

Contributors

Josh Blackman is an associate professor of law at the Houston College of Law who specializes in constitutional law, the United States Supreme Court, and the intersection of law and technology. He is the author of the critically acclaimed *Unprecedented: The Constitutional Challenge to Obamacare* (2013) and *Unraveled: Obamacare, Religious Liberty, and Executive Power* (2016). Blackman was selected by *Forbes* for its “30 Under 30” in Law and Policy. He is the author of over two dozen law review articles and his commentary has appeared in the *New York Times*, *Wall Street Journal*, *Washington Post*, *USA Today*, *L.A. Times*, and other national publications. Blackman is an adjunct scholar at the Cato Institute and has joined several legal briefs on behalf of Cato in challenges to Obamacare and executive action on immigration. He has also co-authored several essays and op-eds with Cato senior fellow Ilya Shapiro. Blackman is the founder and President of the Harlan Institute, the founder of FantasySCOTUS, the Internet’s Premier Supreme Court Fantasy League, and blogs at JoshBlackman.com.

Steven G. Calabresi is the Clayton J. and Henry R. Barber Professor of Law at Northwestern University and is a graduate of the Yale Law School and Yale College. Calabresi was also a visiting professor of law at Yale Law School in fall semesters 2013–2015 and a visiting scholar at Brown University for the 2015–2016 academic year, as well as a visiting professor of political science at Brown from 2010 to 2015 and was a scholar in residence at Harvard Law School from 2003 to 2005. Calabresi served as a law clerk to Justice Antonin Scalia of the U.S. Supreme Court and to U.S. Court of Appeals Judges Robert H. Bork and Ralph K. Winter. From 1985 to 1990, he served in the Reagan and first Bush Administrations working both in the West Wing of the White House and before that Department of Justice. In 1982, Calabresi co-founded the Federalist Society for Law & Public Policy Studies and since 1986 has served as the chairman of the society’s

board of directors. Since joining the Northwestern faculty in 1990, he has published more than 60 articles and comments in every prominent law review in the country. He is the author with Christopher S. Yoo of *The Unitary Executive: Presidential Power from Washington to Bush* (2008) and is a co-author with Professors Michael McConnell, Michael Stokes Paulsen, and Samuel Bray of *The Constitution of the United States* (2nd ed. 2013), a constitutional law casebook. Calabresi has taught constitutional law I and II, federal jurisdiction, comparative law, comparative constitutional law, administrative law, and antitrust, among other subjects.

Steven J. Eagle is a professor of law at George Mason University's Antonin Scalia Law School. With his work in regulatory takings and other aspects of property law, he plays an important role in the ongoing dialogue among American legal scholars, lawyers, and judges on the proper interpretation of property rights in the Constitution. Eagle is the author of *Regulatory Takings* (5th ed.) and scholarly and popular articles, and teaches in programs for judges and the practicing bar. He came to George Mason in 1987 and also has taught at the law schools of Vanderbilt, George Washington, and Pace Universities, and the University of Toledo. He earned his B.B.A. from the City College of New York and his J.D. from Yale Law School. Eagle teaches the first-year property course, as well as land-use planning and an advanced constitutional law seminar on property rights.

Elizabeth Price Foley is a professor of law at Florida International University College of Law and of counsel in the Washington office of BakerHostetler LLP, where she practices constitutional, appellate and food and drug law. She is the author of *Liberty for All: Reclaiming Individual Privacy in a New Era of Public Morality* (2006), *The Law of Life and Death* (2011), and *The Tea Party: Three Principles* (2012). She is a frequent op-ed writer, with her opinions appearing in the *Wall Street Journal*, *New York Times*, *Washington Post*, *Los Angeles Times*, *Washington Times*, *Daily Caller*, *Miami Herald*, *National Law Journal*, *Politico*, *SCOTUSblog*, *National Law Journal* and *The Weekly Standard*, among others. Foley has testified before Congress several times on constitutional topics such as congressional standing to sue the president, the scope of the president's duty to faithfully execute the

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Peter N. Kirsanow is a partner with Benesch, Friedlander, Coplan & Aronoff LLP's Labor & Employment Practice Group. He returned to Benesch in January 2008 after serving on the National Labor Relations Board for two years. While serving on the NLRB, he was involved with significant decisions including Oakwood Healthcare, Inc., Dana/Metaldyne and Oil Capital Sheet Metal, Inc. In addition, Kirsanow testified before the Senate Judiciary Committee on the nominations of John Roberts, Samuel Alito, Sonia Sotomayor, and Elena Kagan to the Supreme Court. He continues to testify before and advise members of the U.S. Congress on employment-law matters. Kirsanow was recently reappointed by the House Speaker to his third consecutive six-year term on the U.S. Commission on Civil Rights (expiring December 2019). He focuses his legal practice on representing management in employment-related litigation and in contract negotiations, NLRB proceedings, EEO matters, and arbitration. Kirsanow is also past chair of the board of directors of the Center for New Black Leadership and is a member of Benesch's Diversity & Inclusion Committee.

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 holds a B.A. from Columbia University, an M.A. and a Ph.D. from the University of Chicago, and a J.D. from the George Washington University School of Law.

Emma Quinn-Judge is a partner at Zalkind Duncan & Bernstein LLP, where she focuses on criminal defense, employment law, and appeals. She represents criminal defendants in both state and federal courts, as well as in direct and collateral appeals. Her civil practice focuses on employee-side representation in a range of employment matters. Quinn-Judge represents the plaintiff in *Charles v. City of Boston*, in which she won a nearly \$10.9 million jury verdict for her client, a long-time City of Boston employee who experienced race discrimination and retaliation. She lectures on employment law and is the co-chair of the Amicus Committee of the Massachusetts Employment Lawyers Association, the First Circuit representative to the National Employment Lawyers Association Judicial Nominating Committee, and a member of the Massachusetts Association of Criminal Defense Lawyers. Ms. Quinn-Judge is a graduate of Middlebury College and Yale Law School; she served on the editorial staffs of the *Yale Law Journal*, the *Yale Journal of International Law*, and the *Yale Human Rights and Development Law Journal*. She also served

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Terrance G. Reed is co-founder of Lankford & Reed PLLC, where his practice largely focuses on cases of complex litigation, including antitrust, labor, securities, and environmental litigation. He received a J.D. from Georgetown University, where he was editor-in-chief of the *American Criminal Law Review* and received the Panati Award for highest average in criminal courses. He served as a law clerk to Judge John J. Sirica of the U.S. District Court for the District of Columbia and Judge Warren Ferguson of the U.S. Court of Appeals for the Ninth Circuit. Before founding Lankford & Reed, Reed was a principal and associate at other litigation firms. He has submitted amicus briefs to the Supreme Court and other courts on behalf of bar associations on constitutional issues, including the ABA's brief in support of the constitutional right to use legitimate assets to secure criminal defense counsel in *Luis v. United States* (2016) and the Florida Criminal Defense Lawyers Association's brief in support of the double-jeopardy rights of Puerto Rico residents in *Puerto Rico v. Sanchez Valle* (2016). Reed has provided commentary on legal topics in local news broadcasts in Washington and has also been a guest commentator on MSNBC's *Hard Ball*, CNN's *Burden of Proof*, C-SPAN's *Supreme Court Review*, C-SPAN-2's *Close Up*, and CNBC's *Real Stories*. He is a respected lecturer on a variety of topics, including state forfeiture law, white-collar criminal defense, and RICO, and is a frequent author.

Glenn Harlan Reynolds is the Beauchamp Brogan Distinguished Professor of Law at the University of Tennessee. His special interests are law and technology and constitutional law issues and his work has appeared in a wide variety of publications, including the *Columbia Law Review*, *Virginia Law Review*, *University of Pennsylvania Law Review*, *Wisconsin Law Review*, *Harvard Journal of Law & Technology*, *Law and Policy in International Business*, *Jurimetrics*, and the *High Technology Law Journal*. Reynolds has also written in the *New York Times*, *Washington Post*, *Washington Times*, *L. A. Times*, *Road & Track*, *Urb*, and the *Wall Street Journal*. He is also a contributing editor at *Popular Mechanics* and writes a regular column for USA Today. He is

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Mark L. Rienzi is an associate professor at The Catholic University of America, Columbus School of Law, where he teaches constitutional law, religious liberty, torts, and evidence. His litigation and research interests focus on the First and Fourteenth Amendments, with an emphasis on free speech and the free exercise of religion. His scholarship on these issues has appeared in a variety of prestigious journals including the *Harvard Law Review*, *Fordham Law Review*, *Emory Law Journal*, *Notre Dame Law Review*, and *George Mason Law Review*. Rienzi is also senior counsel at the Becket Fund for Religious Liberty, a nonprofit, nonpartisan law firm dedicated to protecting the free expression of all religious faiths. At the Becket Fund, he has successfully represented a variety of parties at the Supreme Court including in *Little Sisters of the Poor v. Sebelius* (emergency order, 2014); *Burwell v. Hobby Lobby* (2014); *Wheaton College v. Burwell* (emergency order, 2014); and *Holt v. Hobbs* (2015); and *Zubik v. Burwell* (2016). Rienzi is a widely sought after speaker on constitutional issues, particularly concerning abortion and the First Amendment. His writings on constitutional issues have appeared in the *New York Times*, *Washington Times*, *USA Today*, *Roll Call*, *U.S. News & World Report*, *National Review Online*, *New York Daily News*, *Chicago Sun-Times*, and *National Catholic Register*. He has appeared on various television and radio programs, including CNN, NBC, ABC, Fox News, and NPR. Before joining CUA, Rienzi served as counsel in the Supreme Court and appellate practice group at Wilmer Hale LLP. He served as law clerk to Judge. Stephen F. Williams of the U.S. Court of Appeals for the D.C. Circuit. Rienzi was an editor of the *Harvard Law Review*. He earned his J.D. from Harvard Law School and B.A. from Princeton University, both with honors.

Ilya Shapiro is a senior fellow in constitutional studies at the Cato Institute and editor-in-chief of the *Cato Supreme Court Review*.

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Campuses (1998). His latest, *Three Felonies a Day: How the Feds Target the Innocent* (2009), explores how the Justice Department has used increasingly broad and vague federal statutes to prosecute innocent individuals. He is now at work on a sequel to *Three Felonies a Day*, tentatively titled *Conviction Machine*, due out next year, which proposes solutions for the criminal justice system problems he previously delineated.

Howard Srebnick is a partner at Black Srebnick Kornspan & Stumpf and plays a major role in the firm's criminal division, chairs its appellate practice, and handles select high-stakes, commercial litigation. Srebnick has had two certiorari petitions granted by the Supreme Court. In the 2013 term, he argued *Kaley v United States*, addressing the rights of criminal defendants to have an immediate hearing when the government freezes assets need to retain private counsel. In the 2015 term, he argued *Luis v. United States*, another challenge to asset freezes that interfere with a client's Sixth Amendment right retain to counsel of choice; on March 30, 2016, the Supreme Court agreed with his argument in a 5-3 decision. Srebnick began his career with a *magna cum laude* J.D. from Georgetown University Law Center. Before he entered private practice, he served as a law clerk to Chief Judge Edward B. Davis of the U.S. District Court for the Southern District of Florida and Judge Irving L. Goldberg of the U.S. Court of Appeals for the Fifth Circuit, then spent three years as a trial and appellate attorney with the federal public defender in Miami. In addition to his legal practice, Srebnick has been an adjunct professor at the University of Miami School of Law for more than 15 years, teaching "Criminal Prosecutions and Defense Lawyering Workshop: Situational Ethics in the Adversarial System of Justice." He has also written extensively and lectured at continuing legal education seminars.

Andrew J. Trask is of counsel at McGuireWoods and has defended more than 100 class actions, involving all stages of the litigation process. While his work has concentrated on products liability and consumer fraud cases, he has also defended class actions involving telecommunications products, business contracts, securities, ERISA, antitrust, and environmental claims, among others. In addition to his class action practice, he has defended mass-tort cases involving

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Hans A. von Spakovsky is a senior legal fellow in the Heritage Foundation's Edwin Meese III Center for Legal and Judicial Studies. He also manages the think tank's Election Law Reform Initiative, where he writes about campaign finance, voter fraud and voter ID, federal voting-rights laws, and election administration. Previously, as manager of Heritage's Civil Justice Reform Initiative, von Spakovsky studied how plaintiffs' attorneys and activists attempt to manipulate the courts for their own ends. He is the co-author with John Fund of *Who's Counting?: How Fraudsters and Bureaucrats Put Your Vote at Risk* (2012) and *Obama's Enforcer: Eric Holder's Justice Department* (2014). Before joining Heritage in 2008, von Spakovsky served as a member of the Federal Election Commission and worked at the Justice Department as counsel to the assistant attorney general for civil rights, providing expertise in enforcing the Voting Rights Act and the Help America Vote Act. A former litigator, in-house counsel, and senior corporate officer, von Spakovsky worked on tort reform and civil justice issues there for more than a decade. He is a former vice chairman of the Fairfax County (Va.) Electoral Board and a former member of the Virginia Advisory Board to the U.S. Commission on Civil Rights. He currently serves on the policy board of the American Civil Rights Union. His commentary has appeared in the *Wall Street Journal*, *Washington Times*, *Politico*, *Human Events*, *National Review Online*, and *Townhall*. His series for PJ Media, "Every Single One," was nominated for a Pulitzer Prize. He appears regularly on Fox News and other media. He has testified before state and congressional committees and made presentations to the National Association of Secretaries of State, Federalist Society, National Conference of State Legislatures and American Legislative Exchange Council. He has also been an adjunct professor at George Mason University's Antonin Scalia Law School. Von Spakovsky is a graduate of Vanderbilt University Law School and the Massachusetts Institute of Technology.

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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