we

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<sup>8</sup> Bill S.3929, Sec. 104(a)(1)(`Ch. 47A)(`Subch. III)(`Sec. 948r)(`c)-(`d).

<sup>9</sup> Bill S.3929, Section 949j.

know why we have not: For to object to habeas corpus on that ground is to set at naught the rule of law.

We cannot in good conscience stand by while a bill that erodes protections against state-sanctioned abuse is enacted. We therefore urge you to do everything in your power to prevent the enactment of this bill, and to ensure that any legislation passed on this subject complies fully with our constitutional standards.

Respectfully,

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113	Lewis Kurlantzick	Zephaniah Swift Professor of Law	University of Connecticut School of Law	CT
114	Loftus Becker	Professor of Law	University of Connecticut School of Law	CT
115	Timothy Hackett Everett	Clinical Professor of Law	University of Connecticut School of Law	CT
116	Bruce Ackerman	Sterling Professor of Law and Political Science	Yale Law School	CT
117	Daniel Markovits	Associate Professor of Law	Yale Law School	CT
118	Harold Hongju Koh	Dean and Gerard C. and Bernice Latrobe Smith Professor of International Law	Yale Law School	CT
119	James Silk	Associate Clinical Professor and Executive Director, Orville H. Schell, Jr. Center for International Human Rights	Yale Law School	CT
120	Judith Resnik	Arthur Liman Professor of Law	Yale Law School	CT
121	Michael J. Wishnie	Clinical Professor of Law	Yale Law School	CT
122	Robert W. Gordon	Chancellor Kent Professor of Law and Legal History	Yale Law School	CT
123	Stephen Wizner	William O. Douglas Clinical Professor	Yale Law School	CT
124	Amanda Frost	Assistant Professor of Law	American University, Washington College of Law	DC
125	Angela J. Davis	Professor of Law	American University, Washington College of Law	DC
126	Ann Shalleck	Professor of Law & Carrington Shields Scholar	American University, Washington College of Law	DC
127	Anthony E. Varona	Associate Professor of Law	American University, Washington College of Law	DC
128	Claire Smearman	Practitioner-in-Residence, Civil Practice Clinic	American University, Washington College of Law	DC
129	Elliott S. Milstein	Professor of Law	American University, Washington College of Law	DC
130	Eugene R. Fidell	Adjunct Professor of Law	American University, Washington College of Law	DC
131	Ezra Rosser	Assistant Professor	American University, Washington College of Law	DC
132	Fernanda G. Nicola	Assistant Professor of Law	American University, Washington College of Law	DC
133	Herman Schwart	Professor of Law	American University, Washington College of Law	DC
134	John Quentin Heywood	Adjunct Professor of International Law	American University, Washington College of Law	DC
135	Jonathan Baker	Professor of Law	American University, Washington College of Law	DC
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137	Muneer I. Ahmad	Associate Professor of Law	American University, Washington College of Law	DC

138	Peter Jaszi	Professor of Law	American University, Washington College of Law	DC
139	Richard J. Wilson	Professor of Law	American University, Washington College of Law	DC
140	Richard S. Ugelow	Practitioner-In-Residence	American University, Washington College of Law	DC
141	Mary Brittingham	Associate Professor of Clinical Law	George Washington University Law School	DC
142	Carrie J. Menkel- Meadow	A.B. Chettle Jr. Professor of Law	Georgetown University Law Center	DC
143	David Luban	Frederick Haas Professor of Law and Philosophy	Georgetown University Law Center	DC
144	James Oldham	St. Thomas More Professor of Law and Legal History	Georgetown University Law Center	DC
145	John M. Copacino	Professor of Law	Georgetown University Law Center	DC
146	Mari Matsuda	Professor of Law	Georgetown University Law Center	DC
147	Michael Bochenek	Adjunct Professor of Law	Georgetown University Law Center	DC
148	Michael Gottesman	Professor of Law	Georgetown University Law Center	DC
149	Richard Lazarus	Professor of Law	Georgetown University Law Center	DC
150	Robert F. Drinan, S.J.	Law Professor	Georgetown University Law Center	DC
151	Susan Deller Ross	Professor of Law	Georgetown University Law Center	DC
152	Marsha A. Echols	Professor of Law	Howard Law School	DC
153	Ralph G. Steinhardt	Arthur Selwyn Miller Research Professor of Law	The George Washington University Law School	DC
154	Robert Justin Lipkin	Professor	Widener University School of Law	DE
155	Barbara Bennett Woodhouse	David H. Levin Chair in Family Law	Fredric G. Levin College of Law, U. of Florida	FL
156	Lauren Gilbert	Associate Professor of Law	St. Thomas University School of Law	FL
157	Michael S. Vastine	Director, Immigration Clinic	St. Thomas University School of Law	FL
158	Kathleen Price	Clarence J. TeSelle Professor of Law and Associate Dean for Library and Technology	University of Florida, Levin College of Law	FL
159	A. Michael Fromkin	Professor of Law	University of Miami School of Law	FL
160	Clark Freshman	Professor of Law	University of Miami School of Law	FL
161	Cynthia A. Drew	Associate Professor of Law	University of Miami School of Law	FL

162	David Abraham	Professor of Law	University of Miami School of Law	FL
163	Donna Coker	Professor and Associate Dean	University of Miami School of Law	FL
164	Elizabeth M. Iglesias	Professor of Law & Director, Center for Hispanic & Caribbean Legal Studies	University of Miami School of Law	FL
165	Irwin P. Stotzky	Professor and Director of the Center for the Study of Human Rights	University of Miami School of Law	FL
166	Kele S. Williams	Assistant Clinical Professor	University of Miami School of Law	FL
167	Martha Mahoney	Professor of Law	University of Miami School of Law	FL
168	Mary Coombs	Professor of Law	University of Miami School of Law	FL
169	Patrick O. Gudridge	Professor of Law	University of Miami School of Law	FL
170	Stephen I. Vladeck	Associate Professor of Law	University of Miami School of Law	FL
171	Stephen J. Schnably	Professor of Law	University of Miami School of Law	FL
172	Terence J. Anderson	Professor of Law	University of Miami School of Law	FL
173	Zanita Fenton	Professor of Law	University of Miami School of Law	FL
174	Johan van der Vyver	I.T. Cohen Professor of International Law and Human Rights	Emory University, School of Law	GA
175	Michael J. Perry	Robert W. Woodruff Professor of Law	Emory University, School of Law	GA
176	Natsu Taylor Saito	Professor of Law	Georgia State University College of Law	GA
177	Ann Puckett	Professor of Law and Director, Law Library	University of Georgia, School of Law	GA
178	Emily Hammond Meazell	Visiting Assistant Professor of Law	University of Georgia, School of Law	GA
179	Maria Eugenia Gimenez	Associate Director, Rusk Center-International, Comparative and Graduate Legal Studies	University of Georgia, School of Law	GA
180	Milner S. Ball	Caldwell Professor of Constitutional Law	University of Georgia, School of Law	GA
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182	Williamson Chang	Professor of Law	University of Hawaii Law School	HI
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185	Sally Frank	Professor of Law	Drake University School of Law	IA

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187	Carolyn Shapiro	Assistant Professor of Law	Illinois Institute of Technology, Chicago-Kent College of Law	IL
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191	Ronald W. Staudt	Professor of Law	Illinois Institute of Technology, Chicago-Kent College of Law	IL
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196	M. Cherif Bassiouni	Distinguished Research Professor of Law	DePaul University College of Law	IL
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203	John Haberstroh	Clinical Assistant Professor of Law	Northwestern University School of Law	IL
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222	Linda Kelly Hill	Professor of Law	Indiana University School of Law	IN
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227	Fernand N. Dutille	Professor of Law	Notre Dame Law School	IN
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236	Enid Trucios-Haynes	Professor of Law	Louis D. Brandeis School of Law	KY
237	Ken Katkin	Professor of Law	Salmon P. Chase College of Law	KY
238	David J. Gottlieb	Professor of Law	University of Kansas School of Law	KY
239	Alvin L. Goldman	Professor of Law	University of Kentucky College of Law	KY
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242	Bill Quigley	Professor of Law	Loyola University, New Orleans, College of Law	LA
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249	Charles H. Baron	Professor of Law	Boston College Law School	MA
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252	Kent Greenfield	Professor of Law	Boston College Law School	MA
253	Mark S. Brodin	Professor of Law	Boston College Law School	MA
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255	Robert M. Bloom	Professor of Law	Boston College Law School	MA
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257	Larry Yackle	Professor of Law	Boston University	MA

258	David Lyons	Professor of Law	Boston University School of Law	MA
259	David Rossman	Professor of Law	Boston University School of Law	MA
260	Michael C. Harper	Professor of Law	Boston University School of Law	MA
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262	Stanley Z. Fisher	Professor of Law	Boston University School of Law	MA
263	Susan M. Akram	Associate Professor	Boston University School of Law	MA
264	Wendy K. Mariner	Professor of Law	Boston University School of Law	MA
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266	Carol Steiker	Professor of Law	Harvard Law School	MA
267	Charles J. Ogletree	Jesse Climenko Professor of Law	Harvard Law School	MA
268	Christine Desan	Professor of Law	Harvard Law School	MA
269	Deborah Anker	Clinical Professor of Law	Harvard Law School	MA
270	Duncan Kennedy	Carter Professor of General Jurisprudence	Harvard Law School	MA
271	Elizabeth Bartholet	Morris Wasserstein Public Interest Professor of Law	Harvard Law School	MA
272	Frank I. Michelman	Robert Walmsley University Professor	Harvard Law School	MA
273	Gerald Frug	Louis D. Brandeis Professor of Law	Harvard Law School	MA
274	Harry S. Martin III	Henry N. Ess III Librarian & Professor of Law	Harvard Law School	MA
275	Henry Steiner	Jeremiah Smith, Jr. Prof. of Law, Emeritus	Harvard Law School	MA
276	Jacqueline Bhabha	Jeremiath Smith Jr. Lecturer on Law	Harvard Law School	MA
277	James Cavallaro	Clinical Professor of Law	Harvard Law School	MA
278	Jody Freeman	Professor of Law	Harvard Law School	MA
279	John Willshire-Carrera	Managing Attorney, Harvard Immigration and Refugee Clinic	Harvard Law School	MA
280	Jon Hanson	Professor of Law	Harvard Law School	MA
281	Joseph Singer	Bussey Professor of Law	Harvard Law School	MA
282	Kenneth Mack	Professor of Law	Harvard Law School	MA
283	Laurence H. Tribe	Carl M. Loeb University Professor	Harvard Law School	MA
284	Lloyd L. Weinreb	Dane Professor of Law	Harvard Law School	MA
285	Lucie White	Louis A. Horwitz Professor of Law	Harvard Law School	MA
286	Martha Minow	Jeremiah Smith, Jr. Professor of Law	Harvard Law School	MA
287	Mindy Jane Roseman, J.D., Ph.D.	Lecturer on Law, Academic Director, Human Rights Program	Harvard Law School	MA
288	Morton Horwitz	Charles Warren Professor of American Legal History	Harvard Law School	MA
289	Nancy Kelly	Managing Attorney, Harvard Immigration and Refugee Clinic	Harvard Law School	MA
290	Peter L. Murray	Braucher Visiting Professor of Law	Harvard Law School	MA

291	Randall Kennedy	Michael R. Klein Professor of Law	Harvard Law School	MA
292	Ryan Goodman	Rita E. Hauser Professor of Human Rights and Humanitarian Law	Harvard Law School	MA
293	Tyler Giannini	Lecturer on Law	Harvard Law School	MA
294	William P. Alford	Henry L. Stimson Professor of Law	Harvard Law School	MA
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296	Lawrence R. Velvel	Dean and Professor of Law	Massachusetts School of Law	MA
297	Dina Francesca Haynes	Professor of Law	New England School of Law	MA
298	Sarah Salter	Professor of Law	New England School of Law	MA
299	Brook K. Baker	Professor of Law	Northeastern University School of Law	MA
300	Dan Danielsen	Associate Professor of Law	Northeastern University School of Law	MA
301	Dan Williams	Associate Professor	Northeastern University School of Law	MA
302	Hope Lewis	Professor of Law	Northeastern University School of Law	MA
303	James V. Rowan	Professor of Law	Northeastern University School of Law	MA
304	Karl Klare	George J. & Kathleen Waters Matthews Distinguished University Professor	Northeastern University School of Law	MA
305	Michael Meltsner	Matthews Distinguished University Professor of Law	Northeastern University School of Law	MA
306	Peter D. Enrich	Professor of Law	Northeastern University School of Law	MA
307	Roger I. Abrams	Richardson Professor of Law	Northeastern University School of Law	MA
308	Sarah Hooke Lee	Associate Professor and Assistant Dean of Information and Research Services	Northeastern University School of Law	MA
309	Wallace Holohan	Senior clinical specialist	Northeastern University School of Law	MA
310	Wendy E. Parmet	Matthews Distinguished University Professor of Law	Northeastern University School of Law	MA
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312	Eric Blumenson	Professor of Law	Suffolk University Law School	MA
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315	Jessica Silbey	Assistant Professor of Law	Suffolk University Law School	MA
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327	Harris Freeman	Assistant Professor Legal Research and Writing	Western New England College School of Law	MA
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329	Deborah Weimer	Law School Professor	University of Maryland School of Law	MD
330	Mark A. Graber	Professor of Law	University of Maryland School of Law	MD
331	Michael Milleman	Professor of Law	University of Maryland School of Law	MD
332	Peter E. Quint	Jacob A. France Professor of Constitutional Law	University of Maryland School of Law	MD
333	Robert J. Condlin	Professor of Law	University of Maryland School of Law	MD
334	Taunya Lovell Banks	Jacob A. France Professor of Equality Jurisprudence	University of Maryland School of Law	MD
335	Cabanne Howard	Assistant Professor of Law	University of Maine School of Law	ME
336	David P. Cluchey	Professor of Law	University of Maine School of Law	ME
337	Deirdre M. Smith	Assoc. Professor of Law and Director, Cumberland Legal Aid Clinic	University of Maine School of Law	ME
338	James Friedman	Professor of Constitutional Law	University of Maine School of Law	ME
339	Jennifer Wriggins	Professor of Law	University of Maine School of Law	ME

340	Orlando E. Delogu	Emeritus Professor of Law	University of Maine School of Law	ME
341	James Parry Eyster	Assistant Clinical Professor	Ave Maria School of Law	MI
342	Michael Anthony Lawrence	Professor of Law	Michigan State University College of Law	MI
343	Anne Schroth	Clinical Professor of Law	University of Michigan Law School	MI
344	Eve L. Brensike	Assistant Professor of Law	University of Michigan Law School	MI
345	James Boyd White	Hart Wright Collegiate Professor of Law	University of Michigan Law School	MI
346	Madeline Kochen	Assistant Professor of Law	University of Michigan Law School	MI
347	Whitmore Gray	Emeritus Professor	University of Michigan Law School	MI
348	Brad R. Roth	Associate Professor of Political Science and Law	Wayne State University Law School	MI
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351	Vicente E. Garces	Professor of Legal Research Instruction	University of Minnesota Law Library	MN
352	Brian H. Bix	Frederick W. Thomas Professor for Interdisciplinary Study of Law and Language	University of Minnesota Law School	MN
353	Carol Chomsky	Professor of Law	University of Minnesota Law School	MN
354	Chantal Thomas	Professor of Law	University of Minnesota Law School	MN
355	Dan L. Burk	Oppenheimer, Wolff & Donnelly Professor of Law	University of Minnesota Law School	MN
356	Daniel J. Gifford	Robbins, Kaplan, Miller & Ciresi Professor of Law	University of Minnesota Law School	MN
357	Fionnuala Ni Aolain	Dorsey & Whitney Chair in Law	University of Minnesota Law School	MN
358	Laura Danielson	Adjunct Professor of Immigration Law	University of Minnesota Law School	MN
359	Steve Simon	Professor of Clinical Instruction	University of Minnesota Law School	MN
360	David Schultz	Professor of Law; Professor	University of Minnesota Law School; Hamline University Graduate School of Management	MN
361	Virgil Wiebe	Director of Clinical Legal Education and Associate Professor of Law	University of St. Thomas School of Law	MN
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365	Leigh Hunt Greenhaw	Senior Lecturer-in-law	Washington University School of Law	MO
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373	Allison J. Rice	Supervising Attorney and Senior Lecturing Fellow	Duke Law School	NC
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375	James Boyle	William Neal Reynolds Professor of Law	Duke Law School	NC
376	Neil Vidmar	Russell M. Robinson II Professor of Law	Duke Law School	NC
377	Paul Carrington	Professor of Law	Duke Law School	NC
378	Sarah Ludington	Senior Lecturing Fellow	Duke Law School	NC
379	Deborah M. Weissman	Professor of Law and Director of Clinical Programs	University of North Carolina School of Law	NC
380	Hiroshi Motomura	Kenan Distinguished Professor of Law	University of North Carolina School of Law	NC
381	Tamar R. Birckhead	Assistant Professor of Law	University of North Carolina School of Law	NC
382	James M. Grijalva	Randy H. Lee Associate Professor of Law	University of North Dakota	ND
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385	Hugh Gibbons	Professor of Law Emeritus	Franklin Pierce Law Center	NH
386	Thomas G. Field, Jr.	Professor of Law	Franklin Pierce Law Center	NH
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391	Charles Davenport	Professor of Law	Rutgers School of Law-Newark	NJ
392	James G. Pope	Professor of Law	Rutgers School of Law-Newark	NJ
393	Linda Bosniak	Professor of Law	Rutgers School of Law-Newark	NJ
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396	Penny Venetis	Clinical Professor of Law, Clinical Scholar and Associate Director, Constitutional Litigation Clinic	Rutgers School of Law-Newark	NJ
397	Baher Azmy	Associate Professor of Law	Seton Hall University School of Law	NJ
398	Jon Romberg	Associate Professor of Law	Seton Hall University School of Law	NJ
399	Kevin B. Kelly	Associate Clinical Professor	Seton Hall University School of Law	NJ
400	Kristen Boon	Associate Professor of Law	Seton Hall University School of Law	NJ
401	Rachel D. Godsil	Professor of Law	Seton Hall University School of Law	NJ
402	Thomas Healy	Associate Professor of Law	Seton Hall University School of Law	NJ
403	Elizabeth Rapaport	Professor of Law	University of New Mexico School of Law	NM
404	Gloria Valencia-Weber	Professor of Law	University of New Mexico School of Law	NM
405	Jennifer Moore	Professor of Law	University of New Mexico School of Law	NM
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411	Raquel Aldana	Professor of Law	University of Nevada at Las Vegas, Boyd School of Law	NV
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420	Eve Cary	Associate Professor of Law	Brooklyn Law School	NY
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422	Marsha Garrison	Professor of Law	Brooklyn Law School	NY
423	Maryellen Fullerton	Professor of Law	Brooklyn Law School	NY
424	Michael Madow	Professor of Law	Brooklyn Law School	NY
425	Michael T. Cahill	Associate Professor of Law	Brooklyn Law School	NY
426	Nathaniel Berman	Professor of Law	Brooklyn Law School	NY
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432	Mark Barenberg	Professor of Law	Columbia Law School	NY
433	Michael Doyle	Harold Brown Professor of International Affairs, Law and Political Science	Columbia Law School	NY
434	Peter Rosenblum	Lieff Cabraser Heimann & Bernstein Associate Clinical Professor of Human Rights	Columbia Law School	NY
435	Ragini Shah	Clinical Staff Attorney	Columbia Law School	NY
436	Theodore Ruthizer	Lecturer in Law	Columbia Law School	NY
437	Steve Yale-Loehr	Adjunct Professor of Law	Cornell University Law School	NY
438	Alison J. Nathan	Visiting Assistant Professor	Fordham Law School	NY
439	Anil Kalhan	Visiting Assistant Professor	Fordham Law School	NY

440	Brian Glick	Associate Clinical Professor of Law	Fordham Law School	NY
441	Catherine Powell	Co-Faculty Director, Crowley International Human Rights Program, Associate Professor of Law	Fordham Law School	NY
442	Elizabeth Cooper	Associate Professor of Law	Fordham Law School	NY
443	Jennifer Gordon	Associate Professor of Law	Fordham Law School	NY
444	Martha Rayner	Associate Clinical Professor of Law	Fordham Law School	NY
445	Martin Flaherty	Leitner Family Law Professor of International Human Rights, Co-Director, Crowley Program in International Human Rights	Fordham Law School	NY
446	Michael M. Martin	Distinguished Professor of Law	Fordham Law School	NY
447	Rachel Vorspan	Professor of Law	Fordham Law School	NY
448	Robin A. Lenhardt	Associate Professor of Law	Fordham Law School	NY
449	Tracy Higgins	Professor of Law	Fordham Law School	NY
450	Barbara Stark	Professor of Law	Hofstra University School of Law	NY
451	Eric M. Freedman	Maurice A. Deane Distinguished Professor of Constitutional Law	Hofstra University School of Law	NY
452	Lauris Wren	Assistant Clinical Professor of Law	Hofstra University School of Law	NY
453	Nora V. Demleitner	Professor of Law	Hofstra University School of Law	NY
454	Anthony G. Amsterdam	University Professor, Professor of Law	New York University School of Law	NY
455	Arthur S. Leonard	Professor of Law	New York University School of Law	NY
456	Burt Neuborne	Inez Milholland Professor of Civil Liberties	New York University School of Law	NY
457	Claudia Angelos	Clinical Professor of Law	New York University School of Law	NY
458	Daniel Hulsebosch	Professor of Law	New York University School of Law	NY
459	Helen Hershkoff	Joel S. and Anne B. Ehrenkranz Professor of Law	New York University School of Law	NY
460	Holly Maguigan	Professor of Clinical Law	New York University School of Law	NY
461	Kim Taylor-Thompson	Professor of Law	New York University School of Law	NY
462	Lewis A. Kornhauser	Alfred B. Engelberg Professor of Law	New York University School of Law	NY
463	Margaret L. Satterthwaite	Assistant Professor of Clinical Law, Faculty Director, Center for Human Rights and Global Justice	New York University School of Law	NY
464	Martin Guggenheim	Fiorello LaGuardia Professor of Clinical Law	New York University School of Law	NY

465	Mary S. Holland	Research Scholar	New York University School of Law	NY
466	Mattias Kumm	Professor of Law, Director, LL.M.-J.S.D. Program of International Law	New York University School of Law	NY
467	Nancy Morawetz	Professor of Clinical Law	New York University School of Law	NY
468	Paul G. Chevigny	Professor of Law	New York University School of Law	NY
469	Paula Galowitz	Clinical Professor of Law	New York University School of Law	NY
470	Peggy Cooper Davis	Shad Professor of Law	New York University School of Law	NY
471	Randy Hertz	Professor of Clinical Law	New York University School of Law	NY
472	Smita Narula	Assistant Professor of Clinical Law	New York University School of Law	NY
473	Stephen J. Schulhofer	Robert B. McKay Professor of Law	New York University School of Law	NY
474	Thomas Nagel	Professor of Law	New York University School of Law	NY
475	Daniel Shaviro	Wayne Perry Professor of Taxation	NYU Law School	NY
476	Cristina Rodriguez	Assistant Professor of Law	NYU School of Law	NY
477	David Golove	Professor of Law	NYU School of Law	NY
478	Norman Dorsen	Stokes Professor of Law	NYU School of Law	NY
479	Adele Bernhard	Director, Criminal Defense Clinic, Associate Professor of Law	Pace Law School	NY
480	Vanessa Merton	Professor of Law	Pace Law School	NY
481	C. Mario Russell	Adjunct Professor of Law	St. John's University School of Law	NY
482	Martha McCluskey	Professor of Law	State University of New York, University at Buffalo Law School	NY
483	Teresa A. Miller	Professor of Law	State University of New York, University at Buffalo Law School	NY
484	Peter A. Bell	Professor of Law	Syracuse University College of Law	NY
485	Sarah H. Ramsey	Laura J. and L. Douglas Meredith Professor for Teaching Excellence, Professor of Law and Director	Syracuse University College of Law	NY
486	William C. Banks	Laura J. and L. Douglas Meredith Professor	Syracuse University College of Law	NY
487	William M. Wiecek	Congdon Professor of Public Law	Syracuse University College of Law	NY
488	Leslie Bender	Board of Advisors Professor of Law	Syracuse University College of Law	NY

489	Eileen Kaufman	Professor of Law	Touro Law Center	NY
490	Howard A. Glickstein	Dean Emeritus and Professor of Law	Touro Law Center	NY
491	Marianne Artusio	Associate Professor of Law	Touro Law Center	NY
492	Marjorie A. Silver	Professor of Law	Touro Law Center	NY
493	Steven Jonas	MD, MPH, Adjunct Professor of Legal Education	Touro Law Center	NY
494	Careen B. Shannon	Adjunct Professor of Law	Yeshiva University, Benjamin N. Cardozo School of Law	NY
495	Peter Tillers	Professor of Law	Yeshiva University, Benjamin N. Cardozo School of Law	NY
496	David Garland	Arthur T. Vanderbilt Professor of Law	NYU School of Law	NY
497	Mark Strasser	Trustees Professor of Law	Capital University Law School	OH
498	Adam Thurschwell	Associate Professor of Law	Cleveland-Marshall College of Law	OH
499	Elizabeth Reilly	Associate Dean and McDowell Professor of Law	University of Akron School of Law	OH
500	Margery Koosed	Professor of Law	University of Akron School of Law	OH
501	William D. Rich	Associate Professor of Law	University of Akron School of Law	OH
502	Bert Lockwood	Distinguished Service Professor	University of Cincinnati College of Law	OH
503	Benjamin G. Davis	Associate Professor of Law	University of Toledo College of Law	OH
504	Daniel J. Steinbock	Harold A. Anderson Professor of Law	University of Toledo College of Law	OH
505	Carla Spivack	Assistant Professor of Law	Oklahoma City University School of Law	OK
506	Karen Eby	Legal Research and Writing Professor	Oklahoma City University School of Law	OK
507	Randall Coyne	Elkouri Professor of Law	University of Oklahoma College of Law	OK
508	Juliet P. Stumpf	Associate Professor of Law	Lewis & Clark Law School	OR
509	Barbara Bader Aldave	Loran L. Stewart Professor of Law	University of Oregon School of Law	OR
510	Hari M. Osofsky	Assistant Professor of Law	University of Oregon School of Law	OR
511	Michael B. Wise	Professor of Law	Willamette University College of Law	OR
512	Paul A. Diller	Assistant Professor of Law	Willamette University College of Law	OR
513	Margaret K. Krasik	Associate Professor of Law	Duquesne University School of Law	PA

514	William J. Woodward, Jr.	Professor of Law	James Beasley School of Law, Temple University	PA
515	Dermot Groome	Visiting Professor of Law	Penn State University, Dickinson School of Law	PA
516	Victor C. Romero	Associate Dean for Academic Affairs (University Park) and Maureen B. Cavanaugh Research Professor	Penn State University, Dickinson School of Law	PA
517	Amelia H. Boss	Professor of Law	Temple University, Beasley School of Law	PA
518	David Kairys	James E. Beasley Professor of Law	Temple University, Beasley School of Law	PA
519	Mark C. Rahdert	Professor of Law	Temple University, Beasley School of Law	PA
520	Muriel Morisey	Associate Professor of Law	Temple University, Beasley School of Law	PA
521	Phoebe A. Haddon	Professor of Law	Temple University, Beasley School of Law	PA
522	Scott Burriss	James E. Beasley Professor of Law	Temple University, Beasley School of Law	PA
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524	Anita L. Allen	Henry R. Silverman Professor of Law and Professor of Philosophy	University of Pennsylvania Law School	PA
525	Kermit Roosevelt	Assistant Professor of Law	University of Pennsylvania Law School	PA
526	Sarah Paoletti	Clinical Supervisor and Lecturer, Transnational Legal Clinic	University of Pennsylvania Law School	PA
527	Ann Elizabeth Mayer	Associate Professor of Legal Studies and Business Ethics	University of Pennsylvania, Wharton School	PA
528	Jules Lobel	Professor of Law	University of Pittsburgh Law School	PA
529	Bernard Hibbits	Professor of Law	University of Pittsburgh School of Law	PA
530	Derrick Bell	Visiting Professor of Law	University of Pittsburgh School of Law	PA
531	Jean Stefancic	Research Professor of Law	University of Pittsburgh School of Law	PA
532	John M. Burkoff	Professor of Law	University of Pittsburgh School of Law	PA
533	Marvin A. Fein	Associate Professor of Legal Writing	University of Pittsburgh School of Law	PA
534	Rhonda Wasserman	Professor of Law	University of Pittsburgh School of Law	PA
535	Richard Delgado	University Distinguished Professor of Law	University of Pittsburgh School of Law	PA
536	Gregory P. Magarian	Professor of Law	Villanova University School of Law	PA
537	Penelope Pether	Professor of Law	Villanova University School of Law	PA

538	John J. Cannon	Professor of Law	Villanova University School of Law	PA
539	Joseph Dellapenna	Professor of Law	Villanova University School of Law	PA
540	John J. Capowski	Associate Professor of Law	Widener University School of Law	PA
541	Andrew Horwitz	Professor of Law	Roger Williams University School of Law	RI
542	Jared Goldstein	Associate Professor of Law	Roger Williams University School of Law	RI
543	Jonathan M. Gutoff	Associate Professor of Law	Roger Williams University School of Law	RI
544	W. Lewis Burke	Professor of Law	University of South Carolina	SC
545	Patrice H. Kunesh	Assistant Professor of Law	University of South Dakota School of Law	SD
546	Fran Ansley	Professor of Law	University of Tennessee College of Law	TN
547	Hill Rivkin	Dean and College of Law Distinguished Professor	University of Tennessee College of Law	TN
548	Paulette J. Williams	Associate Professor of Law	University of Tennessee College of Law	TN
549	Linda Rose	Adjunct Professor of Law	Vanderbilt University Law School	TN
550	Geoffrey S. Corn	Assistant Professor of Law	South Texas College of Law	TX
551	Rose Cuison Villazor	Assistant Professor of Law	Southern Methodist University, Dedman School of Law	TX
552	Craig L. Jackson	Professor of Law	Texas Southern University, Thurgood Marshall School of Law	TX
553	Huyen Pham	Associate Professor of Law	Texas Wesleyan University School of Law	TX
554	Jordan J. Paust	Mike & Teresa Baker Law Center Professor	University of Houston Law Center	TX
555	Laura Oren	Law Foundation Professor	University of Houston Law Center	TX
556	Barbara Hines	Clinical Professor of Law	University of Texas School of Law	TX
557	Karen Engle	W.H. Francis, Jr. Professor in Law & Director	University of Texas School of Law	TX
558	Michael J. Churgin	Raybourne Thompson Centennial Professor	University of Texas School of Law	TX
559	Sanford Levinson	W. St. John Garwood and W. St. John Garwood Jr. Centennial Chair in Law	University of Texas School of Law	TX
560	William E. Forbath	Lloyd M. Bentsen Chair in Law	University of Texas School of Law	TX
561	Martha Ertman	Professor of Law	University of Utah, SJ Quinney College of Law	UT

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563	Ann C. Hodges	Professor of Law	University of Richmond School of Law	VA
564	Carl Tobias	Williams Professor of Law	University of Richmond School of Law	VA
565	John Paul Jones	Professor of Law	University of Richmond School of Law	VA
566	Shari Motro	Assistant Professor of Law	University of Richmond School of Law	VA
567	Deena R. Hurwitz	Assistant Professor of Law	University of Virginia School of Law	VA
568	Katie Redford	Adjunct Professor of Law	University of Virginia School of Law and Washington College of Law	VA
569	Louise Halper	Professor of Law	Washington & Lee University School of Law	VA
570	Jackie Gardina	Associate Professor of Law	Vermont Law School	VT
571	Joan Vogel	Professor of Law	Vermont Law School	VT
572	Liz Ryan Cole	Professor of Law	Vermont Law School	VT
573	Patrick Parenteau	Professor of Law	Vermont Law School	VT
574	Peter R. Teachout	Professor of Constitutional Law	Vermont Law School	VT
575	Richard Oliver Brooks	Professor of Law	Vermont Law School	VT
576	Stephen Dycus	Professor of Law	Vermont Law School	VT
577	John E. Clute	Professor of Law	Gonzaga University School of Law	WA
578	Gwynne L. Skinner	Visiting Clinical Professor of Law, International Human Rights Law	Seattle University School of Law	WA
579	John A. Strait	Associate Professor of Law	Seattle University School of Law	WA
580	Julie Shapiro	Associate Professor of Law	Seattle University School of Law	WA
581	Ronald C. Slye	Associate Professor, Director, International and Comparative Law Programs	Seattle University School of Law	WA
582	Clark B. Lombardi	Assistant Professor of Law	University of Washington School of Law	WA
583	Deborah Maranville	Professor of Law	University of Washington School of Law	WA
584	Helen A. Anderson	Assistant Professor of Law	University of Washington School of Law	WA
585	Jamie Mayerfeld	Associate Professor of Political Science	University of Washington School of Law	WA
586	Jane K. Winn	Professor of Law	University of Washington School of Law	WA
587	Jonathan A. Eddy	Professor of Law	University of Washington School of Law	WA

588	Kate Corcoran	Senior Law Lecturer	University of Washington School of Law	WA
589	Kate O'Neill	Associate Professor	University of Washington School of Law	WA
590	Lisa Kelly	Professor of Law, Director Children and Youth Advocacy Clinic (CAYAC)	University of Washington School of Law	WA
591	Louis E. Wolcher	Charles I. Stone Professor of Law	University of Washington School of Law	WA
592	Stewart Jay	William L. Dwyer Chair in Law, Professor of Law	University of Washington School of Law	WA
593	Veronica L. Taylor	Henry M. Jackson Professor of Law	University of Washington School of Law	WA
594	William T. Burke	Professor of Law Emeritus	University of Washington School of Law	WA
595	Elizabeth Mertz	Professor of Law	University of Wisconsin Law School	WI
596	Heinz Klug	Professor of Law	University of Wisconsin Law School	WI
597	Lawrence J. Bugge	Adjunct Professor of Law	University of Wisconsin Law School	WI
598	Leonard V. Kaplan	Mortimer Jackson Chair of Law	University of Wisconsin Law School	WI
599	Martha E. Gaines	Clinical Professor of Law	University of Wisconsin Law School	WI
600	Mary Prosser	Assistant Clinical Professor of Law	University of Wisconsin Law School	WI
601	Meredith J. Ross	Clinical Professor of Law	University of Wisconsin Law School	WI
602	Michael E. Smith	Haight-Bascom Professor of Law	University of Wisconsin Law School	WI
603	Richard B. Bilder	Foley & Lardner - Bascom Emeritus Professor of Law	University of Wisconsin Law School	WI
604	Stephen Meili	Clinical Professor of Law	University of Wisconsin Law School	WI
605	Ted Finman	Bascom Professor of Law Emeritus	University of Wisconsin Law School	WI
606	William C. Whitford	Emeritus Professor of Law	University of Wisconsin Law School	WI
607	Patrick C. McGinley	Professor of Law	West Virginia University College of Law	WV
608	Valorie K. Vojdik	Associate Professor of Law	West Virginia University College of Law	WV
609	Timothy Kearley	Professor of Law and Director of the Law Library	University of Wyoming College of Law	WY