

Bios for Commercial Speech 2020

Floyd Abrams

Floyd Abrams is Senior Counsel in Cahill Gordon & Reindel LLP's litigation practice group. Floyd has a national trial and appellate practice and extensive experience in high-visibility matters, often involving First Amendment, securities litigation, intellectual property, public policy and regulatory issues. He has argued frequently in the Supreme Court in cases raising issues as diverse as the scope of the First Amendment, the interpretation of ERISA, the nature of broadcast regulation, the impact of copyright law and the continuing viability of the Miranda rule.

Floyd Abrams is a member of the American Academy of Arts & Sciences. He has been an active member of both federal and New York City bar associations and has chaired committees for both. He has been the recipient of numerous awards, including Yale Law School's prestigious Award of Merit in 2015.

He has appeared frequently on television and has published articles and reviews in *The New York Times*, *The Washington Post*, *The Yale Law Journal*, *The Harvard Law Review*, and elsewhere.

For fifteen years, Floyd was the William J. Brennan, Jr. Visiting Professor of First Amendment Law at the Columbia Graduate School of Journalism. He has, as well, been a Visiting Lecturer at Yale Law School and Columbia Law School and he is author of *Friend of the Court: On the Front Lines with the First Amendment*, published by Yale University Press (2013) and *Speaking Freely: Trials of the First Amendment*, published by Viking Press (2005).

Alex Abdo

Alex Abdo is the inaugural Litigation Director of the Knight First Amendment Institute at Columbia University. Prior to joining the Institute in 2017, he worked for eight years at the American Civil Liberties Union. He has been at the forefront of litigation relating to free speech online, NSA surveillance, and government transparency.

Abdo graduated from Yale College and Harvard Law School. After law school, he clerked for the Hon. Barbara M.G. Lynn, United States District Judge for the Northern District of Texas, and for the Hon. Rosemary Barkett, United States Circuit Judge for the Eleventh Circuit Court of Appeals.

Jack Balkin

Jack M. Balkin is Knight Professor of Constitutional Law and the First Amendment at Yale Law School. He is the founder and director of Yale's Information Society Project, an interdisciplinary

center that studies law and new information technologies. He also directs the Abrams Institute for Freedom of Expression, and the Knight Law and Media Program at Yale.

Professor Balkin is a member of the American Academy of Arts and Sciences and the author of over a hundred articles in different fields, including constitutional theory, Internet law, freedom of speech, reproductive rights, jurisprudence, and the theory of ideology. He founded and edits the group blog [Balkinization](#), and has written widely on legal issues for such publications as the *New York Times*, the *New England Journal of Medicine*, the *American Prospect*, the *Atlantic Online*, *Washington Monthly*, the *New Republic Online*, and *Slate*. His books include *Living Originalism*; *Constitutional Redemption: Political Faith in an Unjust World*; *The Constitution in 2020* (with Reva Siegel); *Processes of Constitutional Decisionmaking* (5th ed. with Brest, Levinson, Amar, and Siegel); *Cultural Software: A Theory of Ideology*; *The Laws of Change: I Ching and the Philosophy of Life*; *What Brown v. Board of Education Should Have Said*; and *What Roe v. Wade Should Have Said*.

Professor Balkin received his Ph.D in philosophy from Cambridge University, and his A.B. and J.D. degrees from Harvard University. He served as a clerk for Judge Carolyn D. King of the United States Court of Appeals for the Fifth Circuit and practiced as an attorney at Cravath, Swaine, and Moore in New York City before entering the legal academy. He has been a member of the law faculties at the University of Texas and the University of Missouri-Kansas City, and a visiting professor at Harvard University, New York University, the Buchman Faculty of Law at Tel Aviv University, and the University of London.

Sandra Baron

Sandra S. Baron is a Senior Fellow at Yale Law School's Information Society Project and the Abrams Institute for Freedom of Expression and a Visiting Clinical Lecturer in Law. Prior to this post, she was Executive Director of the Media Law Resource Center, a not-for-profit organization dedicated to media law research, policy, education and advocacy, and was also involved in the management of the MLRC Institute, its sister organization devoted to public education on First Amendment issues.

In addition to having a private practice, Sandra has held positions as Senior Managing Attorney at the National Broadcasting Company, Inc., as Associate General Counsel of the Educational Broadcasting Company, WNET/Thirteen, in New York, and counsel for Public Broadcasting's American Playhouse. She is an elected member of the American Law Institute and the American Bar Foundation and is current co-chair of the NYSBA Committee on Media Law.

Beth Brinkmann

Beth Brinkmann is a Partner at Covington in Washington, DC. She is a veteran appellate litigator with extensive experience in handling complex client matters.

Ms. Brinkmann joined the firm as co-chair of the Appellate and Supreme Court Litigation Group after serving as Deputy Assistant Attorney General in the U.S. Department of Justice, Civil

Division, where she oversaw the Division's nationwide appellate litigation. She also has practiced for more than two decades before the Supreme Court of the United States, including as Assistant to the Solicitor General and in private practice. She argued her 25th case before the Supreme Court in 2019, and regularly argues in appellate courts across the country.

Remy Chavannes

Remy Chavannes is a partner at the technology and communications law firm Brinkhof in Amsterdam, where he specializes in copyright, media, and internet litigation. He represents online platforms, broadcasters, publishers, and artists, in cases at the intersection of copyright, freedom of expression, and privacy. He has litigated dozens of cases on issues such as the "right to be forgotten", intermediary liability, defamation, and online IP enforcement. He has argued cases before the highest EU and national courts, including the GS Media case about copyright liability for hyperlinking to infringing third-party content.

Remy heads Brinkhof's platforms regulation and litigation team, which advises global media and technology companies on EU regulation of online platforms, from supporting public affairs teams in the legislative phase to counseling on national transposition of EU legislation, product compliance, and litigation. The team also advises clients on content licensing; content moderation; telecoms and audiovisual media services regulation; and obligations to remove and produce information in the context of civil enforcement, law enforcement, and national security.

Remy studied History (Balliol College, Oxford) and Law (Leiden University). He is a member of AIPPI's Programme Committee and Standing Committee on Copyright, and a regular author and speaker on developments in EU copyright, media, and intermediary liability law.

Allen Dickerson

Allen Dickerson is legal director of the Institute for Free Speech, where he litigates First Amendment challenges to regulations limiting speech and political engagement. In addition to his litigation work, he has testified before Congress and the Federal Election Commission on topics concerning the regulation of online political speech, and serves as a judge advocate in the United States Army Reserve.

Claudia Haupt

Associate Professor of Law and Political Science Claudia E. Haupt joined the Northeastern faculty in 2018. Professor Haupt's current research is situated at the intersection of the First Amendment, health law and torts in the context of professional speech. Her further research interests include constitutional law and comparative constitutional law as well as law and technology.

Prior to joining Northeastern, Professor Haupt was a resident fellow with the Information Society Project at Yale Law School, where she continues to be an affiliate fellow, and a research fellow with the Solomon Center for Health Law and Policy at Yale Law School. She has also held an appointment as associate-in-law at Columbia Law School and, prior to that, taught at George Washington University Law School.

Before entering academia, Professor Haupt clerked at the Regional Court of Appeals of Cologne and practiced law at the Cologne office of the law firm of Graf von Westphalen, with a focus in information technology law. She is admitted to practice in Germany and New York. She holds a PhD in political science from the University of Cologne, a JSD from Columbia Law School, an LLM (with highest honors) from George Washington University and her first law degree from the University of Cologne.

Professor Haupt has published articles in journals including the *Yale Law Journal*, *Vanderbilt Law Review*, *Boston College Law Review*, *University of Pennsylvania Journal of Constitutional Law* and *George Washington Law Review*, among others. Her book, **Religion-State Relations in the United States and Germany: The Quest for Neutrality**, was published by Cambridge University Press in 2012.

Brendan Healey

Brendan Healey is a Partner at the Chicago law firm of Baron Harris Healey LLC, where he works with clients on media and First Amendment issues. Previously, Brendan was Deputy General Counsel, Media for American Media. Prior to joining American Media, he was Senior Counsel, Media and Promotions for Tribune Company. Brendan is a 1997 graduate of New York University School of Law, where he was an articles editor on the Law Review. After graduation, Brendan clerked for Boyce F. Martin, II, then the Chief Judge of the United States Court of Appeals for the Sixth Circuit. Brendan graduated with Honors and Distinction from Stanford University in American Studies and also received a Master's from Stanford in English.

Daphne Keller

Daphne Keller's work focuses on platform regulation and Internet users' rights. She has testified before legislatures, courts, and regulatory bodies around the world, and published both academically and in popular press on topics including platform content moderation practices, constitutional and human rights law, copyright, data protection, and national courts' global takedown orders. Her recent work focuses on legal protections for users' free expression rights when state and private power intersect, particularly through platforms' enforcement of Terms of Service or use of algorithmic ranking and recommendations. Until 2020, Daphne was the Director of Intermediary Liability at Stanford's Center for Internet and Society. She also served until 2015 as Associate General Counsel for Google, where she had primary responsibility for the company's search products. Daphne has taught Internet law at Stanford,

Berkeley, and Duke Law schools. She is a graduate of Yale Law School, Brown University, and Head Start.

Jonah Knobler

Jonah Knobler is a partner at Patterson Belknap Webb & Tyler in New York City. His practice focuses on litigation involving FDA-regulated products, including foods, beverages, drugs, supplements, and cosmetics. Jonah represents manufacturers in false advertising, consumer protection, and product liability suits; competitor suits under the Lanham Act; third-party-payor suits under RICO; and contractual disputes. He has extensive experience defending manufacturers in complex litigation, including class actions and multidistrict litigation. He also handles disputes involving copyright and trademark infringement, as well as high-value appeals across all subject matters. Mr. Knobler founded and co-edits *Misbranded*, the firm's blog covering false advertising of FDA-regulated products. He has a J.D. (with honors) from Harvard Law School and a B.A. (with honors) from Harvard College. Jonah served as a law clerk to the Honorable Danny J. Boggs of the U.S. Court of Appeals for the Sixth Circuit and to the Honorable Frederic Block of the U.S. District Court for the Eastern District of New York.

Genevieve Lakier

Genevieve Lakier is Assistant Professor of Law and Herbert and Marjorie Fried Teaching Scholar at the University of Chicago.

Her research explores the connections between culture and law. She is currently engaged in a long-term project exploring the cultural history of the First Amendment, and another project exploring the changing role of the state in the regulation of sex.

Genevieve has an AB from Princeton University, a JD from New York University School of Law, and an MA and PhD in anthropology from the University of Chicago. Between 2006 and 2008, she was an Academy Scholar at the Weatherhead Center for International and Area Studies at Harvard University. After law school, she clerked for Judge Leonard B. Sand of the Southern District of New York and Judge Martha C. Daughtrey of the Sixth Circuit Court of Appeals. Before joining the faculty, Genevieve taught at the Law School as a Bigelow Fellow and Lecturer in Law.

Justin Pearson

Justin Pearson is the Florida Office Managing Attorney at the Institute for Justice and oversees IJ's national economic liberty efforts. He has devoted his career to vindicating the constitutional rights of small-business owners, and he litigates on their behalf across the nation.

In 2017, Justin was the lead attorney in *Ocheese Creamery v. Putnam*, which was the first victorious First Amendment challenge to enforcement of a food standard of identity in U.S.

history. Justin won that case at the U.S. Court of Appeals for the Eleventh Circuit, and that precedent provided the foundation for the recent wave of similar challenges brought on behalf of plant-based food sellers. These include Justin's challenge to Mississippi's law banning terms like "veggie burgers" and "vegan hot dogs," which led Mississippi to completely reverse its position and allow those terms to be used again.

Justin's law journal article on this topic titled "Censorship and Sensibility: Does the First Amendment Allow the FDA to Change the Meanings of Words" was published last year in the Georgetown Journal of Law and Public Policy. His op-ed on this topic titled the "Dairy industry doesn't own the word 'milk'" was recently published in The Hill.

Justin received his law degree with honors from the University of Miami and his bachelor's degree in business management from North Carolina State University.

Nathaniel Persily

Nathaniel Persily is the James B. McClatchy Professor of Law at Stanford Law School, with appointments in the departments of Political Science, Communication, and FSI. Professor Persily's scholarship and legal practice focus on American election law or what is sometimes called the "law of democracy," which addresses issues such as voting rights, political parties, campaign finance, redistricting, and election administration. He has served as a special master or court-appointed expert to craft congressional or legislative districting plans for Georgia, Maryland, Connecticut, New York, North Carolina, and Pennsylvania. He also served as the Senior Research Director for the Presidential Commission on Election Administration. In addition to dozens of articles (many of which have been cited by the Supreme Court) on the legal regulation of political parties, issues surrounding the census and redistricting process, voting rights, and campaign finance reform, Professor Persily is coauthor of the leading election law casebook, *The Law of Democracy* (Foundation Press, 5th ed., 2016), with Samuel Issacharoff, Pamela Karlan, and Richard Pildes.

His current work, for which he has been honored as a Guggenheim Fellow, Andrew Carnegie Fellow, and a Fellow at the Center for Advanced Study in the Behavioral Sciences, examines the impact of changing technology on political communication, campaigns, and election administration. Along with Professor Charles Stewart III, he recently founded HealthyElections.Org (the Stanford-MIT Project on a Healthy Election) which aims to support local election officials in taking the necessary steps during the COVID-19 pandemic to provide safe voting options for the 2020 election.

Richard Pildes

Richard H. Pildes, the Sudler Professor of Constitutional Law at NYU School of Law, is the co-author of *The Law of Democracy* and *When Elections Go Bad*, and the casebook, *The Law of Democracy: Legal Structure of the Political Process*. He is a legal expert on issues concerning elections, politics, the structure of government, and constitutional law more generally. He has

written extensively on the rise of political polarization in the United States, the Voting Rights Act, the dysfunction of America's political processes, the role of the Supreme Court in overseeing American democracy, the powers of the American President and Congress. In addition to his scholarship on these issues, he has written on national-security law, the design of the regulatory state, and American constitutional history and theory. He is a member of the American Academy of Arts and Sciences and a former law clerk to Justice Thurgood Marshall.

Robert Post

Robert Post is Sterling Professor of Law at Yale Law School. He served as the School's 16th dean from 2009 until 2017. Before coming to Yale, he taught at the University of California at Berkeley School of Law.

Post specializes in constitutional law, with a particular emphasis on the First Amendment. He is also a legal historian who is currently writing Volume X of the Oliver Wendell Holmes Devise History of the Supreme Court of the United States, which will cover the period 1921-30 when William Howard Taft was Chief Justice. Post has written and edited numerous books, including *Citizens Divided: A Constitutional Theory of Campaign Finance Reform* (2014), which was originally delivered as the Tanner Lectures at Harvard in 2013; *Democracy, Expertise, Academic Freedom: A First Amendment Jurisprudence for the Modern State* (2012), which was originally delivered as the Rosenthal Lectures at Northwestern University; *For the Common Good: Principles of American Academic Freedom* (with Matthew M. Finkin, 2009), which has become the standard reference for the meaning of academic freedom in the United States; and *Prejudicial Appearances: The Logic of American Antidiscrimination Law* (2001), which was original delivered as the Brennan Lectures at Berkeley.

Post publishes regularly in legal journals and other publications; exemplary articles and chapters include "Data Privacy and Dignitary Privacy: Google Spain, The Right to be Forgotten, and the Construction of the Public Sphere" (Duke Law Journal, 2018); "The Politics of Religion: Democracy and the Conscience Wars," in *The Conscience Wars: Rethinking the Balance Between Religion, Identity, and Equality* (Susanna Mancini and Michel Rosenfeld, eds., Cambridge University Press 2018); and "Theorizing Disagreement: Reconceiving the Relationship Between Law and Politics" (California Law Review, 2010).

Post is a member of the American Law Institute and a fellow of both the American Philosophical Society and the American Academy of Arts and Sciences.

Sarah Roller

Sarah Roller is a partner in Kelley Drye's Washington, D.C. office and chair of the firm's Food and Drug Law practice. Her practice focuses on representing companies and industry trade organizations engaged in the development, manufacture, import, export, distribution, and marketing of FDA-regulated products, including foods, beverages, medicines, and cosmetics. Leveraging her multidisciplinary background in law, human nutrition, food science, and public health, Ms. Roller provides legal counsel on regulatory compliance and legal risk

management strategies; represents companies and industry trade associations in complex regulatory and public policy matters; and defends companies in enforcement matters and litigation involving product safety, labeling and marketing claims. Ms. Roller has a J.D. (with high honors) from George Washington University Law School, an M.P.H. from the University of Minnesota, and a B.S. (with honors) from the University of Wisconsin-Madison. She is also a registered dietitian

Paul Safier

Paul Safier is Of Counsel with the firm Ballard Spahr LLP, where he is a member of the Media and Entertainment Group. His practice focuses on representing media client in First Amendment and intellectual property litigation. Paul also routinely assists journalists with prepublication review, advising clients about intellectual property, libel, and newsgathering risks. He regularly speaks on matters involving the First Amendment and media law. Prior to practicing law, he studied political science at Princeton University and was a lecturer at Princeton, Swarthmore College, and Temple University. Paul clerked for the Hon. Thomas L. Ambro of the U.S. Court of Appeals for the Third Circuit.

Amanda Shanor

Amanda Shanor is an Assistant Professor at the Wharton School at the University of Pennsylvania, where her scholarship focuses on constitutional law, and in particular the First Amendment.

Shanor has published or has work forthcoming in the *New York University Law Review*, the *UCLA Law Review*, the *Wisconsin Law Review*, the *Harvard Law Review Forum*, and the *Yale Law Journal Forum*, among others, and she has taught at Yale, the University of Pennsylvania, and Georgetown law schools. She is a regular contributor to the legal blog Take Care and the co-author of a textbook on counterterrorism law.

Prior to joining the academy, Shanor worked in the National Legal Department of the American Civil Liberties Union on the organization's Supreme Court litigation, including *Masterpiece Cakeshop v. Colorado Civil Rights Commission*. Previously, she litigated a number of constitutional and national security cases, including *Humanitarian Law Project v. Holder*, while a fellow at Georgetown University Law Center's Center on National Security & the Law. She continues to litigate, including on First Amendment, equality law, and separation of powers issues.

Shanor served as a law clerk to Judges Cornelia T.L. Pillard and Judith W. Rogers on the U.S. Court of Appeals for the District of Columbia Circuit, and Judge Robert W. Sweet on the U.S. District Court for the Southern District of New York. She is a graduate of Yale Law School and Yale College, and a PhD candidate in law at Yale University.

Dan Weiner

Daniel I. Weiner serves as Deputy Director of the Brennan Center's Election Reform Program, where he helps to lead the Center's work on money in politics, government reform, election security, and other democracy issues. He previously served as senior counsel to a commissioner at the Federal Election Commission and as a litigator in the Washington, D.C. office of Jenner & Block, LLP.