

Speaker Biography



Seth P. Waxman

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Chair, Appellate and Supreme Court Litigation Practice Group

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Practice Areas

Litigation/Controversy

- Appellate and Supreme Court Litigation
- Government and Regulatory Litigation
- Intellectual Property Litigation

Regulatory and Government Affairs

- Defense and National Security

Education

- JD, Yale Law School, 1977,
Managing Editor, *Yale Law Journal*
- Rockefeller Fellow, 1974
- AB, *summa cum laude*,
Harvard University, 1973,
Phi Beta Kappa

Bar Admissions

District of Columbia

Martindale Rating: AV

Clerkships

- The Hon. Gerhard A. Gesell,
US District Court for the
District of Columbia, 1977 -
1978

Seth P. Waxman is a partner in the firm's Regulatory and Government Affairs and Litigation and Controversy Departments, and the chair of the Appellate and Supreme Court Litigation Practice Group. Mr. Waxman is also a member of the Defense and National Security, Public Policy and Strategy, Government and Regulatory Litigation, and Intellectual Property Litigation Practice Groups. Mr. Waxman is a member of the firm's Executive Committee. He joined the firm in 2001.

Universally considered to be among the country's premier Supreme Court and appellate advocates, Mr. Waxman served as Solicitor General of the United States from 1997 through January 2001. In addition to leading the firm's appellate practice, Mr. Waxman engages in a broad litigation and counseling practice, with particular emphasis on complex challenges involving governments or public policy issues. A Fellow of the American College of Trial Lawyers, he also is a widely respected business trial litigator—one of only three litigators in Washington, DC, accorded both "star" rating by *Chambers USA* and "leading lawyer" ranking in PLC's *Global Counsel Handbook*. He also has been ranked among *Washingtonian* magazine's "Top 30 Lawyers" and listed for "Bet-the-Company-Litigation" (among other categories) in *The Best Lawyers in America*.

Practice

Mr. Waxman's practice spans both federal and state trial and appellate courts. He has delivered over 45 oral arguments in the United States Supreme Court—16 in the past four Terms—making him, as *The American Lawyer* recently reported, "the dominant force in the Supreme Court bar, without question." Mr. Waxman's clients range from financial institutions to consumer, industrial and media companies. He also represents a number of local, state and national governments. The recipient of numerous professional awards and honors, Mr. Waxman is among only a handful of practicing attorneys ever elected to the American Academy of Arts and Sciences. He also holds the Jefferson Medal in Law, an honor awarded once a year and only rarely to an attorney in private practice. In recognition of his exceptional service to law enforcement, Mr. Waxman holds the extraordinary status of permanent honorary Special Agent of the Federal Bureau of Investigation.

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Recent Highlights

Mr. Waxman recently won a complete victory for the Government of Canada in a multi-billion-dollar trade dispute involving softwood lumber imports before a NAFTA Extraordinary Challenge Committee proceeding.

Mr. Waxman won a landmark ruling this year in *Roper v. Simmons*, in which the Supreme Court declared unconstitutional the death penalty for juvenile offenders. He won three other cases in the Supreme Court this year, including long-running property-rights disputes in California (in which he represented the City of San Francisco) and Hawaii (in which he represented the State of Hawaii).

Mr. Waxman successfully represented Senators John McCain and Russell Feingold and other congressional sponsors of the Bipartisan Campaign Reform Act in landmark litigation defending the constitutionality of the legislation, including an historic four-hour argument in a special Supreme Court session.

Mr. Waxman has won successive 9-0 victories in the Supreme Court on behalf of financial institutions, and over the past three Terms, has also argued Supreme Court cases involving class actions, telecommunications, environmental regulation, international litigation, mass torts, racial bias and criminal procedure.

Mr. Waxman represents a major financial institution in tackling the multi-dimensional problems caused by claims associated with exposure to asbestos. Under his leadership, our representation includes litigation in insurance coverage and bankruptcy proceedings and strategic advice on constitutional and other issues associated with the current effort to achieve a legislative solution to the national asbestos liability crisis.

Mr. Waxman's clients constitute a broad range of public as well as corporate institutions. By special appointment, Mr. Waxman advised the Office of the Governor of the State of Connecticut in connection with the state legislature's landmark proceedings to consider impeachment of a sitting governor. He served as counsel to the Commission to Review the United States Olympic Committee, a blue-ribbon commission created by the United States Senate to review and recommend changes to the structure and operations of the USOC. He represents the United Nations in litigation concerning the Oil for Food investigation and several state regulatory agencies in First Amendment and environmental matters.

Mr. Waxman currently represents a range of business clients in patent, trade-secret and other intellectual property litigation in both trial and appellate courts. He has won multiple consecutive cases in the Court of Appeals for the Federal Circuit involving complex issues of patent licensing and infringement.

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Professional Activities

Mr. Waxman serves on the faculty of the Georgetown University Law Center and as chairman of *Legal Affairs* magazine. He is a director and fellow of several professional, educational and cultural institutions, including the American College of Trial Lawyers, the American Academy of Appellate Lawyers, the American Bar Foundation, the American Law Institute, the Supreme Court Institute and the Supreme Court Historical Society. He lectures and writes frequently on topics related to litigation, constitutional history and doctrine, the First Amendment, intellectual property and the Supreme Court.

Honors and Awards

- Recognized as a leader in appellate litigation in the 2007 and 2008 editions of *Chambers USA: America's Leading Lawyers for Business*
- Selected by peers for inclusion in the 2007 and 2008 editions of *The Best Lawyers in America*, in the areas of appellate law, bet-the-company litigation, commercial litigation, First Amendment law and white-collar criminal defense
- Named one of the "The 100 Most Influential Lawyers in America" by *The National Law Journal*, 2006
- Elected to the prestigious American Academy of Arts and Sciences, 2006
- Listed in the *PLC Which Lawyer? Yearbook 2006* as one of Washington, DC's leading lawyers in the dispute resolution category
- Recognized for exceptional standing in the legal community for his appellate litigation practice in *Chambers USA: America's Leading Lawyers for Business 2006*
- Selected as one of *Lawyers Weekly USA's "Lawyers of the Year"* for 2005; highlighted for his recent Supreme Court win barring the death penalty for juveniles
- Named Washington, DC's "Leading Lawyer" in the area of appellate litigation by the *Legal Times*, December 2004
- Listed in *Washingtonian* magazine's "Top 30 Lawyers in Washington," 2004 and 2007
- Judge Learned Hand Award, American Jewish Committee, 2007
- Exceptional Service Award, National Coalition Against the Death Penalty, 2005
- Frederick Douglass Human Rights Award, Southern Center for Human Rights, 2005
- Thomas Jefferson Medal in Law, University of Virginia, 2002
- Permanent Honorary Special Agent, Federal Bureau of Investigation, 2001
- Edmund J. Randolph Award for Exceptional Service, US Department of Justice, 2001

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- Pursuit of Justice Award, International Association of Jewish Lawyers and Jurists, 1999
- *Pro Bono Publico* Award, American Bar Association, 1988
- Benjamin J. Cardozo Certificate of Merit, Anti-Defamation League of B'nai B'rith, 1987