



SETH P. WAXMAN

Partner | Chair, Appellate and Supreme Court Litigation Practice Group

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Litigation/Controversy

Appellate and Supreme Court Litigation

Intellectual Property Litigation

Government and Regulatory Litigation

Regulatory and Government Affairs

Defense, National Security and Government Contracts
Public Policy and Strategy

Strategic Support for Transactions
Managing Public Policy Risk

Legislative and Administrative Solutions
Global Capabilities

Congressional, Executive Branch and Multi-State Investigations

Crisis Management/Crisis Communications

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

Seth P. Waxman is a partner in the firm's Regulatory and Government Affairs and Litigation/Controversy Departments, and the chair of the Appellate and Supreme Court Litigation Practice Group.

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 trial litigator—named as "Bet-the-Company Litigator of the Year" for 2010 by *The Best Lawyers in America*. Mr. Waxman has been accorded both "star" rating by *Chambers USA* and "leading lawyer" ranking in PLC's *Global Counsel Handbook*. He is among the "Top Ten" Super Lawyers in Washington and *Washingtonian* magazine's "Top 30 Lawyers."

Practice

Mr. Waxman's practice spans both federal and state trial and appellate courts. He has delivered 56 oral arguments in the United States Supreme Court and many more in the lower federal and state courts. Mr. Waxman's clients range from financial institutions to technology, consumer, industrial and media companies. He also represents a number of local, state and national governments and prominent business and government executives and professionals. The recipient of numerous professional awards and honors, Mr. Waxman is among a small handful of practicing attorneys elected to the American Academy of Arts and Sciences. He holds several honorary degrees, as well as the Jefferson Medal in Law, an honor

Clerkships

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

awarded once a year and only rarely to an attorney in private practice. In recognition of exceptional service to law enforcement, Mr. Waxman holds the extraordinary status of permanent honorary Special Agent of the Federal Bureau of Investigation.

Recent Highlights

Mr. Waxman has won landmark rulings in a number of Supreme Court cases, including *Boumediene v. Bush*, in which the Court ruled that foreign citizens held at Guantanamo Bay have rights under the Constitution to challenge their detention in US civilian courts; *Roper v. Simmons*, in which the Court declared unconstitutional the death penalty for juvenile offenders; and *McConnell v. FEC*, in which the Court sustained the constitutionality of the Bipartisan Campaign Reform Act. He has also won victories in the Supreme Court for a wide range of business clients.

Mr. Waxman 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 validity, infringement, and licensing.

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 efforts to achieve a coherent solution to the national asbestos liability crisis.

Mr. Waxman's clients constitute a broad range of public as well as corporate institutions. He 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. By special appointment, he 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 represented the United Nations in litigation concerning the Oil for Food investigation and several state regulatory agencies in First Amendment and environmental matters.

Professional Activities

Mr. Waxman was recently elected to be president of Harvard's Board of Overseers for 2010-2011, a role he will assume after Commencement this spring. Mr. Waxman was elected to the Board of Overseers in 2005, and has served on the board's executive committee since 2008. Mr. Waxman also serves on the faculty of the Georgetown University Law Center. 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

- Named "Bet-the-Company Litigator of the Year" for 2010 by *The Best Lawyers in America*.
- In 2011, listed in *The Best Lawyers in America* in the areas of appellate law, bet-the-company litigation, commercial litigation, white-collar criminal litigations, and First Amendment law.
- Listed as a "National Star" for his appellate litigation practice in the 2010 edition of *Benchmark Litigation*
- Listed as a "Leading Lawyer" for Supreme Court and Appellate Litigation in *The Legal 500 United States*
- Recognized as one of Washington DC's "Top Ten" lawyers in the 2009 *Washington DC Super Lawyers* magazine
- Recognized as a "Star Individual" leader in national appellate litigation in the 2007, 2008, 2009 and 2010 editions of *Chambers USA: America's Leading Lawyers for Business*
- 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, 2007 and 2009

- Named one of the "The 100 Most Influential Lawyers in America" by *The National Law Journal*, 2006
- Listed in the [*PLC Which Lawyer? Yearbook 2006*](#) as one of Washington DC's leading lawyers in the dispute resolution category
- Selected "Lawyer of the Year" in 2005 by *Lawyers Weekly USA*
- Elected to the American Academy of Arts and Sciences, 2006
- Honorary Degrees, Georgetown University, American University, 2009
- 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
- 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