

DAVID C. VLADECK
A.B. CHETTLE, JR., PROFESSOR OF LAW
GEORGETOWN UNIVERSITY LAW CENTER
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EMPLOYMENT:

Georgetown University Law Center. A.B. Chettle, Jr., Professor of Law. Responsible for teaching litigation-related courses, including civil procedure and federal courts. Co-founder and faculty director, Georgetown's Center on Privacy & Technology. (July 2002–present; on leave 2009–2012).

FORMER EMPLOYMENT:

Federal Trade Commission. Director, Bureau of Consumer Protection. Responsible for overseeing the FTC's Bureau of Consumer Protection and the Commission's seven regional offices, including the 435 lawyers, investigators, paralegals and support staff who carry out the Bureau's work to protect consumers from unfair and deceptive acts and practices. Served on President Obama's Financial Fraud Enforcement Task Force (2009–2012). Served as part-time Advisor to the FTC's Chairman (January 2013–December 2013).

Public Citizen Litigation Group. Director. Responsible for supervising 11-lawyer public interest law firm handling a broad range of separation of powers, administrative law, open government, class action, preemption, and First Amendment cases, primarily but not exclusively in federal court. Frequently testified before Congress and served as Public Citizen's general counsel. (Director, December 1992–February 2003; Staff Attorney, September 1977–December 1992).

Georgetown University Law Center. Visiting Professor of Law. Taught civil procedure and seminars on civil and First Amendment litigation. (January 1999–June 2000).

Georgetown University Law Center. Adjunct Professor of Law. Teaching responsibilities included seminars on First Amendment litigation, advocacy, and public interest law. (1984–2002). Recipient, Charles Fahy Distinguished Adjunct Professor Award (1998–1999 Academic Year).

Georgetown University Law Center. Fellow, Institute for Public Interest Representation. Handled civil rights and administrative law cases in pioneering clinical law program. (1976–1977).

OTHER EXPERIENCE:

Trustee, Natural Resources Defense Council (2014–present).

Board Member, National Consumer Law Center (2014–present).

Senior Fellow, Administrative Conference of the United States (2011–present); *Public Member* (1991–1995).

Elected Member, American Law Institute (2008–present); Advisor, ALI Project on Information Privacy Principles.

Board Member, Historical Society of the District of Columbia Circuit (2021–present).

Board Member, Center for Democracy and Technology (2014–19; 2021–present).

Board of Advisors, Common Sense Media (2020–present)

Member, National Academy of Sciences, Committee on Science, Technology, and Law (2014–2020).

Member, National Academy of Sciences, Forum on Cyber-Resilience (2016–2018).

HONORS:

Miles W. Kirkpatrick Award for Lifetime Achievement, Federal Trade Commission (2015)

Philip Hart Public Service Award, Consumer Federation of America (June 2014).

Partnership Award, Consumer Financial Protection Bureau (November 2012)

National Freedom of Information Hall of Fame (inducted 2011)

Columbia Law School's 20th Annual Public Interest Achievement Award, (November 2009).

Commencement Speaker, Georgetown University Law Center (May 2009).

Named one of 30 “Champions of Justice” and one of the 90 “Greatest Lawyers” in Washington, D.C., over the past 30 years in the 30th Anniversary issue of the *Legal Times of Washington* (May 2008).

EDUCATION:

Georgetown University Law Center, LL.M., June 1977.

Columbia University School of Law, J.D., May 1976. Harlan Fiske Stone Scholar.

New York University, Washington Square College, B.A., *cum laude*, May 1972. Founders' Day Award for Academic Excellence; Coat of Arms Society (scholastic honor society).

PUBLICATIONS:

Book Chapters:

The First Amendment and Environmental Protection, in CLIMATE CHANGE AND PUBLIC HEALTH LAW: HEALTH COMMUNICATION, PERSUASION, AND SOCIAL MARKETING/EDUCATION (Cambridge Univ. Press, 2018).

Separated by Common Goals: A U.S. Perspective on Bridging the U.S.-E.U. Privacy Divide, in TOWARDS A NEW EUROPEAN DATA PROTECTION REGULATION [HACIA UN NUEVO DERECHO EUROPEO DE PROTECCIÓN DE DATOS (Artemi Rallo Lombarte, ed., Univ. of Valencia Press 2015).

Law School 2.0: Course Books in the Digital Age, in LEGAL EDUCATION AND THE ELECTRONIC REVOLUTION (Edward Rubin, ed., Cambridge Univ. Press 2012).

Preemption and Regulatory Failure Risks, in PREEMPTIVE CHOICE: THE THEORY, LAW, AND REALITY OF FEDERALISM'S CORE QUESTION (William Buzbee, ed., Cambridge Univ. Press 2008).

In re Arons: The Plight of the "Unrich" in Obtaining Legal Services, in ETHICS LAW STORIES (Deborah Rhode & David Luban, eds., Foundation Press 2005).

Unreasonable Delay, Unreasonable Intervention: The Battle to Force Regulation of Ethylene Oxide, in ADMINISTRATIVE LAW STORIES (Peter L. Strauss, ed., Foundation Press 2005).

Special Consideration for Lobbying by Nonprofit Corporations, in THE LOBBYING MANUAL: A COMPLETE GUIDE TO FEDERAL LAW GOVERNING LAWYERS AND LOBBYISTS (William V. Luneberg, Thomas M. Susman and Rebecca H. Gordon, editors, 4th ed., ABA Press 2009) and (William V. Luneberg and Thomas M. Susman, editors., 3d ed., ABA Press 2005).

Sistema Judicial Abierto in LA TRANSPARENCIA EN LA IMPARTICION DE JUSTICA: RETOS Y OPORTUNIDADES (Universidad Nacional Autonoma de Mexico 2004).

The Roles, Rights, and Responsibilities of the Executive Branch, in THE REHNQUIST COURT, JUDICIAL ACTIVISM ON THE RIGHT (Herman Schwartz ed., Hill & Wang 2002) (with Professor Alan B. Morrison).

Law Review Articles:

The Erosion on Equity and the Attack on the FTC's Redress Authority, 82 Mont. L. Rev. 159 (2021).

Time to Stop Digging: Failed Attacks on FTC Authority to Obtain Consumer Redress, 31 Antitrust 89 (Fall 2016).

Consumer Protection in an Era of Big Data Analytics, 42 Ohio N.U. L. Rev. 493 (2016) (Law Review/Carhart Symposium).

Charting the Course: The Federal Trade Commission's Second Hundred Years, 83 Geo. Wash. L. Rev. 2101 (2015).

The Administrative Conference at Fifty: An Agency Lives Twice, 83 Geo. Wash. L. Rev. 1689 (2015).

Machines Without Principals: Liability Rules and Artificial Intelligence, 89 Wash. Univ. L. Rev. 117 (2014).

Digital Marketing, Consumer Protection, and the First Amendment: A Brief Reply to Professor Ryan Calo, 82 Geo. Wash. L. Rev. Arguendo 156 (2014) (available at http://www.gwlr.org/wp-content/uploads/2014/10/Vladeck_Arguendo.pdf).

Deconstructing Wyeth v. Levine: The Court's New Functional Approach to Regulatory Implied Preemption, 54 Case W. Res. L. Rev. 883 (2009).

Contracting (Out) Rights, 36 Ford. Urban L. J. 803 (2009) (with Professor Kathryn A. Sabbeth).

FDA Preemption, Wyeth, Congress, and a Crystal Ball, 32 Hamline L. Rev. 707 (2009).

The Failed Promise of Workplace Health Regulation, 111 W. Va. Univ. L. Rev. 15 (2008).

Information Access — Surveying the Current Legal Landscape of Federal Right-to-Know Laws, 86 Texas L. Rev. 1787 (2008) (selected by Vanderbilt Law School and the Environmental Law Institute as one of the five best environmental law articles published in 2008), *reprinted as abridged in Environmental Law and Policy Annual Review*, 39 Env't'l L. Rep't 10773 (2009).

The FDA and Deference Lost: A Self-Inflicted Wound or the Product of a Wounded Agency? 93 Cornell L. Rev. 981 (2008).

A Critical Examination of the FDA's Efforts to Preempt Failure-to-Warn Claims, 96 Geo. L. J. 461 (2008) (with former FDA Commissioner Dr. David A. Kessler).

The Difficult Case of Direct-to-Consumer Advertising, 41 Loyola L.A. Rev. 259 (2008).

Litigating National Security Cases in the Aftermath of 9/11, 2 J. Nat'l Security L. & Pol'y 165 (2006).

Judicial Triage: Reflections on the Debate Over Unpublished Opinions, 62 Wash. & Lee L. Rev. 1667 (2005) (with Professor Mitu Gulati).

Preemption and Regulatory Failure, 33 Pepp. L. Rev. 95 (2005).

Keeping Score: The Utility of Empirical Measurements in Judicial Selection, 54 Fla. St. Law Rev. 1415 (2005).

Lessons From A Story Untold: Nike v. Kasky Reconsidered, 54 Cas. W. Res. L. Rev. 1049 (2004).

Symposium: Judge Jack B. Weinstein, Tort Litigation, and the Public Good, 12 Brook. J. of Law & Pol'y, 182, 217 (2003).

Defending Courts: A Brief Rejoinder to Professors Rosenberg and Fried, 31 Seton Hall L. Rev. 631 (2001).

Hard Choices: Thoughts for New Lawyers, 10 U. Kan. J. L. & Pub. Pol'y 349 (2001).

Devaluating Truth: Unverified Health Claims in the Aftermath of Pearson v. Shalala, 54(4) Food & Drug L.J. 535 (1999).

Why the Supreme Court Will Uphold Strict Controls on Tobacco Advertising, 22 S. Ill. U. L.J. 651 (1998) (with Professor John Cary Sims).

Self-Correction Mechanisms in the Regulatory System, 19 Harv. J. of Law & Pub. Policy 661 (1996).

The Administrative Conference's Role in Promoting Government Efficiency Today, Tomorrow, and Next Year, 8 Amer. U. Ad. L. J. 697 (1994).

The First Year of Clinton/Gore: Reinventing Government or Refining Reagan/Bush Initiatives? 8 Amer. U. Ad. L.J. (1994).

Other Articles:

Facebook, Cambridge Analytica, and the Regulator's Dilemma: Clueless or Venal? Harvard Law Review Blog (April 2018) (<https://blog.harvardlawreview.org/facebook-cambridge-analytica-and-the-regulators-dilemma-clueless-or-venal>).

Debt's Dilemmas: ACCI's Annual Colston Warne Lecture, 47(2) Journal of Consumer Affairs 358 (Summer 2013).

Litigation and Professional Responsibility: Is Overlawyering Overtaking Democracy, 21 Geo. J. Legal Ethics 1433 (2008) (symposium remarks).

The Emerging Threat of Regulatory Preemption, American Constitution Society White Paper (Jan. 2008), available at <http://www.acslaw.org/IssueBrief> (reprinted in 2 Advance 81 (2008)).

Corporations and Commercial Speech, 30 Seattle U. L. Rev. 895 (2007) (symposium remarks).

Administrative Law and Regulatory Practice Section of the ABA, *A Blackletter Statement of Federal Administrative Law*, 54 Admin. L. Rev. 1, 60-75 (2002) (co-reporter for sections on open government statutes).

Defending Courts: A Brief Rejoinder to Professors Fried and Rosenberg, published in, *Symposium: Tort Liability, The Structural Constitution, and The States; Panel Two: Redressing Harm: Who Decides?* 31 Seton Hall L. Rev. 644 (2001).

Truth and Consequences: The Perils of Half-Truths and Unsubstantiated Health Claims for Dietary Supplements, 19(1) Journal of Marketing and Policy 132 (Spring 2000).

Counterpoint: The Regulatory Degradation Act, 16 Environmental Forum 26 (May/June 1999).

Paralysis By Analysis: How Republicans Plan to Kill Popular Regulation, The American Prospect (Summer 1995) (with Professor Thomas O. McGarity).

Random Thoughts on Commercial Speech, 4 ABA Consumer Protection Update 1 (Summer 1995).

Governmental Immunity and Other Impediments: Decisions Concerning Access to Federal Court During the Supreme Court's 1995-1996 Term, 30(7) Clearinghouse Review 685 (Nov. 1996) (author of section addressing *Seminole Tribe v. Florida*).

The Politics of OSHA's Standard-Setting, 19 Am. J. Ind. Med. 801 (1991) (with Dr. Sidney M. Wolfe).

SIGNIFICANT CASES:

Supreme Court – Representative Cases (amicus briefs not included)

1. Argued Cases:

Arlington Central School Dist. Bd. of Educ. v. Murphy, 548 U.S. 291 (2006) (represented parents in case holding that cost-shifting provision of the Individuals with Disabilities Education Act does not authorize award of expert costs).

Richardson v. McKnight, 521 U.S. 399 (1997) (represented prisoner in case holding that guards employed by private prison corporation may not invoke qualified immunity in civil rights actions).

Edenfield v. Fane, 507 U.S. 761 (1993) (represented certified public accountant in successful First Amendment/commercial speech challenge to Florida law forbidding in-person solicitation by accountants).

Barrentine v. Arkansas-Best Freight Systems, Inc., 450 U.S. 728 (1981) (represented truck drivers in case holding that an adverse arbitration award does not bar drivers from pursuing Fair Labor Standards Act claim).

2. Co-Counsel:

Department of Transportation v. Public Citizen, 541 U.S. 752 (2004) (represented environmental and labor organizations in unsuccessful challenge under the National Environmental Policy Act to introduction of Mexican-registered trucks into the United States).

Lee v. Kemma, 534 U.S. 362 (2002) (represented a petitioner in a successful habeas case; argued that he was wrongfully denied a brief continuance during a murder trial).

Correctional Service Corp. v. Malesko, 534 U.S. 61 (2001) (represented a prisoner in an unsuccessful effort to extend *Bivens* to civil rights violations committed by a private prison corporation housing federal prisoners).

Jefferson County v. Acker, 527 U.S. 423 (1999) (represented federal judges in unsuccessful constitutional challenge to imposition of local “professional tax”).

Timmons v. Twin Cities Area New Party, 520 U.S. 351 (1997) (represented minor party in unsuccessful challenge to a state law prohibiting minor parties from cross-nominating major party candidates).

Doctors’ Associates v. Casarotto, 517 U.S. 681 (1996) (represented franchisee in case holding that the Federal Arbitration Act preempts a Montana law mandating that contracts prominently display mandatory arbitration provisions).

Loving v. United States, 517 U.S. 748 (1996) (represented criminal defendant in unsuccessful constitutional challenge to the President’s power to prescribe aggravating factors and to decide the imposition of the death penalty in cases under the Uniform Code of Military Justice).

Shalala v. Schaefer, 509 U.S. 292 (1993) (represented claimant in a case establishing the timeliness of a disability claimant’s application for fees under Equal Access to Justice Act).

Dole v. Steelworkers, 494 U.S. 26 (1990) (represented labor organizations in a successful challenge to effort by OMB to overrule agency action under the Paperwork Reduction Act).

Michigan Citizens for an Independent Press v. Thornburgh, 493 U.S. 38 (1989) (represented readers and advertisers in an unsuccessful Newspaper Preservation Act challenge to the consolidation of the Detroit, Michigan daily newspapers).

Zauderer v. Office of Disciplinary Counsel, 475 U.S. 626 (1985) (represented lawyer in a successful First Amendment challenge to disciplinary sanction imposed on lawyer for using illustrations in advertisements seeking clients injured by the Dalkon Shield).

CIA v. Sims, 471 U.S. 159 (1985) (represented researchers in an unsuccessful effort to compel disclosure of records relating to CIA's MK-ULTRA program).

Court of Appeals – Representative Cases

A. Health and Safety Cases:

Public Citizen Health Research Group v. Aughter, 702 F.2d 1150 (D.C. Cir. 1983); 796 F.2d 1479 (D.C. Cir. 1986); 823 F.2d 626 (D.C. Cir. 1987) (represented hospital and health care workers in case requiring OSHA to regulate ethylene oxide, a potent carcinogen and teratogen) (lead counsel).

Steelworkers v. Aughter, 763 F.2d 728 (3d Cir. 1985); 819 F.2d 1263 (3d Cir. 1987); 855 F.2d 108 and 862 F.2d 63 (3d Cir. 1988) (represented industrial workers in successful case to ensure that workers are notified of the health hazards they are exposed to on the job) (co-lead counsel).

ATRA v. OSHA, 738 F.3d 387 (D.C. Cir. 2013) (successful defense of OSHA's non-preemption determination with respect to its Hazard Communication Standard) (lead counsel).

International Chemical Workers Union v. Pendergrass, 958 F.2d 1144 (D.C. Cir. 1992); 830 F.2d 369 (D.C. Cir. 1987) (represented labor unions in successful suit to compel OSHA to regulate cadmium, a potent lung carcinogen) (lead counsel).

Public Citizen Health Research Group v. Chao, 314 F.3d 143 (3d Cir. 2002); 145 F.3d 120 (3d Cir. 1998) (represented labor unions in successful suit to compel OSHA to regulate hexavalent chromium, a potent lung and liver carcinogen) (co-lead counsel).

National Grain & Feed Ass'n v. OSHA, 866 F.2d 717 (5th Cir. 1989); 903 F.2d 308 (5th Cir. 1990) (represented labor unions in successful suit to compel OSHA to regulate grain dust to reduce explosion and fire risk) (co-lead counsel).

UAW v. OSHA, 938 F.2d 1310 (D.C. Cir. 1991) (represented labor unions in successful suit to force OSHA to regulate procedures to lock-out or tag-out hazardous machinery during maintenance) (co-lead counsel).

UAW v. Pendergrass, 878 F.2d 389 (D.C. Cir. 1989) (represented labor unions in suit to force OSHA to regulate formaldehyde) (co-lead counsel).

Oil, Chemical & Atomic Workers Union v. Zeeger, 768 F.2d 1480 (D.C. Cir. 1985) (represented labor union seeking to force the Mine Safety and Health Administration to protect miners from exposure to dangerous radon gas) (lead counsel).

Public Citizen Health Research Group v. FDA, 704 F.2d 1280 (D.C. Cir. 1983) (represented consumer group in a successful action to compel FDA to disclose comparative safety data on intra-ocular lenses) (lead counsel).

Public Citizen v. FTC, 869 F.2d 1541 (D.C. Cir. 1989) (represented public health groups in successful effort to require the FTC to regulate the promotion of smokeless tobacco products) (lead counsel).

Public Citizen, Inc. v. National Highway Traffic Safety Admin., 374 F.3d 1251 (D.C. Cir. 2004) (represented consumer groups in unsuccessful challenge to NHTSA's decision to reduce stringency of testing for airbags) (co-lead counsel).

Public Citizen, Inc. v. Mineta, 340 F.3d 39 (2d Cir. 2003) (represented consumer groups in a successful challenge to force NHTSA to implement tire pressure monitoring rule) (co-lead counsel).

B. Separation of Powers Cases:

Maloney v. Murphy, 984 F.3d 50 (D.C. Cir. 2020), *denial of pet. for rehearing en banc*, 45 F.4th 215 (D.C. Cir. 2022) (representing House Oversight and Reform Committee Members in action to enforce the "Seven Member Rule," 5 U.S.C. § 2954, to obtain records regarding the Trump hotel lease) (lead counsel)

City of New Haven v. United States of America, 809 F.2d 900 (D.C. Cir. 1987) (represented New York City, Chicago, Los Angeles, and other major cities in separation of powers case invalidating President Reagan's impoundment of \$6 billion of public housing funds) (lead counsel).

Public Citizen v. Burke, 843 F.2d 1473 (D.C. Cir. 1988) (represented historians seeking access to Nixon Presidential papers in case overturning Office of Legal Counsel's interpretation of regulations to require sitting President to defer to executive privilege claims asserted by former President under the Presidential Records Act) (co-lead counsel).

National Ass'n of Counties v. Baker, 842 F.2d 369 (D.C. Cir. 1987) (represented the nation's counties in an unsuccessful suit to recover over \$180 million in trust fund monies sequestered under the Gramm-Rudman-Hollings Act) (lead counsel).

Meyer v. Bush, 981 F.2d 1288 (D.C. Cir. 1993) (represented consumer and labor groups in unsuccessful effort to establish that President Bush's Task Force on Regulatory Relief was an "agency" subject to Freedom of Information Act) (co-lead counsel).

Armstrong v. Executive Office of the President, 1 F. 3d 1274 (D.C. Cir. 1993) (successful effort to ensure the preservation of internal electronic White House communications in the Reagan Administration) (co-lead counsel).

C. First Amendment Cases:

Rounds v. Oregon State Board of Higher Education, 166 F.3d 1032 (9th Cir. 1999) (represented student groups in a successful defense of mandatory student fee against First Amendment compelled speech challenge) (lead counsel).

FEC v. Political Contributions Data, Inc., 943 F.2d 190 (2d Cir. 1991) and 995 F.2d 383 (2d Cir. 1993) (represented a publisher in a successful defense of the use of public election data to prepare reports of corporate campaign contributions; award of fees under the Equal Access to Justice Act) (lead counsel).

Schwartz v. Welch, 890 F. Supp. 565 (S.D. Miss. 1995) (represented lawyers at trial in a successful First Amendment challenge to Mississippi's restrictive lawyer advertising rules) (co-lead counsel).

D. Miscellaneous Cases — Representative Sample

In re National Security Archive, 104 F. Supp. 3d 625 (S.D.N.Y. 2015) and 2008 WL 8985358 (S.D.N.Y. Aug. 26, 2008) (represented historians in a successful effort to unseal the grand jury records leading to the indictment of Julius and Ethel Rosenberg) (lead counsel).

In re American Historical Ass'n, 49 F. Supp. 2d 274 (S.D.N.Y. 1999) & 62 F. Supp. 2d 1100 (S.D.N.Y. 1999) (represented historians in a successful effort to unseal grand jury records leading to the indictment of Alger Hiss) (lead counsel).

In re Petition of Craig, 131 F.3d 99 (2d Cir. 1997) (unsuccessful effort to unseal the transcript of the 1948 grand jury testimony of Harry Dexter White, who was an accused Soviet spy, but never indicted. The court held that courts have authority to unseal historically important grand jury records, paving way for the Hiss and Rosenberg unsealing cases) (co-counsel).

Wieder v. Skala, 609 N.E.2d 105 (N.Y. 1992) (represented a lawyer in first case holding that a lawyer fired by his firm for insisting that it report ethics violations states a cause of action for wrongful termination) (lead counsel).

In re GMC Pick-Up Truck Fuel Tank Prods. Liab. Litig., 134 F.3d 133 (3d Cir. 1998) (represented intervenors in a successful effort to overturn "coupon" settlement of massive product defect case involving fire-prone GM pickup trucks) (co-lead counsel).

New York Public Interest Research Group v. EPA, 249 F. Supp. 2d 327 (S.D.N.Y. 2003) (represented environmental groups in forcing EPA to release materials from General Electric relating to PCB contamination of the Hudson River) (lead counsel).

Lee v. Minner, 458 F.3d 194 (3d Cir. 2006), *affirming*, 369 F. Supp. 2d 527 (D. Del. 2005) (represented a journalist in a successful constitutional challenge under Article IV's Privilege and Immunities Clause to the citizens-only provision of Delaware public records law) (lead counsel).

NRDC v. EPA, 19 F.4th 177 (2d Cir. 2021) (FOIA case seeking broad range of information regarding the Trump Administration's regulation of pesticides) (co-lead counsel).

Phillips v. Immigration and Customs Enforcement, 385 F. Supp. 2d 296 (S.D.N.Y. 2005) (represented a journalist in a successful Freedom of Information Act case to shed light on the United States' grant of political asylum to two El Salvadorean generals linked to human rights atrocities) (lead counsel).

Inner City Press/Communities on the Move v. Board of Governors of the Fed. Res. System, 380 F. Supp. 2d 211 (S.D.N.Y. 2005), *aff'd in part, rev'd in part*, 463 F.3d 239 (2d Cir. 2006) (represented a community organization in a successful Freedom of Information Act case for records relating to the sub-prime lending practices of bank merger applicants) (co-lead counsel).

NRDC v. Dep't of Defense, 388 F. Supp. 2d 1086 (C.D. Cal. 2005), 442 F. Supp. 2d 857 (C.D. Cal. 2006) (represented the Natural Resources Defense Council in a successful Freedom of Information Act case seeking to determine the extent of groundwater contamination caused by perchlorate, a key ingredient in rocket fuel) (lead counsel).

Wilner v. NSA, 592 F.3d 60 (2d Cir. 2009), *affirming*, 2008 WL 2567765 (S.D.N.Y. 2008) (represented lawyers representing Guantánamo detainees in an unsuccessful Freedom of Information Act case to determine whether the lawyers were subject to warrantless NSA surveillance) (co-lead counsel).

NAACP Legal Def. & Educ. Fund v. Dep't of Justice, 612 F. Supp. 1143 (D.D.C. 1985) (represented civil rights organization in case that ordered the Justice Department to disclose its efforts to force states and local governments to abandon or water-down civil rights consent decrees) (lead counsel).

National Ass'n of Concerned Veterans v. Sec. of Defense, 675 F.2d 1219 (D.C. Cir. 1982) (setting forth favorable rules for plaintiffs in statutory fee-shifting cases) (lead counsel).

SIGNIFICANT CONGRESSIONAL TESTIMONY:

Protecting Consumer Privacy, Senate Commerce Committee, 2021 WL 4538816 (Sept. 29, 2021).

Transforming the FTC: Legislation to Modernize Consumer Protection, House Energy and Commerce Committee, Subcommittee and Consumer Protection and Commerce, 2021 WL 3207865 (July 28, 2021).

Examining Liability During the COVID-19 Pandemic, Senate Committee on the Judiciary (May 14, 2020), available at: [https://www.judiciary.senate.gov/imo/media/doc/Vladeck Testimony.pdf](https://www.judiciary.senate.gov/imo/media/doc/Vladeck%20Testimony.pdf).

Legislative Hearing on 17 FTC Bills, House Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing and Trade (May 24, 2016), available at: <https://energycommerce.house.gov/hearings-and-votes/hearings/legislative-hearing-17-ftc-bills>.

Hearings on Food Marketing: Can “Voluntary” Government Restrictions Improve Children’s Health? House Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing and Trade, 2011 WL 4829542 (Oct. 12, 2011).

Hearings on Consumer Privacy and Protection in the Mobile Marketplace, Senate Committee on Commerce, Science and Transportation, 2011 WL 1896947 (May 19, 2011).

Hearings on Data Security, House Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing and Trade, 2011 WL 1971214 (May 4, 2011).

Hearings on “Do-Not-Track” Legislation: Is Now The Right Time? House Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, 2010 WL 4913932 (Dec. 2, 2010).

Hearings on Consumer Privacy, House Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, 2010 WL 2863838 (July 22, 2010).

Hearings on Keeping Score on Credit Scores: An Overview of Credit Scores, Credit Reports and Their Impact on Consumers, House Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, 2010 WL 1057011 (March 24, 2010).

Hearings on Advertising Trends and Consumer Protection, Senate Committee on Commerce, Science and Transportation, Subcommittee on Consumer Protection, Product Safety, and Insurance, 2009 WL 2171862 (July 22, 2009).

Hearings on the FTC’s Anti-Fraud Efforts, Senate Committee on Commerce, Science and Transportation, Subcommittee on Consumer Protection, Product Safety, and Insurance, 2009 WL 2026212 (July 14, 2009).

Hearings on H.R. 1346, The Medical Device Safety Act of 2009, House Committee on Energy and Commerce, Subcommittee on Health, 2009 WL 1353832 (May 12, 2009).

Hearings on Whether FDA Regulation Should Bar Liability Claims, House Committee on Oversight and Government Reform, 2008 WL 2045180 (May 14, 2008).

Hearings on Regulatory Preemption, Senate Judiciary Committee, 2007 WL 2680495 (September 12, 2007).

Hearings on OMB and Guidance to Agencies, House Science Committee, Subcommittee on Investigations and Oversight, 2007 WL 45833 (February 13, 2007).

Hearings on the Administrative Law, Process and Procedure Project for the 21st Century, House Judiciary Committee (September 11, 2006) (CIS-No.: 2007-H522-1).

Hearings on S. 746, The Regulatory Improvement Act of 1999, Senate Governmental Affairs Committee, 1999 WL 252618 (April 21, 1999).

Hearings on H.R. 4049, The Regulatory Fair Warning Act of 1998, House Judiciary Committee, Subcommittee on Commercial and Administrative Law, 1998 WL 12762416 (July 23, 1998).

Hearings on the First Amendment Implications of Regulating the Advertising and Promotion of Tobacco Products to Children and Adolescents, Senate Judiciary Committee, 1998 WL 244802 (May 13, 1998).

Hearings on the Tobacco Settlement, Senate Commerce Committee, 1998 WL 8992545 (March 3, 1998).

Hearings on S. 981, The Regulatory Improvement Act of 1997, Senate Governmental Affairs Committee, 1997 WL 570267 (September 12, 1997).

Hearings on the Reauthorization of the Administrative Conference of the United States, House Judiciary Committee, Subcommittee on Commercial and Administrative Law, 1995 WL 283139 (May 11, 1995).

Hearings on H.R. 994, The Regulatory Sunset and Review Act of 1995, House Government Affairs Committee, Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs, 1995 WL 33899 (March 28, 1995).

Hearings on S. 291 and S. 343 -- Proposals to Reform the Regulatory Process, Senate Government Affairs Committee, 1995 WL 96095 (March 8, 1995).

Hearings on S. 343, The Comprehensive Regulatory Reform Act of 1995, Senate Judiciary Committee, Subcommittee on Courts and Administrative Practices, 1995 WL 74643 (February 24, 1995).

Hearings on H.R. 9, The Job Creation and Wage Enhancement Act of 1995, House Judiciary Committee, Subcommittee on Commercial and Administrative Law, 1995 WL 42027 (February 3, 1995).

Hearings on Regulatory Review and the Proposed Amendments to the Paperwork Reduction Act, Senate Government Affairs Committee, 1994 WL 233377 (May 19, 1994).