

AAAL FALL MEETING
NOVEMBER 6–8, 2010
HYATT REGENCY WASHINGTON ON CAPITOL HILL
WASHINGTON, D.C.



NEW
A LOOK AT THE SUPREME COURT

20th Anniversary Meeting in Washington, D.C.

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20th Anniversary Meeting
in Washington, D.C.

NEW

A LOOK AT THE ^ SUPREME COURT

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The “New” Supreme Court, which after eleven years with no changes in personnel has added four new justices in five years, will be the focus of the Academy’s Fall Meeting in Washington, D.C. Please join us as we assemble at the Hyatt Regency Washington on Capitol Hill, from Saturday, November 6 through Monday, November 8, 2010, to celebrate the Academy’s 20th anniversary, and to focus on the Justices and their work.

The Hyatt Regency Washington on Capitol Hill Hotel is just a short five-minute walk from the United States Supreme Court building, and a good portion of our time together will be spent in the Marble Palace itself. That includes the social highlight of the meeting, a reception and dinner Monday evening in the Great Hall. Chief Justice—and Academy Fellow—John Roberts, has made this event possible and hopes to be able to join us. The evening will culminate with the traditional induction ceremony for new members.

Schedule-at-a-Glance *(as of July 6, 2010)*

Saturday, November 6

4:00pm **Board of Directors Meeting**
6:30pm **Opening Reception, Hyatt Regency Washington on Capitol Hill**

Sunday, November 7

8:30 am – 9:30 am **Continental Breakfast**
9:00 am – 9:30 am **AAAL Business Meeting**
9:30 am – 10:45 am **Discussions of Cases to be Argued Monday**
11:00 am – 12:30 pm **Who Are the “New Justices”?**
12:45 pm – 2:15 pm **Lunch**
2:15 pm *Free Time in Washington, D.C.*
7:30pm **Dine Around (Optional)**

Monday, November 8

8:30 am – 9:30 am **Continental Breakfast at Hotel**
9:00 am Depart Hotel to walk to the United States Supreme Court
10:00 am – 12 Noon **Oral Arguments at the Supreme Court**
12:15 pm – 1:15 pm **Lunch**
1:30 pm – 2:45 pm **Balls and Strikes, Original Intent, and the Living Constitution: What Does the Supreme Court Actually Do?**
3:00 pm – 5:00 pm **Hot Topics Before the New Court**
6:30pm **Reception, Dinner and Induction Ceremony at Supreme Court**





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Program Schedule *(as of July 6, 2010)*

The meeting will commence with an opening reception at the hotel at 6:30pm, Saturday, thus affording out-of-town Fellows the opportunity to travel on the weekend, or arrive early and spend the day enjoying the Nation’s Capital. Most of Sunday afternoon will also be free to spend on your own. But otherwise, you will be fully occupied with a program focused exclusively on the Court.

Saturday, November 6

- 4:00pm **Board of Directors Meeting**
- 6:30pm **Opening Reception, Hyatt Regency Washington on Capitol Hill**

Sunday, November 7

- 8:30 am – 9:30 am **Continental Breakfast**
- 9:00 am – 9:30 am **AAAL Business Meeting**
- 9:30 am – 10:45 am **Discussions of Cases to Be Argued Monday**
One aspect of this program will be the opportunity to observe two oral arguments at the Court on Monday morning. You will be provided with copies of the briefs and we will hear presentations concerning the two cases, by lawyers involved in litigating them. We will not know the identity of the cases being argued until at least late summer, but at this writing tea leaf readers say there is some chance that an Academy Fellow may be arguing one of them.
- 11:00 am – 12:30 pm **Who Are the “New Justices”?**
This panel will provide a personal insight into the attributes of the Court’s newest members. Four speakers who have each known one of the new Justices well and for a substantial period of time will give us the benefit of that experience through reflections on the Justice’s personal qualities. **Professor Richard Lazarus** has known the Chief since they were roommates three decades ago. **Carter Phillips** has known Justice Alito since they were colleagues in the Solicitor General’s Office in the early 1980s. Adam Abensohn clerked for Justice Sotomayor twice during the 1990s, on both the district and appellate courts. And **Professor Charles Fried** has known Justice Kagan since she came to Harvard Law School in 2001.

- Chief Justice John Roberts**..... **Richard Lazarus**
*Justice William J. Brennan Jr., Professor of Law
Georgetown University Law School, Washington, D.C.*
- Justice Samuel Alito**..... **Carter Phillips, AAAL Fellow**
*Managing Partner
Sidley Austin, Washington, D.C.*
- Justice Sonya Sotomayor**..... **Adam M. Abensohn**
*Partner
Quinn Emanuel Urquhart & Sullivan, New York*
- Justice Elena Kagan**..... **Charles Fried**
*Beneficial Professor of Law
Harvard Law School, Cambridge, MA*
- Moderator:**..... **Donald B. Ayer, AAAL President**
Jones Day, Washington, D.C.



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12:45 pm – 2:15 pm **Lunch**

Speaker: Joan Biskupic, *Supreme Court Correspondent, USA Today*

The Sunday meeting program will end with a luncheon presentation by **Joan Biskupic**, the Supreme Court correspondent for *USA Today*. Joan has recently published an excellent biography of Justice Scalia (as well as an earlier one of Justice O'Connor), and always has insightful and interesting comments to offer on current developments at the Court.

2:15 pm

Free Time in Washington, D.C.

7:30 pm

Dine Around (Optional) Sunday night we will have our usual Dine Around at some of the excellent restaurants in Washington, D.C.

Monday, November 8

8:00 am – 9:30 am **Continental Breakfast at Hotel**

9:00 am – 12 Noon **Oral Arguments at the Supreme Court**

At 9:00 am, we will take the short walk to the Court for the argument sessions which will run between 10:00 am – 12 Noon.

12:15 pm – 1:15 pm **Lunch**

1:30 pm – 2:45 pm **Balls and Strikes, Original Intent, and the Living Constitution: What Does the Supreme Court Actually Do?**

This panel will join the debate over judicial activism and restraint, and whether the Court does or should make law or simply apply it. Some recent confirmation hearings gave currency to the idea that the Justices can and should read the Constitution and statutes in a way that makes their life experience and values largely irrelevant, and simply apply the law to the facts before them. Is that realistic, given the role that the Supreme Court plays? Is it desirable? And if the answer to these questions is no, then what check in the form of standards or discipline can we rely upon to prevent unelected Justices from simply legislating their personal preferences from the bench?

Our panelists on this topic have given a great deal of thought to these questions and approach them from distinctly different perspectives. It should be a very lively discussion between Stanford Law School **Professor Pamela Karlan**, **Dean David F. Levi** of Duke Law School, and Georgetown Law School **Professor Nicholas Rosenkranz**.

Speakers:

Pamela S. Karlan

*Kenneth and Harle Montgomery Professor of Public Interest Law
Co-Director of the Supreme Court Litigation Clinic
Stanford Law School, Stanford, CA*

David F. Levi

Dean, Duke Law School, Durham, NC

Nicholas Quinn Rosenkranz

*Associate Professor of Law, Georgetown Law School, Washington, D.C.
Visiting Professor of Law, Fall 2010
Stanford Law School, Palo Alto, CA*

Moderator:

Donald B. Ayer, *AAAL President
Jones Day, Washington, D.C.*



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3:00pm – 5:00pm

Hot Topics Before the New Court

This panel will take up the most difficult and divisive issues in Supreme Court jurisprudence during recent decades and focus on how the current Court is likely to approach them. These include longstanding emotional issues such as affirmative action, abortion and gender privacy, and detention policy and the nation's right of self-defense. Of great interest during the 1990s, though less discussed recently, is the balance between federal and state government power as defined by the Commerce Clause and other constitutional provisions. More recent sources of contention among the justices include issues concerning free speech and its regulation, the narrowing of the rights of criminal defendants under *Miranda* and related prophylactic rules, and a number of cases recognizing new or expanded constitutional rights, including those arising under the Second and Eighth Amendments and under the Confrontation Clause.

To address these and other hot topics before the Court, we have assembled a group of Fellows with active Supreme Court practices and extensive experience before the Court, including three who have served as Solicitor General. In alphabetical order, they are: **Paul Clement, Drew Days, Robert Long, Maureen Mahoney, Patricia Millett, Alan Morrison, and Theodore Olson**. The topics will be handled through a moderated discussion rather than through a series of individual presentations.

Speakers:

Paul D. Clement, *AAAL Fellow*
King & Spaulding, Washington, D.C.

Drew S. Days, III, *AAAL Fellow*
Alfred M. Rankin Professor of Law
Yale Law School, New Haven, CT

Maureen Mahoney, *AAAL Fellow*
Latham & Watkins, Washington, D.C.

Patricia A. Millett, *AAAL Fellow*
Akin Gump Strauss Hauer & Feld, LLP, Washington, D.C.

Alan B. Morrison, *AAAL Fellow and Past President*
Lerner Family Associate Dean for Public Interest and Public Service Law
George Washington University Law School, Washington, D.C.

Theodore B. Olson, *AAAL Fellow*
Gibson, Dunn & Crutcher, Washington, D.C.

Moderator:

Robert A. Long, *AAAL Fellow*
Covington & Burling, Washington, D.C.

6:30pm

Reception, Dinner and Induction Ceremony at the Supreme Court



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Speaker Bios

Donald B. Ayer, AAAL President
Jones Day, Washington, D.C.

Donald B. Ayer is Jones Day’s most experienced Supreme Court lawyer, with 18 arguments before the Court in cases involving constitutional, statutory, regulatory, and criminal matters. He also has argued more than 60 other appeals on a broad range of topics, including securing reversal of several multi-million dollar trial judgments in business dispute cases. In addition, Don has acted as lead counsel in 20 federal court jury trials. Don previously served as the Deputy Attorney General and Principal Deputy Solicitor General of the United States and as the United States Attorney for the Eastern District of California. He is president of the American Academy of Appellate Lawyers, has served as president of the Edward Coke Appellate Inn of Court in Washington, D. C., and he currently teaches courses in Supreme Court Advocacy at Georgetown University Law Center and Duke Law School. He is listed in *The Best Lawyers in America* (appellate practice), *Who’s Who in America*, *Who’s Who in the World*, *Chambers USA* (National Appellate), and *Washingtonian Magazine’s* Best Lawyers in Washington (Supreme Court). Don is a member of the ALI, a Fellow of the American Bar Foundation, and serves on the advisory boards of the NYU Institute of Judicial Administration, the Georgetown Law School Supreme Court Institute, the State and Local Legal Center, and the Publications Committee of the Supreme Court Historical Society.

Joan Biskupic
Supreme Court Correspondent
USA Today, Washington, D.C.

Author and veteran Washington journalist Joan Biskupic has covered the Supreme Court for 20 years and has written several books on the judiciary, including a new biography, *American Original: The Life and Constitution of Supreme Court Justice Antonin Scalia*, published by Farrar, Straus and Giroux. A graduate of Georgetown Law School, Joan specializes in presenting the Supreme Court through the lens of judicial biography. She is a frequent speaker on law school campuses and before civic and government groups. Harvard University Law Professor Laurence Tribe deemed her new Scalia biography a must-read “for anyone who wants to understand the most influential and interesting voice of the most powerful movement in contemporary American law.”

Paul D. Clement, AAAL Fellow
King & Spalding, Washington, D.C.

Paul D. Clement is a partner in the Washington, D.C., office of King & Spalding, and head of the firm’s national appellate practice. Mr. Clement served as the 43rd Solicitor General of the United States from June 2005 until June 2008. Prior to his confirmation as Solicitor General, he served as Acting Solicitor General for nearly a year and as Principal Deputy Solicitor General for over three years. He has argued over 50 cases before the United States Supreme Court, including *McConnell v. FEC*, *Tennessee v. Lane*, *Rumsfeld v. Padilla*, *Credit Suisse v. Billing*, *United States v. Booker* and *MGM v. Grokster*. He also argued many of the government’s most important cases in the lower courts, such as *Walker v. Cheney* and the successful appeal in *United States v. Moussaoui*.

Mr. Clement is a native of Cedarburg, Wisconsin. He received his bachelor’s degree *summa cum laude* from the Georgetown University School of Foreign Service, and a master’s degree in economics from Cambridge University. He graduated *magna cum laude* from Harvard Law School, where he was the Supreme Court editor of the *Harvard Law Review*.

Following graduation, Mr. Clement clerked for Judge Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit, and for Associate Justice Antonin Scalia of the U.S. Supreme Court. After his clerkships, Mr. Clement went on to serve as Chief Counsel of the U.S. Senate Subcommittee on the Constitution, Federalism and Property Rights. Afterwards, he was a partner in the Washington, D.C., office of King & Spalding, where he headed the firm’s appellate practice. Mr. Clement rejoined the firm in November 2008.



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Drew S. Days, III, *AAAL Fellow*
Alfred M. Rankin Professor of Law
Yale Law School, New Haven, CT

Drew S. Days, III, has been the Alfred M. Rankin Professor of Law at Yale Law School since 1991. He joined the faculty in 1981. At Yale, his teaching and writing have been in the fields of civil procedure, federal jurisdiction, Supreme Court practice, antidiscrimination law, comparative constitutional law (Canada and the United States), and international human rights. He was the founding director of the Orville H. Schell Jr. Center for Human Rights at Yale Law School in 1988 and served as its director until 1993. He has been a staff member of the NAACP Legal Defense Fund, the Assistant Attorney General for Civil Rights in the Carter Administration, and U.S. Solicitor General in the Clinton Administration. Professor Days is the author of two volumes on United States Supreme Court jurisprudence, practice, and rules: *Moore's Federal Practice, Third Edition*, and most recently, of *'Feedback Loop': The Civil Rights Act of 1964 and Its Progeny*. Professor Days is an honors graduate from Hamilton College and received his LL.B. degree from Yale.

Charles Fried
Beneficial Professor of Law
Harvard Law School, Cambridge, MA

Educated at Princeton, Oxford and Columbia Law School, Charles Fried, the Beneficial Professor of Law, has been teaching at Harvard Law School since 1961. He was Solicitor General of the United States, 1985-89, and an Associate Justice of the Supreme Judicial Court of Massachusetts, 1995-99. His scholarly and teaching interests have been moved by the connection between normative theory and the concrete institutions of public and private law. During his career at Harvard, he has taught Criminal Law, Commercial Law, Roman Law, Torts, Contracts, Labor Law, Constitutional Law and Federal Courts, Appellate and Supreme Court Advocacy. The author of many books and articles, his *Anatomy of Values* (1970), *Right and Wrong* (1978), and *Modern Liberty* (2006) develop themes in moral and political philosophy with applications to law. *Contract as Promise* (1980), *Making Tort Law* (2003, with David Rosenberg) and *Saying What the Law Is: The Constitution in the Supreme Court* (2004) are fundamental inquiries into broad legal institutions. *Order & Law: Arguing the Reagan Revolution* (1991) discusses major themes developed in Fried's time as Solicitor General. In recent years, Fried has taught Constitutional Law and Contracts. During his time as a teacher, he has also argued a number of major cases in state and federal courts, most notably *Daubert v. Merrell Dow Pharmaceuticals*, in which the Supreme Court established the standards for the use of expert and scientific evidence in federal courts. He is also co-author of a new book being released in September entitled; *Because it is Wrong: Torture, Privacy and Presidential Power in the Age of Terror* (Norton, 2010).

Pamela S. Karlan
Kenneth and Harle Montgomery Professor of Public Interest Law
Co-Director of the Supreme Court Litigation Clinic
Stanford Law School, Stanford, CA

A productive scholar and award-winning teacher, Pamela S. Karlan is also the founding director of the school's extraordinarily successful Supreme Court Litigation Clinic, where students litigate live cases before the Court. One of the nation's leading experts on voting and the political process, she has served as a commissioner on the California Fair Political Practices Commission and an assistant counsel and cooperating attorney for the NAACP Legal Defense Fund. Professor Karlan is the co-author of three leading casebooks on constitutional law and related subjects, as well as more than four dozen scholarly articles. She is a widely recognized commentator on legal issues. Before joining the Stanford Law School faculty in 1998, she was a professor of law at the University of Virginia School of Law and served as a law clerk to Justice Harry A. Blackmun of the U.S. Supreme Court and Judge Abraham D. Sofaer of the U.S. District Court for the Southern District of New York. Karlan is a member of the American Academy of Arts and Sciences and of the American Law Institute.



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Richard Lazarus

*Justice William J. Brennan Jr. Professor of Law
Georgetown University Law Center, Washington, D.C.*

Richard Lazarus is the Justice William J. Brennan, Jr. Professor of Law at the Georgetown University Law Center, where he teaches Environmental Law, Natural Resources Law, Supreme Court Advocacy, and Torts. He has a B.S. from the University of Illinois in Chemistry and a B.A. in Economics, and his law degree is from Harvard. At Georgetown, he is also the Faculty Director of the Supreme Court Institute, which sponsors academic courses and workshops on the Supreme Court and provides practice moot court arguments for counsel for more than ninety percent of the cases before the Court.

David F. Levi

*Dean
Duke Law School, Durham, NC*

David F. Levi became the 14th dean of Duke Law School on July 1, 2007. Prior to his appointment, he was the Chief United States District Judge for the Eastern District of California with chambers in Sacramento. He was appointed United States Attorney by President Ronald Reagan in 1986 and a United States district judge by President George H. W. Bush in 1990.

A native of Chicago, Dean Levi earned his A.B. in history and literature, *magna cum laude*, from Harvard College. He entered Harvard's graduate program in history, specializing in English legal history and serving as a teaching fellow in English history and literature. He graduated Order of the Coif in 1980 from Stanford Law School, where he was also president of the Stanford Law Review. Following graduation, he was a law clerk to Judge Ben C. Duniway of the U.S. Court of Appeals for the Ninth Circuit, and then to Justice Lewis F. Powell, Jr., of the U.S. Supreme Court. He has served as chair of two Judicial Conference committees by appointment of the Chief Justice. He was chair of the Civil Rules Advisory Committee (2000-2003) and chair of the Standing Committee on the Rules of Practice and Procedure (2003-2007); he has been reappointed to serve as a member of that committee (2009-2012). He was the first president and a founder of the Milton L. Schwartz American Inn of Court, now the Schwartz-Levi American Inn of Court, at the King Hall School of Law, University of California at Davis. He is a member of the Council of the American Law Institute (ALI), was an advisor to the ALI's Federal Judicial Code Revision Project and its Aggregate Litigation project. He was chair of the Ninth Circuit Task Force on Race, Religious and Ethnic Fairness and was an author of the report of the Task Force. He was president of the Ninth Circuit District Judges Association (2003-2005). In 2007, he was elected a fellow of the American Academy of Arts and Sciences. In 2010, he was named to the board of directors of Equal Justice Works.

Dean Levi is the co-author of *Federal Trial Objections* (James Publishing 2002). His review—"Autocrat of the Armchair" (*Duke Law Journal* 2009)—of Judge Posner's book (*How Judges Think*), won a Green Bag Award. At Duke Law, he teaches courses on Judicial Behavior and Ethics.

Robert A. Long, AAAL Fellow

Covington & Burling, Washington, D.C.

Robert Long is a partner who practices in the areas of appellate litigation, antitrust, and administrative law. He chairs the firm's Appellate and Supreme Court Litigation Group. Mr. Long has argued 16 cases before the U.S. Supreme Court and has played a substantial role in the briefing or oral argument of more than 100 cases in federal and state appellate courts. He was a law clerk to Justice Lewis F. Powell, Jr., of the U.S. Supreme Court and Judge John Minor Wisdom of the U.S. Court of Appeals for the Fifth Circuit. From 1990 to 1993, he served as an Assistant to the Solicitor General of the United States. He is recognized as a leading appellate lawyer in *Best Lawyers in America* (also listed for administrative law and commercial litigation), *Chambers USA: America's Leading Lawyers, Guide to the World's Leading Lawyers, Washingtonian* "Top Lawyers," and *Washington, D.C. Super Lawyers*. Mr. Long is an adjunct professor at Georgetown University Law Center.



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Maureen Mahoney, AAAL Fellow
Latham & Watkins, Washington, D.C.

Maureen Mahoney is a member of the Supreme Court and appellate practice in the Washington, D.C. office of Latham & Watkins, and founded the firm's Supreme Court and appellate practice. Ms. Mahoney originally joined the firm in 1980, but left in 1991 to accept an appointment as a United States Deputy Solicitor General. During her tenure in the Solicitor General's Office, President Bush nominated Ms. Mahoney to fill a vacancy on the United States District Court for the Eastern District of Virginia, but the Senate did not act on her nomination prior to the election. Ms. Mahoney returned to the partnership of Latham & Watkins in 1993.

Ms. Mahoney has handled a broad range of constitutional and appellate litigation in the Supreme Court and other courts throughout the country, representing clients as varied as the United States House of Representatives, Union Pacific Railroad Company and the Government of Saudi Arabia. Recently ranked by *Washingtonian* magazine as one of the top five lawyers in Washington, D.C., Ms. Mahoney has also been named one of the 50 Most Influential Women Lawyers in America by *The National Law Journal*, which recognized her "stellar career in high court advocacy." During the 2006 Term of the Supreme Court, she argued four cases—more than any other advocate in private practice.

Prior to entering private practice, Ms. Mahoney served as a law clerk to the Honorable William H. Rehnquist (then Associate Justice) and Seventh Circuit Judge Robert Sprecher.

Patricia A. Millett, AAAL Fellow
Akin Gump Strauss Hauer & Feld, LLP, Washington, D.C.

Patricia A. Millett co-heads Akin Gump's Supreme Court practice and has argued 28 cases before the U.S. Supreme Court. From August 1996 to September 2007, Ms. Millett served as an assistant to the solicitor general in the Office of the Solicitor General at the U.S. Department of Justice, in Washington, D.C. Prior to her employment with the Office of the Solicitor General, Ms. Millett worked for four years in the Department of Justice's Civil Division, Appellate Staff, where she briefed and argued more than 20 cases before the federal courts of appeals and, occasionally, state appellate courts. Before that, she clerked for two years for the late Judge Thomas Tang, on the U.S. Court of Appeals for the 9th Circuit. She also worked for two years in the litigation department of a Washington, D.C. law firm. Ms. Millett received her B.A. *summa cum laude* with highest distinction in political science in 1985 from the University of Illinois and her J.D. *magna cum laude* in 1988 from Harvard Law School. She is a member of the District of Columbia Bar. In 2004 she was awarded the Attorney General's Distinguished Service Award for representing the interests of the United States before the Supreme Court.

Alan B. Morrison, AAAL Fellow and Past President
Lerner Family Associate Dean for Public Interest & Public Service Law
George Washington University Law School, Washington, D.C.

Alan B. Morrison is the Lerner Family Associate Dean for Public Interest & Public Service at the George Washington University Law School, where he also teaches courses in civil procedure and election law. For most of his career he was the director of the Public Citizen Litigation Group that he co-founded with Ralph Nader in 1972. He has argued 20 cases in the Supreme Court, and he started a project at Public Citizen that helps other lawyers with their cases in the High Court. He has been an AAAL Fellow since 1992 and was its President in 1999-2000 and is also a member of the National Academies of Science Committee on Science, Technology, & Law. He has taught at Harvard, Stanford, New York University, Hawaii and American University Law Schools and served as a Commissioned Officer in the U.S. Navy and as an Assistant U.S. Attorney in New York, specializing in civil cases. He is a graduate of Yale College and Harvard Law School.



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Theodore B. Olson, *AAAL Fellow*
Gibson, Dunn & Crutcher, Washington, D.C.

Theodore B. Olson is a partner in Gibson, Dunn & Crutcher’s Washington, D.C. office; a member of the firm’s Executive Committee, Co-Chair of the Appellate and Constitutional Law Group and the firm’s Crisis Management Team. Mr. Olson is one of the nation’s premier appellate and United States Supreme Court advocates. He has argued 56 cases in the Supreme Court, including *Bush v. Palm Beach County Canvassing Board* and *Bush v. Gore*, stemming from the 2000 presidential election; prevailing in over 75% of those arguments.

As Solicitor General, during the presidency of George W. Bush, Mr. Olson was the Government’s principal advocate in the United States Supreme Court, responsible for supervising and coordinating all appellate litigation of the United States, and a legal adviser to the President and the Attorney General. As Assistant Attorney General for the Office of Legal Counsel during the Reagan Administration, Mr. Olson was the Executive Branch’s principal legal adviser, rendering legal guidance to the President and to the heads of the Executive Branch departments on a wide range of constitutional and federal statutory questions, and assisting in formulating and articulating the Executive Branch’s position on constitutional issues.

Mr. Olson has served as private counsel to two Presidents, Ronald W. Reagan and George W. Bush, in addition to serving those two Presidents in high-level positions in the Department of Justice. He has twice received the United States Department of Justice’s Edmund J. Randolph Award, named for the first Attorney General, its highest award for public service and leadership. He has also been awarded the Department of Defense’s highest civilian award for his advocacy in the courts of the United States, including the Supreme Court, on behalf of that Department. He was a visiting scholar at the National Constitution Center in 2007.

Mr. Olson received his law degree in 1965 from the University of California at Berkeley (Boalt Hall) where he was a member of the *California Law Review* and Order of the Coif. He received his bachelor’s degree from the University of the Pacific, where he was recognized as the outstanding graduating student in both forensics and journalism. Mr. Olson has written and lectured extensively on appellate advocacy, oral communication in the courtroom, civil justice reform, punitive damages, and constitutional and administrative law.

Carter Phillips, *AAAL Fellow*
Sidley Austin LLP, Washington, D.C.

Carter Phillips is the Managing Partner of the Washington, D.C. office of Sidley Austin LLP, and is a member of the firm’s Management Committee. He served as a law clerk to both Judge Robert Sprecher on the U.S. Court of Appeals for the Seventh Circuit and Chief Justice Warren E. Burger on the United States Supreme Court. Mr. Phillips served as Assistant to the Solicitor General for three years, during which time he argued nine cases on behalf of the federal government in the United States Supreme Court. Since joining Sidley, Mr. Phillips has argued 57 cases in the Supreme Court, for a career total of 66 appearances, and has argued more than 80 cases in other appellate courts.

Nicholas Quinn Rosenkranz
Associate Professor of Law
Georgetown Law School, Washington, D.C.
Visiting Professor of Law, Fall 2010
Stanford Law School, Palo Alto, CA

Nicholas Quinn Rosenkranz graduated from Yale College and Yale Law School. He clerked for Judge Frank H. Easterbrook on the U.S. Court of Appeals for the Seventh Circuit (1999-2000) and for Justice Anthony M. Kennedy at the U.S. Supreme Court (October Term 2001). He also served as an Attorney-Advisor at the Office of Legal Counsel in the U.S. Department of Justice (November 2002 - July 2004).



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He began his scholarly career by publishing his first two articles—“Federal Rules of Statutory Interpretation” and “Executing the Treaty Power”—in the *Harvard Law Review*. Since then, he has continued to research and write about constitutional law, foreign affairs law, international law, federal jurisdiction, and statutory interpretation.

Currently, he is developing a new theory of judicial review. An introduction to the theory appeared earlier this year in the *Stanford Law Review* under the title “The Subjects of the Constitution.” It is already the single most downloaded article about structural constitutional law or federal courts in the history of SSRN. The comprehensive version is forthcoming as a book of the same title by Oxford University Press.

Professor Rosenkranz frequently testifies before Congress as a constitutional expert—most recently before the Senate Judiciary Committee, regarding the nomination of Justice Sotomayor. He has argued before the U.S. Supreme Court. He also serves on the national Board of Visitors of the Federalist Society, and as the faculty advisor to the Georgetown Chapter.

Fall Meeting Program Chairs

Donald B. Ayer, *AAAL President*
Jones Day, Washington, D.C.

Alan B. Morrison, *AAAL Fellow and Past President*
George Washington University Law School, Washington, D.C.



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Hotel Information

Hyatt Regency Washington on Capitol Hill

400 New Jersey Avenue, NW
Washington, DC 20001

Telephone (202) 737-1234 or (800) 233-1234

Room Rate \$224 single/double

Reservation Deadline Wednesday, October 6, 2010

Please reference the American Academy of Appellate Lawyers when making your hotel reservation. Hotel reservations are on a first come, first serve basis until Wednesday, October 6, 2010 or until the block has sold out. AAAL cannot guarantee the group rate if rooms are still available in the AAAL block after October 6, 2010.

If you have any problems making hotel reservations, please call or email Nancy Copen, Senior Meetings Manager at (240) 404-6480 or ncopen@mgmtsol.com.

Check-in Time 3:00pm

Check-out Time 12Noon

Valet Parking Only \$46/day (Self parking is not available.)

Discover our historic city from Hyatt Regency Washington on Capitol Hill. Enjoy easy access to all the attractions of our nation's capital from our ideal location in the heart of this popular downtown neighborhood. Walk to the Smithsonian and the National Mall, tour government centers, visit monuments and museums—all just minutes from this Capitol Hill hotel.

Travel Information

Washington Dulles International Airport (IAD) • Sterling, VA (35 miles/50 minutes)

Taxi: \$75

Shuttle service is available at \$29 for the first person and \$10 for each additional person.

Ronald Reagan Washington National Airport (DCA) • Arlington, VA (Metro Accessible)

(5 miles/15 minutes)

Taxi: \$15

Baltimore/Washington Thurgood Marshall Airport (BWI) • Baltimore, MD (32 miles/70 minutes)

Taxi: \$95

Shuttle service is available at \$39 for the first person and \$10 for each additional person.





**Early Bird Deadline:
Wednesday, October 6**

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American Academy of Appellate Lawyers (AAAL)
9707 Key West Avenue
Suite 100
Rockville, MD 20850

Phone: (240) 404-6498
Fax: (301) 990-9771

Be sure to make your hotel reservations at the Hyatt Regency Washington on Capitol Hill
(800) 233-1234

**Register by
Wednesday,
October 6th
and SAVE!**

Cancellation Policy

If a cancellation is received by Tuesday, October 12 a refund of 75% of the registration fee will be issued. There are no refunds for cancellations received after that date.

Registration Form

FELLOW (please check one)

Fellow Public Official / Public Interest Emeritus Academic Member

First AAAL Meeting Yes No

Full Name _____

First Name on Badge/Nickname _____

Firm _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-mail _____

GUEST

Full Name _____

First Name on Badge/Nickname _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

E-mail _____

I require special accommodations to participate. (Please attach a description of your needs.)

Vegetarian Kosher Other _____

PAYMENT INFORMATION

Check (payable to AAAL) MasterCard VISA American Express

Account Number _____ Exp. Date _____

Name on Card _____

Billing Address Zip Code _____ *Security Code _____

Signature _____

* Visa or Mastercard 3 digit number on back of card. AE 4 digit number on front of card.

FELLOW REGISTRATION FEES

	By Oct. 6	After Oct. 6
<input type="checkbox"/> Full Fellow.....	\$550.....	\$650
<input type="checkbox"/> Public Interest.....	\$500.....	\$600
<input type="checkbox"/> Academic Member.....	\$500.....	\$600

FELLOW EVENTS (please check all that apply)

Monday Reception/Dinner & Induction of New Fellows

Saturday Opening Reception

Sunday Dine Around (Optional)

GUEST EVENTS (please check all that apply)

Continental Breakfast—Sunday..... \$45

Continental Breakfast—Monday..... \$45

Lunch—Sunday..... \$45

Lunch—Monday..... \$45

Saturday Opening Reception..... \$35

Sunday Dine Around..... (pay on your own)

Monday Reception & Induction Dinner..... \$150

TOTAL FEES

Fellow Registration Fee..... \$ _____

Guest Event Fees..... \$ _____

Total Amount Due..... \$ _____