

# 2020 National Lawyers Convention

<https://fedsoc.org/2020nlc>

The Federalist Society is pleased to announce that its annual National Lawyers Convention will be held virtually during the week of November 9-13, 2020. Distinguished guests and experts will deliver addresses, participate in debates, and contribute to panel discussions focusing on the theme of “The Rule of Law and the Current Crisis.”

These virtual events will be broadcast each weekday from Monday, November 9 to Friday, November 13, with Practice Group Breakout Sessions on Monday, Tuesday, Wednesday and Friday and a mixture of showcase panels, debates, and addresses on Thursday. **Registration is free (except for those wishing to register for CLE credit) and all virtual events will be open to the public. You do not need to be a member or have an online account in order to register for any of the sessions.**



CLE Instructions: <https://fedsoc.org/nlc-cle>

As always, in keeping with the Federalist Society's long-standing tradition of balanced and spirited debate, we have invited speakers with a wide variety of perspectives to participate in each panel discussion. We aim to make thoughtful, diverse discussions of today's most pressing legal and policy issues accessible and engaging to all.

We hope you will make plans to join us in November. We are excited for this year's virtual Convention, we encourage you to tune in, and we invite you to learn more about the work we do at the Federalist Society.

Register for the webinars or watch the live streams at <https://fedsoc.org/2020nlc>!

*All sessions will be available as live streams on our web site and other platforms for free. There is no need to register unless you wish to participate in Q&A.*

## MONDAY, NOVEMBER 9

### Religious Liberties

11:00 a.m. – 12:15 p.m.

### Religious Liberty and the New Court

**Prof. Stephanie Barclay**, Associate Professor of Law, University of Notre Dame Law School

**Prof. Gerard V. Bradley**, Professor of Law, University of Notre Dame Law School

**Prof. Eugene Volokh**, Gary T. Schwartz Distinguished Professor of Law, University of California, Los Angeles School of Law

**Ms. Lori Windham**, Senior Counsel, The Becket Fund for Religious Liberty

**Moderator: Hon. Neomi Rao**, United States Court of Appeals, District of Columbia Circuit

### Environmental Law & Property Rights

12:30 p.m. – 1:45 p.m.

### EPA Turns 50: A Debate on Environmental Progress and Regulatory Overreach

**Ms. Susan Bodine**, Assistant Administrator, Office of Enforcement and Compliance Assurance, United States Environmental Protection Agency

**Mr. Scott Fulton**, President, Environmental Law Institute; Former General Counsel, United States Environmental Protection Agency

**Hon. F. Henry “Hank” Habicht**, Principal, Global Water 2020; Managing Director, United States Water Partnership; Managing Partner, SAIL Capital Partners

**Prof. Lisa Heinzerling**, Justice William J. Brennan Jr., Professor of Law, Georgetown University Law Center

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**Moderator:** Hon. Lawrence Van Dyke, United States Court of Appeals, Ninth Circuit

## Criminal Law

2:00 p.m. – 3:30 p.m.

### Prosecutorial Discretion, Partisanship, and the Rule of Law

**Mr. Gary G. Grindler**, Retired Partner, King & Spalding; Former Acting Deputy Attorney General, United States Department of Justice

**Mr. Andrew C. McCarthy**, Contributing Editor, *National Review*; Senior Fellow, National Review Institute; Contributor, Fox News; Former Chief Assistant United States Attorney, Southern District of New York

**Hon. Michael B. Mukasey**, Of Counsel, Debevoise & Plimpton; Former United States Attorney General; Former Chief Judge, United States District Court, Southern District of New York

**Hon. Kenneth L. Wainstein**, Partner, Davis Polk & Wardwell LLP; Former United States Homeland Security Advisor; Former Assistant Attorney General, National Security, United States Department of Justice; Former United States Attorney, Washington D.C.

**Moderator:** Hon. Barbara Lagoa, United States Court of Appeals, Eleventh Circuit

## Administrative Law & Regulation

3:45 p.m. – 5:00 p.m.

### Regulatory Practice and Oversight in 2021 and Beyond

**Hon. Ronald A. Cass**, Dean Emeritus, Boston University School Law; President, Cass & Associates

**Hon. Sally Katzen**, Professor of Practice and Distinguished Scholar in Residence; Co-Director, Legislative and Regulatory Process Clinic, New York University School of Law

**Prof. Adam J. White**, Assistant Professor of Law, Director, C. Boyden Gray Center for the Study of the Administrative State, Antonin Scalia Law School, George Mason University; Resident Scholar, American Enterprise Institute

**Moderator:** Hon. Ryan D. Nelson, United States Court of Appeals, Ninth Circuit

TUESDAY, NOVEMBER 10

## Free Speech & Election Law

11:00 a.m. – 12:15 p.m.

### Rule of Law, or Just Making it Up? First Amendment Tiered Scrutiny

**Prof. Ashutosh Bhagwat**, Boochever and Bird Endowed Chair for the Study and Teaching of Freedom and Equality; Martin Luther King Jr. Professor of Law, University of California, Davis School of Law

**Prof. Genevieve Lakier**, Assistant Professor of Law, Herbert and Marjorie Fried Teaching Scholar, University of Chicago Law School

**Prof. Nicholas Quinn Rosenkranz**, Professor of Law, Georgetown University Law Center

**Prof. Eugene Volokh**, Gary T. Schwartz Distinguished Professor of Law, University of California, Los Angeles School of Law

**Moderator:** Hon. David R. Stras, United States Court of Appeals, Eighth Circuit

## Professional Responsibility & Legal Education

12:30 p.m. – 1:45 p.m.

### Freedom of Association in the Legal Profession

**Hon. Thomas B. Griffith**, United States Court of Appeals, District of Columbia Circuit (ret.)

**Mr. W. William Hodes**, Owner and President, The William Hodes Law Firm

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**Hon. William H. Pryor Jr.**, United States Court of Appeals, Eleventh Circuit  
**Moderator: Hon. Gregory G. Katsas**, United States Court of Appeals, District of Columbia Circuit

**Corporations, Securities  
and Antitrust  
and  
Telecommunications  
& Electronic Media**  
2:00 p.m. – 3:30 p.m.

## **Regulating Social Media**

**Hon. Brendan Carr**, Commissioner, Federal Communications Commission  
**Ms. Kathleen Ham**, Senior Vice President, Government Affairs, T-Mobile  
**Mr. Harold Feld**, Senior Vice President, Public Knowledge  
**Hon. Christine Wilson**, Commissioner, Federal Trade Commission  
**Moderator: Hon. Duane Benton**, United States Court of Appeals, Eighth Circuit

**Litigation**  
3:45 p.m. – 5:00 p.m.

## **Are MDL Judges Too Powerful?**

**Prof. Elizabeth Chamblee Burch**, Fuller E. Callaway Chair of Law, University of Georgia School of Law  
**Prof. Brian T. Fitzpatrick**, Milton R. Underwood Chair in Free Enterprise, Vanderbilt University Law School  
**Mr. Christopher A. Seeger**, Partner, Seeger Weiss LLP  
**Moderator: Hon. Britt C. Grant**, United States Court of Appeals, Eleventh Circuit

WEDNESDAY, NOVEMBER 11

**International & National  
Security Law**  
11:00 a.m. – 12:15 p.m.

## **The Law, China, and the Possible New Cold War**

**Amb. Richard Haass**, President, Council on Foreign Relations; Former Director of Policy Planning, United States Department of State  
**Prof. Julian Ku**, Senior Associate Dean for Academic Affairs, Faculty Director, International Programs, Maurice A. Deane School of Law, Hofstra University  
**Hon. Mike Rogers**, Distinguished Fellow, Hudson Institute; Board of Trustees, Center for the Study of the Presidency and Congress; Former United States Representative; Former Chairman, House Permanent Select Committee on Intelligence  
**Moderator: Hon. Elizabeth “Lisa” Branch**, United States Court of Appeals, Eleventh Circuit

**Labor & Employment  
Law**  
12:30 p.m. – 1:45 p.m.

## **Agency Leaders on Labor Policy**

**Hon. Sharon Fast Gustafson**, General Counsel, United States Equal Employment Opportunity Commission  
**Hon. Peter B. Robb**, General Counsel, United States National Labor Relations Board  
**Hon. Cheryl Stanton**, Administrator, Wage and Hour Division, United States Department of Labor  
**Moderator: Hon. Amul R. Thapar**, United States Court of Appeals, Sixth Circuit

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**Intellectual Property**  
2:00 p.m. – 3:30 p.m.

## **Intellectual Property Rights and the Rule of Law**

**Prof. Jorge Contreras**, Professor of Law, University of Utah School of Law  
**Prof. Richard Epstein**, Laurence A. Tisch Professor of Law and Director, Classical Liberal Institute, New York University School of Law; Peter and Kirsten Bedford Senior Fellow, Hoover Institution  
**Mr. Phil Johnson**, Founder and Principal, Johnson-IP Strategy and Policy Consulting; Former, Senior Vice President and Chief Intellectual Property Counsel, Johnson & Johnson  
**Hon. Karyn A. Temple**, Senior Executive Vice President and Global General Counsel, Motion Picture Association; Former Register of Copyrights, United States Copyright Office  
**Moderator: Hon. Ryan T. Holte**, United States Court of Federal Claims

**Civil Rights**  
3:45 p.m. – 5:00 p.m.

## **Modern Quandaries of Law Enforcement**

**Mr. Larry H. James**, Managing Partner, Crabbe, Brown & James LLP  
**Ms. Heather Mac Donald**, Contributing Editor, *City Journal*, Manhattan Institute  
**Mr. Robert McNamara**, Senior Attorney, Institute for Justice  
**Mr. Charles “Cully” Stimson**, Senior Legal Fellow and Manager, National Security Law Program, The Heritage Foundation  
**Moderator: Hon. Patrick J. Bumatay**, United States Court of Appeals, Ninth Circuit

THURSDAY, NOVEMBER 12

**Showcase Discussion**  
11:00 a.m. – 12:15 p.m.

## **A Discussion with Professors Robert George and Cornel West on Freedom of Speech, Freedom of Thought, the Black Lives Matter Movement, and the Cancel Culture**

**Prof. Robert P. George**, McCormick Professor of Jurisprudence and Director, James Madison Program in American Ideals and Institutions, Princeton University  
**Prof. Cornel R. West**, Professor of Public Philosophy, Harvard University; Professor Emeritus, Princeton University  
**Moderator: Mrs. Jennifer C. Braceras**, Director, Independent Woman’s Law Center

**Showcase Panel I**  
12:45 p.m. – 2:15 p.m.

## **Law, Social Justice, Wokeness and the Protests: Where Do We Go from Here?**

**Prof. Randy E. Barnett**, Patrick Hotung Professor of Constitutional Law, Georgetown University Law Center  
**Prof. Randall Kennedy**, Michael R. Klein Professor of Law, Harvard Law School  
**Prof. John O. McGinnis**, George C. Dix Professor of Constitutional Law, Northwestern Pritzker School of Law  
**Prof. Nadine Strossen**, John Marshall Harlan II Professor of Law Emerita, New York Law School; Former President, American Civil Liberties Union  
**Moderator: Hon. Kenneth K. Lee**, United States Court of Appeals, Ninth Circuit

**Address**  
2:45 p.m. – 3:45 p.m.

**Hon. Eugene Scalia**, Secretary of Labor, United States Department of Labor

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## Showcase Panel II

4:15 p.m. – 5:45 p.m.

### The Presidency and the Rule of Law

**Mr. W. Neil Eggleston**, Partner, Kirkland & Ellis, LLP, Former White House Counsel  
**Hon. Jack L. Goldsmith**, Professor of Law, Harvard University; Former Assistant Attorney General, United States Department of Justice  
**Amb. C. Boyden Gray**, Founding Partner, Boyden Gray & Associates; Former White House Counsel; Former Ambassador to the European Union  
**Hon. Theodore B. Olson**, Partner, Gibson Dunn; Former United States Solicitor General  
**Moderator: Hon. Edith H. Jones**, Chief Judge, United States Court of Appeals, Fifth Circuit

## Address

6:00 p.m. – 7:00 p.m.

**Hon. Janice Rogers Brown**, United States Court of Appeals, District of Columbia Circuit (ret.); Former, Associate Judge, California Supreme Court

## Address

8:00 p.m. – 9:00 p.m.

**Hon. Samuel A. Alito, Jr.**, Associate Justice, United States Supreme Court

FRIDAY, NOVEMBER 13

## Special Session

11:00 a.m. – 12:15 p.m.

### The Future of the Second Amendment's Right to Keep and Bear Arms: From the Supreme Court to Social Unrest in the Streets

**Mr. Deepak Gupta**, Founding Principal, Gupta Wessler PLLC  
**Mr. John Ohlendorf**, Associate, Cooper & Kirk, PLLC  
**Prof. Mark W. Smith**, Senior Fellow in Law and Public Policy: Presidential Scholar, The King's College  
**Moderator: Hon. Thomas M. Hardiman**, United States Court of Appeals, Third Circuit

## Financial Services & E-Commerce

12:30 p.m. – 1:45 p.m.

### Agency Leaders on Cryptocurrency, Blockchain, and the Evolution of a Central Bank Digital Currency

**Mr. Brian P. Brooks**, Acting Comptroller of the Currency, Office of the Comptroller of the Currency, United States Department of the Treasury  
**Hon. Brent J. McIntosh**, Undersecretary for International Affairs, United States Department of the Treasury  
**Hon. Hester M. Peirce**, Commissioner, United States Securities and Exchange Commission  
**Moderator: Hon. Paul S. Atkins**, Chief Executive Officer, Patomak Global Partners, LLC; Former Commissioner, United States Securities and Exchange Commission

## Federalism & Separation of Powers

2:00 p.m. – 3:30 p.m.

### Emergency Powers and the Rule of Law

**Dr. John Eastman**, Professor of Law, Dave E. Fowler Law School, Chapman University  
**Mr. Ilya Shapiro**, Director, Robert A. Levy Center for Constitutional Studies, The CATO Institute  
**Ms. Elizabeth B. Wydra**, President, Constitutional Accountability Center  
**Prof. John C. Yoo**, Emanuel S. Heller Professor of Law; Co-Faculty Director, Korea Law

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Center; Director, Public law & Policy Program, University of California, Berkeley School of Law

**Moderator: Hon. James C. Ho**, United States Court of Appeals, Fifth Circuit