

Contributors

David E. Bernstein is the George Mason University Foundation Professor at the George Mason University School of Law, where he has been teaching since 1995. Professor Bernstein is a nationally recognized expert on *Daubert v. Merrell Dow Pharmaceuticals* and the admissibility of expert testimony, and he is a past chairperson of the Association of American Law Schools Evidence section. Bernstein is the coauthor of *The New Wigmore: Expert Evidence* (Aspen Law and Business 2004; 2nd edition 2010), and coeditor of *Phantom Risk: Scientific Inference and the Law* (MIT Press 1993). He is also an expert on the “Lochner era” of American constitutional jurisprudence. He is the author of *Only One Place of Redress: African-Americans, Labor Regulations, and the Courts from Reconstruction to the New Deal* (Duke University Press 2001), and of *Rehabilitating Lochner: Defending Individual Rights against Progressive Reform* (University of Chicago Press 2011). Bernstein is also the author of *You Can’t Say That! The Growing Threat to Civil Liberties from Antidiscrimination Laws* (Cato Institute 2003). In addition to his books, Bernstein is the author of dozens of scholarly articles, book chapters, and think tank studies. He is a contributor to the popular Volokh Conspiracy blog. Bernstein earned his B.A. *summa cum laude* from Brandeis University and his J.D. from Yale Law School.

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Allen Dickerson is the legal director for the Center for Competitive Politics in Alexandria, Virginia. He oversees CCP's litigation efforts before state and federal courts. He has represented CCP and outside clients before the U.S. Courts of Appeals for the Fourth, Sixth, and Ninth Circuits and in litigation before the federal district courts for Colorado and the District of Columbia. He was previously an associate with the New York office of Kirkland & Ellis LLP. His writing has appeared in the *Naval Law Review*, *American University National Security Law Brief*, and a number of general publications, and he has been featured on C-SPAN and NPR, among other media outlets. Dickerson is a graduate of Yale College and New York University School of Law.

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Miguel A. Estrada is a partner in the Washington, D.C. office of Gibson, Dunn & Crutcher. He has represented clients in federal and state courts throughout the country and in international arbitrations. Estrada has argued 22 cases before the Supreme Court, and briefed many others. He was also part of the team that successfully presented then-Governor Bush's position to the Supreme Court in *Bush v. Gore*. From 1992 until 1997, Estrada served as assistant to the solicitor general of the United States. He previously served as assistant U.S. attorney and deputy chief of the appellate section in the office of the U.S. attorney for the Southern District of New York. Before joining the U.S. attorney's office, Estrada practiced corporate law in New York with Wachtell, Lipton, Rosen & Katz. Estrada is a Trustee of the Supreme Court Historical Society and a member of the board of visitors of Harvard Law School. He served as a law clerk to U.S. Supreme Court Justice Anthony M. Kennedy and to Judge Amalya L. Kearsse of the U.S. Court of Appeals for the Second Circuit. He received a J.D. *magna cum laude* in 1986 from Harvard Law School, where he was editor of the *Harvard Law Review*. Estrada graduated with an A.B. degree *magna cum laude* and Phi Beta Kappa in 1983 from Columbia College.

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Roger Pilon is the founder and director of Cato's Center for Constitutional Studies, which has become an important force in the national debate over constitutional interpretation and judicial philosophy. He is the publisher of the *Cato Supreme Court Review* and is an adjunct professor of government at Georgetown University through The Fund for American Studies. Prior to joining Cato, Pilon held five senior posts in the Reagan administration, including at State and Justice, and was a National Fellow at Stanford's Hoover Institution. In 1989 the Bicentennial Commission presented him with its Benjamin Franklin Award for excellence in writing on the U.S. Constitution. In 2001 Columbia University's School of General Studies awarded him its Alumni Medal of Distinction. Pilon lectures and debates at universities and law schools across the country and testifies often before Congress. His writing has appeared in the *Wall Street Journal*, *Washington Post*, *New York Times*, *L.A. Times*, *National Law Journal*, *Harvard Journal of Law & Public Policy*, *Stanford Law & Policy Review*, and elsewhere. He has appeared on ABC's *Nightline*, CBS's *60 Minutes II*, Fox News Channel, NPR, CNN, MSNBC, CNBC, and other media. Pilon

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Andrew Pincus is a partner at Mayer Brown LLP. He focuses his appellate practice on briefing and arguing cases in federal and state appellate courts; developing legal strategy for trial courts; and presenting policy and legal arguments to Congress, state legislatures, and regulatory agencies. Pincus has argued 23 cases in the Supreme Court, including *AT&T Mobility v. Concepcion*. His work in *Concepcion* and successful defense of Chicago Mayor Rahm Emanuel's right to run for office were cited by the *American Lawyer* in its article naming Mayer Brown as one of the top six litigation firms of 2012. His appellate experience has also won him recognition in *The Best Lawyers in America*. A former assistant to the solicitor general in the Justice Department, Pincus co-founded and serves as co-director of Yale Law School's Supreme Court Advocacy Clinic, which provides pro bono representation in 10-15 cases each year. His practice also includes detailed written and oral advocacy before Congress, other legislative bodies, and regulatory agencies. He frequently testifies before Congress on a variety of subjects, including patent reform, the Consumer Financial Protection Bureau, reform of the federal litigation system, and the Supreme Court's decisions in cases involving business law. While serving as general counsel of the U.S. Commerce Department, Pincus had principal responsibility for the Digital Millennium Copyright Act and the Electronic Signatures in Global and National Commerce Act. Before rejoining Mayer Brown, Pincus served as general counsel of Andersen Worldwide S.C. Following law school graduation, Pincus was law clerk to the Judge Harold H. Greene of the U.S. District Court for the District of Columbia. Pincus earned his B.A. *cum laude* from Yale University and his J.D. from Columbia Law School.

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David B. Sentelle is senior judge on the U.S. Court of Appeals for the D.C. Circuit. From 1968 to 1970, he was an associate with the

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Ilya Shapiro is a senior fellow in constitutional studies at the Cato Institute and editor-in-chief of the *Cato Supreme Court Review*. Before joining Cato, he was a special assistant/advisor to the Multi-National Force in Iraq on rule of law issues and practiced international, political, commercial, and antitrust litigation at Patton Boggs and Cleary Gottlieb. Shapiro has contributed to a variety of academic, popular, and professional publications, including the *Wall Street Journal*, *Harvard Journal of Law & Public Policy*, *L.A. Times*, *USA Today*, *National Law Journal*, *Weekly Standard*, *New York Times Online*, and *National Review Online*. He also regularly provides commentary for various media outlets, including CNN, Fox News, ABC, CBS, NBC, Univision and Telemundo, *The Colbert Report*, and NPR. Shapiro has testified before Congress and state legislatures and, as coordinator of Cato's amicus brief program, has filed more than 100 "friend of the court" briefs in the Supreme Court. He lectures regularly on behalf of the Federalist Society, is a member of the Legal Studies Institute's

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Cato Institute

Founded in 1977, the Cato Institute is a public policy research foundation dedicated to broadening the parameters of policy debate to allow consideration of more options that are consistent with the principles of limited government, individual liberty, and peace. To that end, the Institute strives to achieve greater involvement of the intelligent, concerned lay public in questions of policy and the proper role of government.

The Institute is named for Cato's Letters, libertarian pamphlets that were widely read in the American Colonies in the early 18th century and played a major role in laying the philosophical foundation for the American Revolution.

Despite the achievement of the nation's Founders, today virtually no aspect of life is free from government encroachment. A pervasive intolerance for individual rights is shown by government's arbitrary intrusions into private economic transactions and its disregard for civil liberties. And while freedom around the globe has notably increased in the past several decades, many countries have moved in the opposite direction, and most governments still do not respect or safeguard the wide range of civil and economic liberties.

To address those issues, the Cato Institute undertakes an extensive publications program on the complete spectrum of policy issues. Books, monographs, and shorter studies are commissioned to examine the federal budget, Social Security, regulation, military spending, international trade, and myriad other issues. Major policy conferences are held throughout the year, from which papers are published thrice yearly in the Cato Journal. The Institute also publishes the quarterly magazine *Regulation*.

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