



Why and When to File an Amicus Brief

Appellate courts are a vital part of our justice system, and I'm pleased to have spent 17 years as a jurist in one of the best. These courts evaluate cases that were previously ruled on to ensure the right judgment was made at the trial level. I enjoyed being in a position to try and "get it right" after a case had been tried below.

You may find a case you feel strongly about reach this elevated level of the justice system. Even if you're not one of the parties in the case, there may be a way to have your say utilizing a tool I often saw when I was a judge: the amicus brief.

What Are Amicus Briefs?

An amicus curiae is a person who isn't a party to a case. They assist an appellate court by offering additional, relevant information or arguments the court may want to consider before making their ruling. The phrase, amicus curiae, is Latin for "friend of the court." Amicus briefs – shorthand for the formal term "amicus curiae briefs," are legal briefs filed in appellate courts by amicus curiae. They are submitted in a specific case under review. They essentially show the court that its final decision will impact people other than the parties.

Amicus briefs are filed by people who typically take the position of one side in a case, in the process supporting a cause that has some bearing on the issues in the case. The groups most likely to file amicus briefs are businesses, academics, government entities, non-profits and trade associations.

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has now completely changed — so much so that today more amicus briefs are being filed in the state and federal appellate courts than ever before.

Different appellate courts have their own rules regarding amicus briefs, so checking the rules before you file such a brief is imperative. Since, historically, amicus briefs were supposed to bring new relevant information, not argued by the parties, to the attention of the court, the courts tend to favor these types of amicus briefs. However, some organizations use amicus briefs like press releases, stating positions not only to inform the court but to influence public perception. While these briefs are often considered a burden by appellate court jurists, they can be a good way for a group to relate to the public in such a way that influences goodwill and even profits. This is particularly the case in this age of social media engagement when the values of an organization are so readily on display 24-7.

Why File an Amicus Brief?

There are good reasons to file an amicus brief. It all depends on what you're trying to achieve. The following are some of the best reasons for employing this important tool.

1) The Outcome Sets a Precedent

In some appellate court cases, the decision can be a precedent-setting one. This means a binding ruling for future court cases. If you're currently involved in a similar case in an appellate court, you should seriously consider filing an amicus brief to share your relevant views on the matter. Taking this step may ensure a favorable ruling in your case.

Another good reason lawyers may write amicus briefs is to inform the appellate court of rulings from other states. This tactic can help keep a level of consistency in orders from state to state. It can also give the ruling state valuable knowledge about how different courts have seen this type of case.

2) The Outcome Directly Affects your Group's Members

Many entities choose to file an amicus brief when the outcome of the case directly affects their members. An amicus brief will allow you to speak to the appellate court on the subject matter at hand. You can advise the court on how a specific ruling on the case will affect your members and

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by the court might be unworkable in other situations. You would do this to help the court understand the real-world consequences of a particular decision.

3) You Have Expert Knowledge on the Subject

Another common reason to file an amicus brief is that you have extensive knowledge of a subject, and you want everyone to share that. Your goal would also be to make the court privy to this knowledge by educating the judges. This type of brief is usually reserved for field experts and academics who can bring experience to the table.

4) You Want to Raise a Person's Profile

For those who are experts or academics in a particular field, amicus briefs are a great way to get your name out there. Filing an amicus brief lets many people know that you have expert capabilities in an area and that you're available as an expert witness on the subject. Ideally, you'd also be trying to educate the court on the subject matter while furthering your community profile on that subject matter.

5) You Want to Educate the Court

Non-profits also find amicus briefs are a great way to educate the court about specific issues. These organizations tend to have particular world views on certain subjects that they've studied extensively. When a court's decision may end up affecting a non-profit institution, or their goals, for example, the organization may file an amicus brief.

6) It's a Great Marketing Tool

I can't talk about filing amicus briefs without sharing their excellent marketing potential. When utilized correctly, this type of brief can display you and your organization in light of how much you care about a specific issue. It can also demonstrate your ability to take action. These briefs are perfect for those looking to receive some positive press coverage, particularly from a high-profile case.

Motion for Leave to File

Different appellate courts have their own rules regarding amicus brief filings. Many require you to

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their ultimate decision. That's why it's critical to check the rules of the appellate court before filing an amicus brief.

Contents of an Amicus Brief

An appellate court may receive a great many amicus briefs for a specific case. Therefore, in most jurisdictions, they tend to have a unified format for ease of reading. For instance, most such briefs will need to have all of the following components:

A Cover Page that indicates reversal or affirmance

A Table of Contents

A Table of Authorities

A Statement of Identity, interest, and source of authority of the filer

A Statement disclosing any party who financially contributed to the brief

Tone and Style are Important

In addition to all the usual hallmarks of any good appellate brief, the purpose and relevance of an amicus brief must be readily apparent from the first page. When I was a justice on the Georgia Supreme Court, if a cursory review of the brief suggested it was merely duplicative of a party brief, I, and most of my colleagues, tended to ignore it.

The tone of the brief is also important. Amicus briefs should use an even, objective tone. After all, they are supposed to aid the court make a good decision, not advocate for a party.

Lastly, but certainly not least, brevity is critical. In most cases, an amicus brief can achieve its purpose in far fewer pages or words than the applicable rules provide. An amicus brief that is only as long as the space needed to accomplish a particular goal is always going to be appreciated by busy judges.

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Credentials

- Columbia University
J.D.
Harlan Fiske Stone Scholar
Articles Editor, *Columbia Journal of European Law*
- Emory University
B.A., European History and Applied Mathematics, *summa cum laude*
Phi Beta Kappa
- Judicial Law Clerk to the
Hon. Rodney Gilstrap,
U.S. District Court for the Eastern District of Texas
- Admitted to Practice:
New York
Texas
U.S. District Court for the District of Columbia
U.S. District Court for the District of Colorado
U.S. District Court for the Eastern District of Michigan
U.S. Court of Appeals for the First, Ninth, and D.C. Circuits
U.S. Court of Appeals for the Federal Circuit
U.S. District Courts for the Eastern, Southern, and Western Districts of Texas

Matt focuses on complex commercial litigation, representing clients in IP, contract, and regulatory litigation in federal and state trial and appellate courts.

He has significant expertise in federal jurisdiction and procedure. Matt is at home digging out case-changing evidence, crafting legal strategies under arcane statutes and procedures, eliciting critical deposition or trial testimony, and arguing on his feet to trial courts, appellate courts, and arbitrators.

Matt is also recognized as an authority on issues relating to the federal Controlled Substance Act and relating to cannabis regulation, even being named to the *Law360* 2020 Cannabis Editorial Advisory Board. Matt routinely speaks and publishes on issues relating to legal issues relating to controlled substances.

Matt has received national recognition for his work in IP and controlled substances litigation. The American Lawyer recently named Matt a finalist for Young Lawyer of the Year (Litigation), and the American Inns of Court named him a 2020 Pegasus Scholar. *Best Lawyers in America* named Matt "One to Watch," and Thomson Reuters' *Super Lawyers* recognized him as a "Texas Rising Star" in IP Litigation, Cannabis Law, and Administrative Law.

Before joining the firm, Matt was a judicial clerk to the Hon. Rodney Gilstrap, U.S. District Judge for the Eastern District of Texas, spending hundreds of hours in court helping manage one of the busiest trial dockets in the country. Before then he was a litigator with Paul, Weiss in New York City.

Experience

- **Global Tubing v. Tenaris Coiled Tubes.** Obtained a complete defense victory in connection with seeking a declaratory judgment that Global Tubing's quench-and-tempered coiled tubing products – key to its business – did not infringe three Tenaris patents. Over the six-year dispute, we defeated several motions to dismiss, obtained a discovery ruling that used the crime-fraud exception to order Tenaris to produce attorney-client communications related to a key prior art document, and an opinion sanctioning Tenaris for violating the protective in prosecuting follow-on patents. The district court granted our client's motion for summary judgment and found all the patents unenforceable due to Tenaris's fraud on the Patent Office.

- **Scheduling 4-OH-DiPT, 5-MeO-AMT, 5-MeO-MiPT, 5-MeO-DET, and DiPT.** Lead counsel for two startup companies researching psychedelic medicine in formal rulemaking proceeding regarding proposed scheduling of five tryptamine substances into Schedule I of the Controlled Substances Act (87 FR 2376 (2022)). One month before evidentiary hearing and following exchange of witness statements, rule withdrawn by the Administrator. (87 FR 45076 (2022)).
- **Crown Distributing v. Texas DSHS.** Lead litigator in state court action asserting state constitutional and administrative law claims against state agency regarding bans on smokable hemp products. Obtained temporary injunction forestalling enforcement of ban until final trial on the merits, which was partially upheld on appeal. Obtained trial court judgment that statutory directive and resulting administrative rule were invalid, prevailing on the constitutional claim, after a bench trial on the merits. Trial court ruling partially upheld on direct appeal to Texas Supreme Court, with decision overturning ban on sale and distribution intact.
- **AIMS v. DEA** (argued). Part of team in suit in the Ninth Circuit Court of Appeals seeking order setting aside DEA decision that it lacks authority to accommodate waiver or exception to permit use of controlled substances in accordance with state and federal right to try laws. Prominent amici include ten states, the Goldwater Institute, the Cato Institute, and the ACLU of Washington.
- **Sisley v. DEA** (argued). Co-lead lawyer in pro bono suit in the Ninth Circuit Court of Appeals seeking order setting aside DEA decision related to marijuana scheduling.
- **Legacy Separators v. Halliburton.** Represented plaintiff in pursuing patent/trade-secret claims over oilfield gas separator operations. In the last Houston jury trial before the Covid-19 lockdown, we settled with one defendant and defeated Halliburton's defenses and counterclaims. The jury hung on whether Halliburton systems infringe. The case settled before the second trial.
- **Scottsdale Research v. DOJ/DEA.** Co-lead lawyer in pro bono FOIA suit to force release of a secret 2018 DOJ memo, "Licensing Marijuana Cultivation in Compliance with the Single Convention on Narcotic Drugs". Within weeks of filing complaint and without filing a FOIA request, the DOJ released the memo as part of settlement. The memo details how and why it concluded that DEA could not process medical research applications.
- **Confidential international arbitration.** Part of plaintiffs' team in a contract dispute with a large patent aggregator. Conducted cross-examination during the final hearing in New York City, as well as crafted key aspects of the team's overall strategy. Award is confidential.
- **In re Scottsdale Research.** Co-lead lawyer in pro bono suit in the U.S. Court of Appeals for the D.C. Circuit seeking to order DEA to process clinical research applications after years of delay. When the court-ordered DEA to respond, the agency capitulated, processing 33 overdue applications and announcing an intent to move forward with a comprehensive program.
- **Silver State Techs. Inc. v. Garmin Int'l, Inc.** Part of defense trial team for a GPS company against a non-practicing entity. The case resulted in jury verdict invalidating all four patents-in-suit.

- **Bluestone Innovations LLC v. Nichia Corp.** Assisted in defending Nichia in action brought by non-practicing entity concerning LED technology. The case resulted in dismissal with prejudice without payment.
- **Invidi Tech. Corp. v. Visible World Inc.** Part of defense team that represented Visible World in competitor suit concerning patents covering targeted advertising technology.

Professional Honors & Affiliations

- Young Lawyer of the Year (Litigation) finalist, *The American Lawyer*, 2022
- Pegasus Scholar, American Inns of Court, 2020
- “Ones to Watch” in IP Litigation, *Best Lawyers in America*, 2023
- “Texas Rising Star,” in Intellectual Property Litigation by Thomson Reuters’ *Super Lawyers*, 2023
- The Honorable Nancy F. Atlas Intellectual Property American Inn of Court, Associate (2018-2020), Barrister & Executive Committee (2021)
- Member: Law360 Cannabis Editorial Advisory Board, 2020-2021
- Member: Federal Circuit Bar Association

Presentations & Publications

- The Controlled Substances Act: An International Private Delegation That Goes Too Far, 100 Wash. U. L. Rev. (forthcoming 2023) (co-author)
- “Demystifying the Crime-Fraud Exception”, *The Advocate*, Winter 2022 (co-author)
- “Sue ‘n the DEA: Breaking the 50-year NIDA Monopoly” South by Southwest® Conference (SXSW), March 15, 2022, (co-presenter)
- “Pills to Pot? An Investigation of the Evidence for Cannabinoids as an Opioid Substitute,” Workers’ Compensation Program, Arizona State Bar, September 2020 (panelist)
- “Federal Law & Policy Update,” Business Issues in Cannabis & Industrial Hemp Conference, February 2020 (co-presenter)
- “Legal and Scientific Issues in Increasing Medical Cannabis Research,” Texas Marijuana Policy Conference, August 2019 (co-presenter)
- “State Anti-SLAPP In Federal Court: An Update From Texas,” *Law 360*, November 1, 2018 (co-author)
- “Questions Raised By Law That Use Copyrighted Standards,” *Law360*, August 2, 2018 (co-author)
- “An Uptick in Customer-Suit Exception After TC Heartland?” *Law360*, November 9, 2017 (author)

About

Rebecca Lee Whiting is the founder of Epigram Legal P.C., where she provides legal services and advice to early stage startups, founders, nonprofits, and individual tech employees and executives. At Epigram, Rebecca continues to serve as the General Counsel and Corporate Secretary of [Journey Colab](#), a biotech startup based in San Francisco; she also serves as fractional General Counsel, corporate secretary, and general corporate counsel to other tech startups and advises and serves as a member of the Board of Directors for multiple 501(c)(3) nonprofit organizations. Over the course of her career, Rebecca has represented and advised a variety of individuals, organizations, and state and local public entities in contract negotiations, legislative matters, and high-stakes impact litigation at all levels of the state and federal courts, including the United States Supreme Court. A graduate of Yale College and the UC Berkeley School of Law, Rebecca began her legal career as a federal law clerk on the United States Court of Appeals for the Ninth Circuit and the United States District Court for the Northern District of California.



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About Hoots Law Practice PLLC

Hoots Law Practice PLLC established in 2019 to meet the needs that are unmet by most larger firms. Using her unique background of experience in employment, intellectual property, and business law, Allison Hoots, Esq. is devoted to providing keen personal attention, reliable structure and procedures, creative solutions, and sound legal protection for her clients.

News + Media



- Interview, **Vice News Tonight: Ex-Mormons Are Running a Magic Mushroom Church.** (<https://www.vice.com/en/article/akexaa/magic-mushroom-mormon-church-utah>) February 2023.
- CLE Presenter, **The Seminar Group: Legal and Regulatory Landscape of Psychedelics -**



Allison Hoots, Esq. is the founder and principal attorney of **Hoots Law Practice PLLC** and has been an attorney since 2011. You can keep up-to-date with Allison's current work on **LinkedIn**

(<https://www.linkedin.com/in/allison-hoots-36067911/>).

Allison's qualifications are broad and diverse, but she has synthesized these different experiences into a strong foundation of knowledge.

PREVIOUS WORK EXPERIENCE

Allison has practiced law with small law firms and an Am 100 law firm. She also has government experience at both the state and federal levels, giving her valuable insights into the practices and priorities of agency investigations; she spent two years as an Investigator for the U.S. Dept. of Labor's Employee Benefits Security Administration, investigating alleged violations of ERISA and ACA, and several years interning at both the New York State Division of Human Rights and the Pennsylvania Human Relations Commission, investigating alleged violations of state and federal non-discrimination laws.

Allison also worked with several entertainment law firms and a non-profit music organization to help advise clients on copyright and trademark issues, working on a variety of licensing and other types of agreements.

Allison was the Co-Chair of the Defined Benefit Plan Subcommittee for the ABA Tax Section Employee Benefits Committee from October 2019 to June 2021. She was the Co-Vice Chair of this Subcommittee from 2016-2019. In May 2013, she was a speaker for the "Tax Bridge to Practice – Introduction to Employee Benefits" panel, ABA Tax Section Meeting.

Through her experience and in developing her strategies, Allison Hoots, Esq. effectively provides her legal services and attentive support by teleworking, but she travels to

Religious Use Issues.

(<https://www.theseminargroup.net/seminars/7190>) January 2023.

- Guest, **Harvard Law School's Project on Psychedelic Law and Regulation: Comparing Legal Approaches to Accessing Psychedelics.**
(https://www.youtube.com/watch?ab_channel=Petrie-FlomCenter&v=94slp9KALAO) December 2022.
- CLE Presenter, **Psychedelic Bar Association: New Developments in Religious Use of Psychedelics.**
(<https://www.insidepractice.com/psychedelic-law-summit>) September 2022.
- Guest, **Psychedelica Lex: "The New FREE Chacruna RFRA Guide with Allison Hoots and Sean McAllister."**
(https://www.youtube.com/watch?ab_channel=PsychedelicaLex&v=LoXhm-Wiz_4) February 2022.
- Interview, **"The Underground 'Churches' that claim Psychedelics are their Religion"**
(<https://melmagazine.com/en-us/story/religious-freedom-restoration-act>), Mel Magazine. Published November 2021.
- Lead Author, **Chacruna's Guide to RFRA and Best Practices for Psychedelic Plant Medicine Churches.**
(https://chacruna.net/chacruna_g)

provide any services needed, such as one-on-one negotiations or training seminars. Hoots Law Practice PLLC is located in the Hudson Valley of New York, which is a beautiful and easy day-trip to New York City.

Let's Talk

Hoots Law Practice PLLC is a law firm that uses both its knowledge and its compassionate understanding of interpersonal relationships to advise and support its clients. This firm believes that taking the time to understand its clients' dreams and resources improves the ability to protect their legally protected rights and best interests.

Contact Hoots Law Practice PLLC for more information about this firm and whether it is right to schedule a free consultation about how your needs can be met by engaging all the services and advocacy available through this firm.

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November 2021

- CLE Presenter, **Protecting the Use of Psychedelic Sacraments under the Religious Freedom Restoration Act** (<https://clecompanion.com/groups/psychedelics-101/>). 2021.

Education

TEMPLE LAW SCHOOL - BEASLEY SCHOOL OF LAW

Juris Doctorate, 2011; ***Certificate in Employee Benefits***, 2013

UNIVERSITY OF ROCHESTER

B.A. in English Literature (Honors Program), Minors in Legal Studies and Philosophy, 2007

Bar Admissions

- New York
- D.C.
- Pennsylvania

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Shane A. Pennington

partner

Shane is a partner in the Litigation Department where he counsels clients on federal regulatory issues involving a number of industries, including energy, pharmaceuticals, controlled substances, aviation and agriculture. A former law clerk to federal judges on the D.C. Circuit, the Fifth Circuit and the D.C. District Court, Shane brings unique insight and strategic thinking to assist clients facing complex regulatory issues.

Rated “One to Watch” and a “Rising Star” in appellate law by The Best Lawyers in America and Super Lawyers, respectively, Shane has argued cases in the U.S. Courts of Appeals for the First, Ninth and D.C. Circuits, securing landmark results for clients. In a series of cases on behalf of veterans and scientists, for example, Shane raised a novel claim under the Freedom of Information Act to uncover a secret 2018 Opinion of the Office of Legal Counsel that revealed the unlawfulness of a longstanding agency policy that had obstructed cannabis research for over half a century. Shane regularly litigates cases concerning federal and state agencies that involve the Administrative Procedure Act, the Controlled Substances Act, and Federal Food, Drug and Cosmetic Act.

Clients turn to Shane to advance their strategic goals within existing regulatory and legal frameworks, but also to develop creative strategies to reimagine those frameworks amidst rapidly changing industries. To that end, Shane often advocates for clients at the administrative level, working with state and federal regulators to devise novel solutions to seemingly intractable problems. He has represented companies, scientists and industry coalitions before the Drug Enforcement Administration, the Department of Health and Human Services, the Food and Drug Administration, the Department of Justice, and the Securities and Exchange Commission.

Shane has published extensively on topics related to administrative law and drug policy, including the private nondelegation doctrine, the Single Convention on Narcotic Drugs of 1961, judicial deference to administrative agencies, and bureaucratic management and the limits of presidential power. Shane often provides commentary on administrative law issues to the *Yale Journal on Regulation Notice & Comment* blog and is a regular contributor to the “News From the Circuits” column published in the American Bar Association’s *Administrative and Regulatory Law News*.

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EDUCATION

The University of Texas School of Law, J.D., 2010

University of Houston, B.A., 2006

SERVICES

Government & Regulatory Affairs

- Legislative advocacy and drafting
- Regulatory advocacy and drafting

Cannabis

REPRESENTATIVE MATTERS

- *Scottsdale Research Institute v. DEA* (D. Ariz.). Co-lead counsel in FOIA suit to force release of a secret 2018 opinion of DOJ's Office of Legal Counsel, "Licensing Marijuana Cultivation in Compliance with the Single Convention on Narcotic Drugs." Within weeks of filing a complaint—and without filing a FOIA request—secured settlement requiring DOJ to disclose OLC opinion barring DEA from processing medical research applications under the Controlled Substances Act until DEA brought its regulations in line with federal law and United States treaty obligations.
- *In re Scottsdale Research Institute* (D.C. Cir.). Co-lead counsel in mandamus action seeking order requiring DEA to process clinical research applications after years of delay. In response to order from D.C. Circuit calling for its response to the petition for writ of mandamus, DEA capitulated, processed 33 overdue applications, and announced at long last its intent to move forward with a comprehensive program. In May 2021, DEA announced that it had preliminarily approved Scottsdale Research Institute's application to grow marijuana for research purposes. DEA and Scottsdale Research Institute have since negotiated a Memorandum of Agreement to govern Scottsdale Research Institute's federal grow license going forward.
- *Sierra Frac Sand, L.L.C. v. CDE Global Limited* (5th Cir.). Defended appeal of district court order dismissing claims against Northern Irish company on forum non conveniens grounds. Fifth Circuit canceled oral argument and issued its published opinion affirming ruling in client's favor.
- *California State Lands Commission v. Plains Pipeline LP* (Cal. App.). Briefing and oral argument on behalf of party appearing as amicus curiae; in opinion favorable to client, state appellate court expressly rejected federal appellate court's ruling in client's case presenting the same important and novel issue of California law.
- *Sabre Travel International, Ltd. v. Deutsche Lufthansa AG* (Tex.). Successfully represented airline before Texas Supreme Court; secured ruling that federal Airline Deregulation Act did not preempt airline's state-law claims against third-party vendor.
- *Halliburton Co. v. Erica P. John Fund, Inc.* (U.S.). Merits briefing on behalf of petitioner resulting in a unanimous Supreme Court opinion in client's favor holding that securities-fraud defendants must be afforded an opportunity to rebut the presumption of reliance before class certification with evidence of a lack of price impact.
- *Baker Botts LLP v. ASARCO, LLC* (U.S.). Certiorari- and merits-stage briefing in case questioning whether Bankruptcy Code permits bankruptcy courts to award attorney fees to counsel or other professionals employed by the bankruptcy estate for work in defense of fee application in court.

BAR ADMISSIONS

- Admitted only in Texas and directly supervised by Donald Barnes, a member of the District of Columbia Bar
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Eastern District of Wisconsin
- Supreme Court of the United States

PRESENTATIONS

- "Changes in Federal Approaches to Cannabis: Process and Impact," Drug Enforcement and Policy Center at The Ohio State University Moritz College of Law, June 22, 2023
- "Impact Litigation and the Changing Terrain," International Cannabis Bar Association's Litigation, ADR, Disputes Symposium, March 20, 2023
- "Cannabis Seeds are Federally Legal: What Now?," Cannabis Business Times Webinar, Feb. 1, 2023

- “Medical Marijuana and Hemp Law Symposium,” Pennsylvania Bar Institute Webinar, Sept. 24, 2022
- “Moot Court: Sisley v. U.S. Drug Enforcement Administration,” International Cannabis Bar Association, June 10, 2022
- “Sue 'n the DEA: Breaking the 50-year NIDA Monopoly,” SXSW 2022, March 15, 2022
- “Federal Agencies 101 - Cannabis: Federal Regulation Basics,” International Cannabis Bar Association Webinar, Aug. 15, 2021
- “Appellate Law 101,” International Cannabis Bar Association Webinar, July 14, 2021
- “Hemp Industry Litigation in Response to DEA Overreach,” Hemp Industries Association, May 15, 2021
- “Key Issues Impacting Cannabis Litigation,” International Cannabis Bar Association Webinar, March 11, 2021
- “Cannabis Lawsuits: Federal and State Challenges to Current Law,” Texas Marijuana Policy Conference, Nov. 21, 2020
- “Disputes and Litigation with the Regulators,” International Cannabis Bar Association, Oct. 13, 2020
- “Policy Council Conversations: Just Say No - Keep the DEA out of Cannabis Research,” NCIA Webinar, June 3, 2020
- “Ask the Doctors featuring Dr. Ethan Russo and Dr. Sue Sisley,” Informed Texas, May 12, 2020
- “Federal Law & Policy Update,” Business Issues in Cannabis & Industrial Hemp Conference, Feb. 27, 2020
- “In Legal Limbo: Federal Cannabis Laws at the Crossroads,” ABA Tort Trial and Insurance Practice Section Cannabis Law Conference, Sept. 19, 2019
- “Legal and Scientific Issues in Increasing Medical Cannabis Research,” Texas Marijuana Policy Conference, Aug. 30, 2019

PUBLICATIONS

- “Coalition for Cannabis Scheduling Reform White Paper,” Green Market Report, co-author, June 2023
- “The Controlled Substances Act: An international private delegation that goes too far,” 100 Wash. U.L. Rev. 29, co-author, 2023
- “McGirt v. Oklahoma’s potentially sweeping regulatory implications for the oil & gas industry,” *The Texas Lawbook*, July 20, 2020
- “Fifth Circuit Review – Reviewed: Judge Smith listens to strict scrutiny,” *Yale Journal on Regulation Notice & Comment*, March 12, 2020
- “Some thoughts on how *Kisor* and *Chevron* differ,” *Yale Journal on Regulation Notice & Comment*, Nov. 16, 2019
- “Fifth Circuit Review – Reviewed: Article III cowboy hat tips and D.C. Circuit exceptionalism,” *Yale Journal on Regulation Notice & Comment*, Nov. 13, 2019
- “Fifth Circuit Review – Reviewed: Circuit-Split edition,” *Yale Journal on Regulation Notice & Comment*, July 12, 2019
- “Fifth Circuit Review – Reviewed: Inaugural edition,” *Yale Journal on Regulation Notice & Comment*, May 7, 2019
- “Questions raised by laws that use copyrighted standards,” *Law360*, Aug. 2, 2018

PROFESSIONAL ASSOCIATIONS

- American Bar Association, Cannabis Law and Policy General Committee, Vice-chair; Tort Trial & Insurance Practice Section
- International Cannabis Bar Association, Amicus Committee, Co-chair

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