



2012

Supreme Court Institute Annual Report, 2011-2012

Georgetown University Law Center, Supreme Court Institute

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GEORGETOWN UNIVERSITY LAW CENTER • Office Memorandum

DATE: MAY 7, 2012
TO: GEORGETOWN LAW FACULTY AND STAFF
FROM: IRV GORNSTEIN, DORI BERNSTEIN
STEVEN GOLDBLATT, NINA PILLARD
RE: SUPREME COURT INSTITUTE ANNUAL REPORT

Executive Summary:

During the 2011-2012 academic year – corresponding to the U.S. Supreme Court’s October Term (OT) 2011 – the Supreme Court Institute (SCI) provided moot courts for advocates in over 94% of the cases heard by the Court this Term and offered over a dozen programs related to the Supreme Court. All SCI moot courts held in OT 2011, listed by sitting and date of moot, and including the name and affiliation of each advocate and the number of student observers, follows the narrative portion of this report. Here are some facts and figures about SCI moot courts this Term (figures from last Term, OT 2010, appear in brackets as a basis of comparison):

MOOTS

Total Number of Moots: 68 moots (4 moots in consolidated ACA cases)
[OT 2010: 73 moots]
Number of Cases Mooted: 65 of 69 cases argued
[OT 2010: 73 of 78 cases argued]
% of Cases Mooted: 94% of cases argued (94.2%)
[OT 2010: 94% of cases argued (93.58%)]

JUSTICES:

Number of Justice Seats: 342 – average of 5 Justices per moot court
[OT 2010: 366]
Number of Unique Justices: 201
[OT 2010: 215]
Number of External Justices: 170
[OT 2010: 185]
External Repeaters: 44 (39 served twice; 5 served more than twice)
[OT 2010: 47 (42 served twice; 5 served more than twice)]
External Single-Timers: 126
[OT 2010: 138]
Most Frequent External Justices: Jim Feldman – 4
Steve Vladeck – 4
Number of GULC Justices: 31
[OT 2010: 30]

GULC Repeaters:	13 (3 served twice; 10 served more than twice)
[OT 2010:	18]
GULC Single-Timers:	18
[OT 2010:	12]
Most Frequent GULC Justices:	Mike Gottesman – 7
(excluding SCI staff)	Marty Lederman – 7
OBSERVERS:	1378
[OT 2010:	1173]
Best Attended Moot Court:	<i>Zivotofsky v. Clinton</i> – 136 observers
[OT 2010:	<i>Wal-Mart v. Dukes</i> – 107]
ADVOCATES	
Petitioners' Counsel:	37 moots – 54%
[OT 2010:	39 Petitioners' Counsel – 53.5%]
Respondents' Counsel:	30 moots – 44%
[OT 2010:	34 Respondents' Counsel – 46.5%]
Court-Appointed Amicus:	1 moot – 1.5%
Total Advocates Mooted:	61
[OT 2010:	68]
1st-Time S.Ct Advocates:	29 – 47.5% of all advocates mooted
[OT 2010:	32 – 43.8% of all advocates mooted]
Female Advocates:	8 mooted (9 cases) – 13%
[OT 2010:	Pattie Millett twice: <i>Gonzales</i> and <i>Filarsky</i> 7 mooted (8 cases) – 9%; Lisa Blatt twice]
Male Advocates:	53 mooted in 59 cases – 87%
John Neiman twice:	<i>Maples v. Thomas</i> <i>Miller v. Alabama</i>
Seth Waxman twice:	<i>Martel v. Claire</i> <i>FCC v. Fox Television Stations</i>
Paul Clement five x:	<i>Pacific Operators Offshore v. Valladolid</i> <i>PPL Montana v. Montana</i> <i>Dep't of HHS v. Florida</i> <i>Florida v. Dep't of HHS</i> <i>Arizona v. United States</i>
[OT 2010:	66 in 65 cases – 91% (1 moot of 2 w/ divided arg.)]
Former US SGs:	3 (Paul Clement, Walter Dellinger, & Seth Waxman)
[OT 2010:	2 – Paul Clement & Seth Waxman]
State Reps:	7 States (8 moots)
(8 moots)	Cal. , Karin Schwartz: <i>Douglas v. Indep. Living Center</i> Ariz. , Kent Cattani: <i>Martinez v. Ryan</i> Ala. (twice), John Neiman: <i>Maples</i> and <i>Miller</i> Mich. , John Bursch: <i>Howes v. Fields</i> NH , Michael Delaney: <i>Perry v. New Hampshire</i>

		Ill. , Anita Alvarez: <i>Williams v. Illinois</i> Ark. , Kent Holt: <i>Jackson v. Hobbs</i> AL; CA; NY; OH; OR (2x); SC; WY]
[OT 2010:	7 States (8 moots)	
Public Defenders:	7	Candace Cain: <i>Reynolds v. US</i>
[OT 2010:	10]	Valerie Newman: <i>Lafler v. Cooper</i> Emmett Queener: <i>Missouri v. Frye</i> Jason Hawkins: <i>Setser v. US</i> Jonathan Libby: <i>US v. Alvarez</i> Kathleen Lord: <i>Wood v. Milyard</i> Steve Eberhardt: <i>Dorsey v. US/Hill v. US</i>
Law Professors:	6	Anthony Falzone, Stanford: <i>Golan v. Holder</i>
[OT 2010:	8]	Jeff Fisher, Stanford: <i>Greene v. Fisher</i> Mike McConnell, Stanford: <i>CompuCredit v. Greenwood</i> Jack Preis, Univ. of Richmond: <i>Minnecci v. Pollard</i> Michael Foreman, Dickinson: <i>Coleman v. Md Ct.App.</i> Stephanos Bibas, UPenn: <i>Vartelas v. Holder</i>
Non-Profit Orgs:	4	Scott Nelson, Pub Citizen: <i>Mims v. Arrow Fin. Servs.</i>
[OT 2010:	4]	Josh Gillelan, Longshore Claimants' Nat. Law Ctr: <i>Roberts v. Sea-Land Services</i> Damian Schiff, Pacific Legal Found: <i>Sackett v. EPA</i> Jose Garza, TX Rio Grande Legal Aid: <i>Perry v. Perez</i>
Solo Practitioners:	1	John Jones: <i>Rebberg v. Paulk</i>
[OT 2010:	5]	
Boutique Firms:	13	Lewin & Lewin (2 attys) (N.Lewin)
[OT 2010:	12]	Shainis & Peltzman (2 attys) (S.Leckar) Goldstein & Russell (5 attys) (K.Russell; T.Goldstein) Law Offices of Beau Brindley (5 attys) (B.Brindley) Rodgers, Powers & Schwartz (8 attys) (H.Schwartz) Gordon, Tilden, Thomas & Cordell (12) (J.Tilden) Schonbrun Desimone (13 attys) (P.Hoffman) Bancroft (14 attys) (P.Clement – 5 times) MoloLamken (15 attys) (J.Lamken) Greines Martin Stein & Richland (22) (T.Coates) Robbins Russell (24 attys) (M.Stancil) Bredhoff & Kaiser (33 attys) (J.Collins) Kellogg Huber (50+ attys) (A.Panner)
Large Firms (200+):	19	O'Melveny (W.Dellinger & J.Hacker)
[OT 2010:	15]	Sidley (C.Phillips) Wilmer (M.Fleming & S.Waxman twice) Akin Gump (P.Millett twice) Eckert Seamans (325+) (T.Whelan) Dorsey & Whitney (S.Wells)

Williams & Connolly (K.Shanmuggam)
Lewis & Roca (200) (S.Freeman)
Reed Smith (R.Cardozo)
Gibson Dunn (M.Perry)
Paul Hastings (S.Kinnaird)
Skadden Arps (C.Sloan)
Jones Day (M.Fried & M.Carvin)
Miller & Chevalier (L.Ferguson)
Polsinelli Shugart (580) (S.Gallagher)
Mayer Brown (C.Rothfeld)
Covington Burling (R.Long)
Perkins Coie (D.Neff)
Warner Norcross & Judd (220) (M.Nelson)

SCI Moot Courts:

The SCI mooted advocates in 65 of the 69 cases the U.S. Supreme Court heard in OT 2011 – 94.2% of the Court’s argument docket. Two hundred one volunteer “Justices” filled 342 seats behind the bench – averaging out to the ideal 5-member panel for each moot court. Twenty-nine of the 61 advocates we mooted – nearly half – were preparing for their first Supreme Court argument. Three former Solicitors General of the United States, Paul Clement, Walter Dellinger, and Seth Waxman, prepared for a total of eight arguments in some of the best-attended moot courts this Term. We mooted advocates from four non-profit organizations; 32 different law firms (14 advocates affiliated with 13 small or “boutique” firms, and 22 advocates affiliated with 19 large firms with over 200 attorneys); one solo practitioner; six law professors; seven public defenders; and the offices of the Attorney General or Solicitor General representing Alabama (twice), Arizona, Arkansas, California, Illinois, Michigan, and New Hampshire. The moots were roughly split between advocates representing petitioners (37) and those representing respondents (30), plus a single amicus curiae appointed by the Court.

Student Attendance at SCI Moot Courts:

Student attendance at SCI moots continued to grow this Term. The number of observers at each SCI moot court combined totaled 1,378. We expanded our collaboration with the Legal Research and Writing (LRW) faculty and other professors to ensure that every first-year J.D. student – including, for the first time, those enrolled in the evening division – had the opportunity to observe the argument preparation of a Supreme Court advocate. A member of the SCI staff provided case materials (briefs and opinions) with suggested reading assignments, and visited each LRW class before the class was scheduled to attend a moot court. During the LRW class visit, SCI staff described our moot court program, discussed preparation for oral argument, and reviewed the factual and legal background of the assigned case. At the conclusion of each moot court, students had an opportunity to ask questions of the mooted advocate. Over the course of the year, advocates responded to students’ questions about their professional background or experience; methods of preparing for oral argument; the history of the particular case; their litigation strategy; the legal issues at stake; and Supreme Court advocacy generally. On occasion, trial counsel, a client, or a member of the Office of the Solicitor General observing the moot in preparation to argue for the United States as amicus curiae, joined in the post-moot exchanges with students.

The SCI also coordinated with various professors to include moot courts as part of their subject matter curricula. As with the moot courts attended by LRW classes, counsel answered students' questions at the conclusion of each moot. Professor Alvaro Santos's International Law students, for example, attended the moot court in *Kiobel v. Royal Dutch Petroleum* (corporate liability under the Alien Tort Statute), and students in Professor Craig Becker's Administrative Law class were invited to the moot court in *Christopher v. SmithKline Beecham* (deference due to the Department of Labor's position that pharmaceutical representatives are not outside salespersons exempt from the FLSA). During the mid-semester break, Professor Peter Rubin's Week 1 seminar students attended the moot in *Filarsky v. Delia* (whether a private attorney hired by a local fire department to conduct a public integrity investigation is entitled to qualified immunity for an alleged Fourth Amendment violation). In a case of "moot-imitates-life," Professor Laura Donohue conducted a lottery to select 40 first-year students in her Constitutional Law class to attend the moot of Paul Clement in *Florida v. Department of Health and Human Services* (whether the Affordable Care Act minimum coverage provision is unconstitutional and if so, whether it is severable from the remainder of the Act).

With counsel's consent, several moot courts were held in venues larger than the SCI moot courtroom (Hotung 2003), to meet student demand. First-year students in the Constitutional Law I classes of Professors Marty Lederman (including all first-year evening division students), Michael Gottesman, and Sue Bloch attended the moot court in *Zivotofsky v. Clinton*, held in McDonough 203, at 6:00 pm to accommodate the number and schedules of evening division students. The moot in *Zivotofsky*, which concerned separation of powers questions raised by statute requiring State Department to designate "Israel" as place of birth on passports of U.S. citizens born in Jerusalem, featured Nat Lewin, a veteran Supreme Court advocate, and a stellar panel of Justices that included Dean William Treanor. With 136 student observers, the *Zivotofsky* moot court was the best-attended this year.

Professor Julie Cohen's copyright class (79 observers) attended the moot court in *Golan v. Holder*, which concerned whether Congress has authority to revive a copyright once a work enters the public domain. The moot court in *United States v. Jones*, which challenged the warrantless GPS-tracking of a vehicle as a violation of the Fourth Amendment, attracted an extraordinary level of student interest. Professor Cohen's class in Information Privacy Law, as well as many second-year students whose LRW brief last year concerned the issues raised in *Jones*, attended the moot, which drew 120 observers. The moots in both *Golan* and *Jones* were held in Hart Auditorium.

SCI moot courts were integral to the curricula of three seminar courses offered during the 2011-2012 academic year. In the fall semester, students in Professor Sue Bloch's Supreme Court Seminar attended the moots in *Zivotofsky*, *Jones*, and *Florence v. Board of Chosen Freeholders* (challenging a jail's policy of strip-searching all arrestees detained in the general prison population). The *Florence* moot was held in the Hotung Faculty Dining Room to facilitate the "round-table" discussion format favored by Carter Phillips, a highly experienced Supreme Court advocate, and afforded students an opportunity to observe an alternative method of preparing for argument. Professor Irv Gornstein's Supreme Court Workshop attended the moot courts in *Jones*, *Hosanna-Tabor Church v. EEOC* (addressing the ministerial exemption from federal employment discrimination laws), and *Pacific Operators Offshore v. Valladolid* (liability for workers' injuries under the Outer Continental Shelf Lands Act). During the spring semester, students in Professor Donald Ayer's Supreme Court seminar attended the moot courts in *Taniguchi v. Kan Pacific Saipan* (whether statutory litigation costs for "interpreters" includes expenses for translation of documents); *Florida v. Dep't of Health and Human*

Services (Carvin moot - whether the requirement that individuals purchase health insurance exceeds Congress's constitutional authority); and *Christopher v. SmithKline Beecham*. In addition, each student in Professor Steven Goldblatt's Appellate Litigation Clinic attended at least three SCI moots, of his or her choosing, during the year.

Finally, prospective, accepted, and newly enrolled Georgetown Law students were introduced to the SCI's moot court program via mock moot courts. Professor Michael Gottesman, and SCI Faculty Directors Nina Pillard and Steven Goldblatt acted as "mock" moot court advocates to argue both sides of two cases on the Court's docket this term, *United States v. Jones* and *FCC v. Fox Television Stations* (First Amendment challenges to the FCC's regulation of indecent material on broadcast television), before panels of faculty Justices that included Dean Treanor, Professors Mike Seidman, Irv Gornstein, Michael Gottesman, Marty Lederman, and Julie Ross, and SCI Deputy Director Dori Bernstein.

SCI Programming:

The SCI sponsored a wide variety of programs during the past year, including panel discussions for the press and for students previewing the upcoming Supreme Court Term, OT 2011; a film screening and discussion of college debate and oral advocacy; presentation of a scholarly article on ethical standards to guide professors' amicus participation; a discussion and book-signing about methods of Constitutional interpretation; several post-argument panel discussions of significant cases argued this Term; a conference on pro bono litigation and the Supreme Court bar; mock moot courts of the Affordable Care Act cases and of *Arizona v. U.S.* (preclusion of Arizona's efforts to enforce federal immigration law); and our end-of-term reception honoring Justice Ruth Bader Ginsburg. A fuller description of all SCI programs offered this year appears below:

1. September 8, 2011, 4:00-6:00 pm: **A Film Screening and Panel Discussion on College Debate and Oral Advocacy**, co-sponsored with Arnold & Porter. Screening of *Fast Talk*, a documentary about the debate team at Northwestern University, followed by a panel discussion moderated by Lisa Blatt of Arnold & Porter, with panelists Judge Brett Kavanaugh of the U.S. Court of Appeals for the D.C. Circuit; David Frederick of Kellogg Huber Hansen Todd Evans & Figel; Thomas Goldstein of Goldstein & Russell; Professor Neal Katyal of Georgetown Law; and Assistant Professor Debra Tolchinsky of Northwestern University, filmmaker.
2. September 15, 2012, 11:30 am-1:00 pm: **OT 2011 Term Preview and Pizza Lunch**. Panel discussion of highlights in the upcoming Supreme Court Term, moderated by SCI Executive Director Irv Gornstein; panelists were Professors Michael Gottesman, Marty Lederman, and Sue Bloch. This event included pizza lunch and was designed to generate interest among students in attending SCI moot courts.
3. September 19, 2011, 8:30-11:00 am: **SCI Annual Term Preview Press Briefing**. Panel discussion of upcoming Supreme Court Term, moderated by SCI Executive Director Irv Gornstein; panelists were SCI Faculty Director Nina Pillard, Associate Dean Julie O'Sullivan, and Professors Michael Gottesman, Marty Lederman, and Neal Katyal. Discussion included a question-and-answer session with members of the Supreme Court press corps. The SCI OT 2011 Supreme Court Preview, a report summarizing all merits cases pending before the start of OT 2011, was distributed to all attendees.

4. October 5, 2011, 3:30-5:30 pm: **A Post-Argument Panel Discussion of *Hosanna-Tabor Church v. EEOC and Perich*, No. 10-553.** Panel discussion moderated by Professor Michael Gottesman, with panelists Professor Douglas Laycock of University of Virginia Law School, counsel for petitioner Hosanna-Tabor Church, and Walter Dellinger of O'Melveny & Myers, counsel for respondent Cheryl Perich.
5. October 14, 2011, 4:30-6:00 pm: **Supreme Court Term Preview for Georgetown Law Alumni.** Panel discussion for GULC alumni of significant cases pending before the Supreme Court in OT 2010. Moderated by SCI Faculty Director Steven Goldblatt, with panelists SCI Executive Director Irv Gornstein, SCI Faculty Director Nina Pillard, and Professor Michael Gottesman.
6. November 8, 2011, 3:30-5:30 pm: **A Post-Argument Panel Discussion of *United States v. Jones*, No. 10-1259.** Panel discussion moderated by Associate Dean Julie O'Sullivan, with panelists Steven Leckar of Shainis & Peltzman, counsel for respondent Antoine Jones, and Professor Orin Kerr of George Washington Law School.
7. November 10, 2011, 4:00-5:30 pm: **Presentation to Chinese Diplomats.** Professor Sue Bloch addressed a visiting delegation of Chinese government officials, escorted by Marc Berger, of the National Committee on U.S.-China Relations. Professor Bloch explained the judicial system, with a particular emphasis on Supreme Court review, and answered questions from members of the delegation.
8. December 11, 2011, Noon-1:30 pm: ***Scholars' Briefs and the Vocation of a Law Professor: Discussion of an Article by Professor Richard Fallon.*** Professor Fallon, of Harvard Law School, led a discussion of his article proposing ethical standards to guide the amicus participation of legal academics in appellate and Supreme Court litigation. Thirty Supreme Court practitioners and faculty members offered insights and suggestions during a luncheon presentation of the yet-to-be-published article.
9. January 9, 2012, 1:30-3:30 pm: **A Post-Argument Panel Discussion of *Sackett v. EPA*, No. 10-1062,** moderated by Professor Lisa Heinzerling, with panelists Damien Schiff of the Pacific Legal Foundation, counsel for petitioners Chantell and Michael Sackett; Virginia Albrecht of Hunton & Williams, counsel for amicus curiae American Petroleum Institute; Professor Richard Frank of the University of California, Davis, School of Law and Director of the California Environmental Law & Policy Center; and Professor Richard Lazarus of Harvard Law School.
10. February 1, 2012, 3:30-5:30 pm: **Health Care Mock Moot Court: *Department of Health and Human Services v. Florida*, No. 11-398.** A mock moot court of the constitutionality of the minimum coverage provision of the Affordable Care Act, featuring Walter Dellinger of O'Melveny & Myers as counsel for petitioner, and Steven Bradbury of Dechert as counsel for respondents. "Justices" were as follows: SCI Executive Director Irv Gornstein, Chief Justice; Professor David Cole; Maureen Mahoney of Latham & Watkins; Kannon Shanmugam of Williams & Connolly; Kathleen Sullivan of Quinn Emanuel; and Seth Waxman of WilmerHale, Associate Justices. This event attracted over 350 attendees and filled Hart Auditorium.

11. February 2, 2012, 6:00-8:00 pm: **Detention and Disloyalty: The Legacy of *Korematsu v. United States***. Film screening, *Of Civil Wrongs and Rights*, followed by a panel discussion moderated by Professor David Cole, with panelists Karen Korematsu, daughter of Fred Korematsu and Co-Founder of the Fred T. Korematsu Institute of Civil Rights and Education; Karen K. Narasaki, President and Executive Director of the Asian American Justice Center; and Haris Tarin, Washington Office Director of the Muslim Public Affairs Council.
12. February 10, 2012, 9:00 am-1:30 pm: **Pro Bono Litigation in the United States Supreme Court: The Role of Supreme Court Specialists and Public Interest Organizations**. Conference featuring law school clinicians, litigation directors at public interest organizations, and private practitioners engaged in pro bono litigation. An extended panel discussion, preceded by breakfast and followed by lunch, was moderated by SCI Executive Director Irv Gornstein, with panelists Professor John H. Blume, Director, Cornell Death Penalty Project, Cornell Law School; Professor Jeffrey L. Fisher, Co-Director, Supreme Court Litigation Clinic, Stanford Law School; Jeffrey T. Green, Sidley Austin; Lucas Guttentag, Senior Research Scholar and Lecturer in Law, Yale Law School; Professor Nancy Morawetz, Professor of Clinical Law, New York University School of Law; Professor Sean O'Brien, Director, Public Interest Litigation Clinic, University of Missouri-KC School of Law; Steven R. Shapiro, Legal Director, American Civil Liberties Union; Seth P. Waxman, WilmerHale; and Allison Zieve, Director, Public Citizen Litigation Group.
13. February 29, 2012, 9:30-11:00 am: **Supreme Court Visit to Observe Argument in *Armour v. Indianapolis*, No. 11-161**. SCI Executive Director Irv Gornstein accompanied a group of 10 Georgetown Law students, selected by lottery, to observe the Supreme Court oral argument in *Armour v. Indianapolis* (whether tax forgiveness for taxpayers who elected to pay sewer assessment by installments over time, without rebate to taxpayers who paid lump sum in full, violates Equal Protection Clause). Professor Gornstein met with students before the argument, to preview the case, and conducted a debriefing after the argument.
14. February 29, 2012, 4:00-6:00 pm: **New Textualism, Living Originalism: A Consensus in Constitutional Interpretation?** Panel discussion co-sponsored with The Constitutional Accountability Center (CAC), moderated by Elizabeth Wydra, Chief Counsel, CAC, with panelists Professor Jack Balkin of Yale Law School; Professor Randy Barnett of Georgetown Law; Professor David Fontana of The George Washington University Law School; and Professor James Ryan of University of Virginia School of Law, following by a book-signing of *Living Originalism* (Harv. Univ. Press 2011), by Professor Balkin.
15. April 2, 2012, 4:00-6:00 pm: **Post-Argument Panel Discussion of the Affordable Care Act Cases**, co-sponsored with the Georgetown Law Chapter of the Federalist Society. Panel discussion moderated by SCI Faculty Director Steven Goldblatt, with panelists Professor Randy Barnett, counsel for petitioner/respondent National Federation of Independent Business; Robert A. Long of Covington & Burling, Court-appointed amicus curiae on the Anti-Injunction Act; Patricia A. Millett of Akin Gump, counsel for amici curiae America's Health Insurance Plans, et al.; Andrew J. Pincus of Mayer Brown, counsel for amici curiae Constitutional Law Scholars; and Elizabeth Wydra of the Constitutional Accountability Center, counsel for amici curiae State Legislators.

16. April 12, 2012, 3:00-5:30 pm: **Presentation and Moot Court with Visiting British Judicial Assistants.** SCI Deputy Director Dori Bernstein met with a group of Judicial Assistants from the UK (equivalents to our U.S. Supreme Court law clerks) to discuss the SCI moot court program, who then attended the moot court of Tom Goldstein as counsel for petitioners in *Christopher v. SmithKline Beecham*. The Judicial Assistants (Frances McClenaghan, Edward Craven Kiran Unni, Paul Skinner, and Maria Roche) were provided the lower court opinion and Supreme Court briefs and participated in the post-moot discussion with counsel.
17. April 23, 2012, 4:00-6:00 pm: **Mock Moot Court and Discussion of *Arizona v. United States*, No. 11-182,** co-sponsored with Georgetown Law Barristers' Council. A mock moot court of the federal government's facial constitutional challenge to measures enacted by Arizona to enforce federal immigration law. Student advocates Jeffrey P. DeSousa, as counsel for petitioner, and Emily R. Chambers, as counsel for respondent, presented argument; the panel included SCI Executive Director Irv Gornstein, Chief Justice; Lisa Blatt of Arnold and Porter, and Professors Laura Donohue, Michael Gottesman, and Andrew Schoenholtz, Associate Justices. A discussion between observers, advocates, and panelists followed the moot court.
18. April 26, 2012, 4:00-6:00 pm: **End-of-Term Reception Honoring Justice Ruth Bader Ginsburg.** The SCI's annual celebration marks the completion of Supreme Court arguments for the current Term, thanks those who volunteered as moot court Justices and participated in other SCI programs, and honors a person of significance to the Supreme Court bar. This year, we honored Justice Ruth Bader Ginsburg. Dean William Treanor made welcoming remarks and introduced each speaker. SCI Executive Director Irv Gornstein spoke about highlights of the SCI's moot court program this Term, thanked those who made notable contributions during the year, and paid tribute to Justice Ginsburg, from the perspective of an advocate who appeared frequently before her. Justice Antonin Scalia spoke in tribute to Justice Ginsburg, his "best friend" on the Court. James Feldman, a long-time supporter of SCI and President of the Washington National Opera, introduced a musical performance of the Barcarolle from Offenbach's *Tales of Hoffmann*, "Belle nuit, o nuit d'amour," by Sarah Mesko and Jennifer Lynn Waters, two members of the Opera's Young Artists Program, accompanied by Rafael Andrade on keyboard. Following the performance, Feldman presented a gift to Justice Ginsburg: a framed poster of the 2009 production of the opera *Ariadne auf Naxos*, in which Justices Ginsburg and Scalia appeared on-stage, signed by cast members. Justice Ginsburg expressed appreciation for the recognition, the gifts, and the work of the SCI.

OT 2012 SCI Moot Courts

(Party highlighted in yellow; First-Time Supreme Court advocates noted in red)

October Sitting

Reynolds v. United States, 9/27/2011

Advocate: Candace Cain, Federal Public Defender, Pittsburgh, PA

Student Observers: 3

Hosanna-Tabor Church v. EEOC and Perich, 9/27/2011

Advocate: Walter Dellinger, O'Melveny, DC

Student Observers: 29

Golan v. Holder, 9/28/2011

Advocate: Anthony Falzone, Stanford U. Law School, CA

Student Observers: 79

Douglas v. Independent Living Center, 9/28/2011

Advocate: Karin Schwartz, Deputy Attorney General, CA

Student Observers: 3

Martinez v. Ryan, 9/28/2011

Advocate: Kent Cattani, Attorney General, AZ

Student Observers: 28

Maples v. Thomas, 9/30/2011

Advocate: John Neiman, Solicitor General, AL

Student Observers: 35

Howes v. Fields, 9/30/2011

Advocate: John Bursch, Solicitor General, MI

Student Observers: 41

Florence v. Bd. of Chosen Freeholders, 10/4/2011

Advocate: Carter Phillips, Sidley, DC

Student Observers: 36

Judulang v. Holder, 10/6/2011

Advocate: Mark Fleming, Wilmer, MA

Student Observers: 4

Pacific Operators Offshore v. Valladolid, 10/6/2011

Advocate: Paul Clement, Bancroft, DC

Student Observers: 15

Greene v. Fisher, 10/7/2011

Advocate: Jeff Fisher, Stanford U. Law School, CA

Student Observers: 32

CompuCredit v. Greenwood, 10/10/2011 (Columbus Day)

Advocate: Michael McConnell, Stanford U. Law School, CA

Student Observers: 0

November Sitting

Lafler v. Cooper, 10/26/2011

Advocate: Valerie Newman, Public Defender, MI

Student Observers: 1

Missouri v. Frye, 10/26/2011

Advocate: Emmett Queener, Public Defender, MO

Student Observers: 11

Minnecci v. Pollard, 10/26/2011

Advocate: Jack Preis, Univ. of Richmond School of Law, VA

Student Observers: 15

Rebberg v. Paulk, 10/27/2011

Advocate: John Jones, Solo, Marietta, GA

Student Observers: 3

Perry v. New Hampshire, 10/28/2011

Advocate: Michael Delaney, Attorney General, NH

Student Observers: 33

Gonzalez v. Thaler, 10/28/2011

Advocate: Pattie Millett, Akin Gump, DC

Student Observers: 32

United States v. Jones, 11/1/2011

Advocate: Stephen Leckar, Shainis & Peltzman, DC

Student Observers: 120

Kawashima v. Holder, 11/2/2011

Advocate: Thomas Whelan, Eckert Seamans, DC

Student Observers: 2

National Meat Assoc. v. Harris, 11/2/2011

Advocate: Steven Wells, Dorsey & Whitney, MN

Student Observers: 0

Zivotofsky v. Clinton, 11/3/2011

Advocate: Nat Lewin, Lewin & Lewin, DC

Student Observers: 136

Smith v. Cain, 11/4/2011

Advocate: Kannon Shanmuggam, Williams & Connolly, DC

Student Observers: 35

Kurns v. Railroad Friction Products, 11/4/2011

Advocate: Jon Hacker, O'Melveny, DC

Student Observers: 26

December Sitting

Hall v. United States, 11/21/2011

Advocate: Susan Freeman, Lewis and Roca, AZ

Student Observers: 0

Setser v. United States, 11/21/2011

Advocate: Jason Hawkins, Federal Public Defender's Office, TX

Student Observers: 0

Credit Suisse Securities v. Simmonds, 11/21/2011

Advocate: Jeffrey Tilden, Gordon Tilden Thomas & Cordell, WA

Student Observers: 25

Federal Aviation Administration v. Cooper, 11/22/2011

Advocate: Raymond Cardozo, Reed Smith, CA

Student Observers: 0

First American Financial Corp. v. Edwards, 11/22/2011

Advocate: Jeff Lamken, MoloLamken, DC

Student Observers: 0

Mims v. Arrow Financial Services, 11/22/2011

Advocate: Scott Nelson, Public Citizen, DC

Student Observers: 0

Caraco Pharmaceutical Laboratories v. Novo Nordisk, 12/1/2011

Advocate: Mark Perry, Gibson Dunn, DC

Student Observers: 1

Messerschmidt v. Millender, 12/2/2011

Advocate: Tim Coates, Greines Martin Stein & Richland, CA

Student Observers: 26

Martel v. Clair, 12/2/2011
Advocate: Seth Waxman, WilmerHale, DC
Student Observers: 23

Williams v. Illinois, 12/2/2011
Advocate: Anita Alvarez, State's Attorney, Cook County, IL
Student Observers: 17

PPL Montana v. Montana, 11/30/2011
Advocate: Paul Clement, Bancroft, DC
Student Observers: 37

January Sitting

Kappos v. Hyatt, 1/4/2012
Advocate: Aaron Panner, Kellogg Huber, DC
Student Observers: 1

Roberts v. Sea-Land Services, 1/4/2012
Advocate: Joshua Gillelan, Longshore Claimants' National Law Center, DC
Student Observers: 14

Sackett v. EPA, 1/5/2012
Advocate: Damian Schiff, Pacific Legal Foundation, CA
Student Observers: 0

Perry v. Perez, 1/5/2012
Advocate: Jose Garza, Texas Rio Grande Legal Aid, TX
Student Observers: 3

Knox v. Service Employees International Union, 1/6/2012
Advocate: Jeremiah Collins, Bredhoff & Kaiser, DC
Student Observers: 0

Federal Communications Commission v. Fox Television Stations, 1/6/2012
Advocate: Seth Waxman, WilmerHale, DC
Student Observers: 13

Coleman v. Court of Appeals of Maryland, 1/6/2012
Advocate: Michael Foreman, Dickinson College of Law, PA
Student Observers: 1

Vartelas v. Holder, 1/12/2012
Advocate: Stephanos Bibas, UPenn Law School, PA
Student Observers: 1

Holder v. Sanyers/Holder v. Gutierrez, 1/12/2012
Advocate: Steve Kinnaird, Paul Hastings, DC
Student Observers: 3

Filarsky v. Delia, 1/13/2012
Advocate: Pattie Millett, Akin Gump, DC
Student Observers: 15

February Sitting

Blueford v. Arkansas, 2/16/2012
Advocate: Cliff Sloan, Skadden, DC
Student Observers: 39

Freeman v. Quicken Loans, 2/16/2012
Advocate: Kevin Russell, Goldstein Russell, DC
Student Observers: 0

Taniguchi v. Kan Pacific Saipan, 2/16/2012
Advocate: Michael Fried, Jones Day, DC
Student Observers: 14

United States v. Alvarez, 2/17/2012
Advocate: Jonathan Libby, Federal Public Defender, Los Angeles, CA
Student Observers: 9

Armour v. Indianapolis, 2/22/2012
Advocate: Mark Stancil, Robbins Russell, DC
Student Observers: 20

Mohammed v. Palestinian Authority, 2/22/2012
Advocate: Laura Ferguson, Miller & Chevalier, DC
Student Observers: 15

Elgin v. Department of the Treasury, 2/23/2012
Advocate: Harvey Schwartz, Rodgers, Powers & Schwartz, Boston, MA
Student Observers: 3

Kiobel v. Royal Dutch Petroleum, 2/23/2012
Advocate: Paul Hoffman, Schonbrun DeSimone, Venice, CA
Student Observers: 32

Wood v. Milyard, 2/24/2012
Advocate: Kathleen Lord, Federal Public Defender, Denver, CO
Student Observers: 41

March Sitting

Vasquez v. United States, 2/14/2012

Advocate: Beau Brindley, Law Offices of Beau Brindley, Chicago, IL
Student Observers: 49

Reichle v. Howards, 3/15/2012

Advocate: Sean Gallagher, Polsinelli Shugart, Denver, CO
Student Observers: 1

Astrue v. Capato, 3/15/2012

Advocate: Charles Rothfeld, Mayer Brown, DC
Student Observers: 3

Miller v. Alabama, 3/16/2012

Advocate: John Neiman, Solicitor General, AL
Student Observers: 37

Jackson v. Hobbs, 3/16/2012

Advocate: Kent Holt, Office of the Attorney General, AR
Student Observers: 33

Dep't of HHS v. Florida/NFIB v. Sebelius, Minimum Coverage & Severability, 3/20/2012

Advocate: Paul Clement, Bancroft, DC
Student Observers: 36

Dep't of HHS v. Florida – Court-Appointed Amicus, Anti-Injunction Act, 3/21/2012

Advocate: Bob Long, Covington, DC
Student Observers: 9

Dep't of HHS v. Florida (NFIB), Minimum Coverage, 3/21/2012

Advocate: Mike Carvin, Jones Day, DC
Student Observers: 26

Florida v. Dep't of HHS, Medicaid Expansion, 3/23/2012

Advocate: Paul Clement, Bancroft, DC
Student Observers: 31

April Sitting

Hill v. United States/Dorsey v. United States, 4/11/2012

Advocate: Stephen Eberhardt, Solo, IL
Student Observers: 1

Christopher v. SmithKline Beecham, 4/12/2012

Advocate: Tom Goldstein, Goldstein & Russell, DC
Student Observers: 22

RadLAX Gateway Hotel v. Amalgamated Bank, 4/18/2012

Advocate: **David Neff**, Perkins Coie, Chicago, IL

Student Observers: 5

Match-E-Be-Nash-She-Wish Band v. Patchak/Salazar v. Patchak, 4/18/2012

Advocate: **Matthew Nelson**, Warner Norcross & Judd, Grand Rapids, MI

Student Observers: 25

Arizona v. United States, 4/19/2012

Advocate: Paul Clement, Bancroft, DC

Student Observers: 28