

Monday, May 4, 2009 / 4:30 pm / Levinson Auditorium

Morris Tyler

Moot Court of Appeals at Yale Law School

THURMAN ARNOLD PRIZE FINALS

*This... is the most important
separation-of-powers case
regarding the President's
appointment and removal
powers to reach the courts
in the last 20 years.*

Free Enterprise Fund v. PCAOB, 537 F.3d 667, 685
(D.C. Cir. 2008) (Kavanaugh, J., dissenting).

Free Enterprise Fund v. Public Company Accounting Oversight Board (No. 08-861)

QUESTIONS PRESENTED & DECISION BELOW

- 1** Whether the Sarbanes-Oxley Act of 2002's provisions for the appointment of members of the Public Company Accounting Oversight Board (PCAOB) violate the Constitution's Appointments Clause.
- 2** Whether the Act violates the Constitution's separation of powers by vesting members of the PCAOB with far-reaching executive power while denying the President the power to remove those members.

The decision below is reported at 537 F.3d 667 (D.C. Cir. 2008).

FOR PETITIONERS

ROBERT HEBERLE '10 / JOSEPH PACE '10

FOR RESPONDENTS

RORY GILLIS '10 / JILL HABIG '09

PANELISTS

HON. STEVEN M. COLLOTON
(U.S. Court of Appeals for the Eighth Circuit)

HON. RAYMOND W. GRUENDER
(U.S. Court of Appeals for the Eighth Circuit)

HON. ANN C. WILLIAMS
(U.S. Court of Appeals for the Seventh Circuit)

This event is open only to the Yale Law School community and invited guests.