

## Expert Panel Previews U.S. Supreme Court Docket



From left, Chris Geidner, Alan B. Morrison, Naomi Schoenbaum and Spencer Overton discussed cases coming before the U.S. Supreme Court this term.

IN A CONSTITUTION DAY PREVIEW of the U.S. Supreme Court's October term, faculty members examined cases focused on presidential power, election law and gerrymandering, and transgender rights. They also discussed the shadow docket—cases taken up on an emergency basis outside the court's regular session.

Chris Geidner, the Supreme Court and law reporter behind the *Law Dork* newsletter and blog, moderated the Sept. 18 Supreme Court preview, an annual tradition at GW Law. The fall 2025 cases included President Donald Trump's tariffs, which sparked panel discussion around presidential power.

"Under Article I of the Constitution, Congress is supposed to make the laws and the president is supposed to execute the laws," said Alan B. Morrison, former Lerner Family Associate Dean for Public Interest and Public Service Law. "Obviously, Congress can't write every single law in every detail. The president has to have

some discretion and some administrative agency. The question is, where is the line?"

Spencer Overton, the Patricia Roberts Harris Research Professor of Law, raised the issue of preemptive compliance, asking the other panelists about "the nightmare scenario" of Trump failing to comply with the court's ruling and whether that prospect might act as an incentive for the justices to rule with the administration, to avoid a direct clash with the executive branch.

Overton also discussed issues in *Louisiana v. Callais*, which addresses gerrymandering and the Voting Rights Act of 1965.

Naomi Schoenbaum, William Wallace Kirkpatrick Dean's Research Professor of Law, focused on cases from Idaho and West Virginia involving transgender female athletes who have been barred by state law from participating in sports and a challenge to Colorado's ban on so-called conversion therapy.

## A DEFINING LAW SCHOOL EXPERIENCE

A STUDENT-ATTORNEY IN THE Intellectual Property and Technology Law Clinic has helped Professor Christopher Cotropia file an amicus brief in a case pending before the U.S. Supreme Court.

GW Law third-year student Michelle Horowitz stepped forward to help draft the brief on a short deadline.

"She worked almost nonstop through the [Labor Day] holiday, contributing research, drafting, and editing," Cotropia said. "By Wednesday, five days later, we had the brief finalized and sent to the printers."

In *Cox Communications v. Sony*, the U.S. Court of Appeals for the Fourth Circuit ruled that Cox, as a service provider, can be held liable for "materially contributing" to copyright infringement. The case went to the U.S. Supreme Court on appeal, and the amicus brief argues that the Fourth Circuit court fundamentally misunderstood Cox's role.

In a 2020 *Iowa Law Review* article, Cotropia and former colleague Jim Gibson of the University of Virginia address the convergence and conflation between the Digital Millennium Copyright Act (DMCA) and copyright liability for intermediaries like Cox. They argue in the article and in the amicus brief that Cox's role as a conduit internet service provider (ISP) is to provide access to the internet, not to store or house content.

The case could mark one of the first times a conduit—Cox—is held liable for users' infringements, Cotropia said.

"The potential remedies are extreme. Entire households, apartment buildings, or businesses could lose internet access if even one individual at that IP address had previously infringed," he said. "The implications go well beyond Cox, potentially affecting ISPs like Verizon and Comcast, as well as other fiber and cable providers nationwide."

Horowitz said the opportunity to work on the brief was invaluable.

"Supporting the *Cox v. Sony* amicus brief through the IP and Technology Law Clinic was a defining law school experience," she said. "In just a few days, I gained a deeper understanding of the case itself—its history, its details, and the issues at stake—and saw the professors' discipline and craft in shaping arguments that endure."

## Dean Matthew Inducted into National Academy of Medicine



GW Law Dean Dayna Bowen Matthew was inducted into the National Academy of Medicine in October.

GW LAW DEAN AND HAROLD H. Greene Professor of Law Dayna Bowen Matthew was inducted into the National Academy of Medicine for her contributions to the field of public health.

“I am honored to join a group of medical scientists, social scientists, and health care experts who are dedicated to providing decision makers around the world with the data and information necessary to shape impactful, evidence-based policy that will catalyze better health outcomes for everyone everywhere,” the dean said at the Oct. 18 induction, a top honor in the medical field. “I became a believer in the collaboration between science, medicine, and policymaking early in my career when I began to tackle the ways in which law can be used to address health problems and health disparities.

“As we address issues such as vaccine policy, long-Covid, climate change, environmental injustice, and gun violence that threaten the health of the American people and America’s democracy, we need the work of the National Academy of Medicine more than ever before,” she added.

Dean Matthew is a leader in public health and civil rights law. She is the author

of numerous articles and two bestselling books, *Just Medicine: A Cure for Racial Inequality in American Health Care* and *Just Health: Treating Structural Racism to Heal America*. In 2013, she co-founded the Colorado Health Equity Project, a medical-legal partnership incubator aimed at removing barriers to good health for low-income clients by providing legal representation, research, and policy advocacy. Two years later, she served as senior adviser to the director of the Office of Civil Rights for the U.S. Environmental Protection Agency, where she expedited cases on behalf of historically vulnerable communities affected by pollution. The dean also served as a member of the health policy team under Senator Debbie Stabenow of Michigan and as a Robert Wood Johnson Foundation Health Policy Fellow.

Dean Matthew teaches in GW Law’s Health Law and Policy program. She is also a strong supporter of the recent medical-legal partnership in which law students and GW public health students work at Bread for the City to improve patients’ health by solving their legal problems. Bread for the City provides support and services for low-income residents in the District of Columbia.

## CBS “60 MINUTES” SPOTLIGHTS GW VACCINE INJURY LITIGATION CLINIC

PROFESSOR RENÉE GENTRY, DIRECTOR of the Vaccine Injury Litigation Clinic, was featured in an Oct. 5 segment of “60 Minutes” on CBS. In the show, “60 Minutes” host Jon Wertheim told the story of Jacob Thompson, a 13-year-old who suffers from rare side effects from the vaccines he received as a young child.

Gentry, who represented Thompson through the Vaccine Injury Compensation Program, is the founder of her own



Renée Gentry

D.C.-based law firm, the Law Office of Renée Gentry, Esq., which specializes in vaccine injury litigation. She is also a leading expert on vaccine injury litigation in the National Vaccine Injury Compensation Program.

As director of the Vaccine Injury Litigation Clinic, Gentry mentors GW Law students as they represent clients who experience rare vaccine injuries. In the “60 Minutes” episode, she was seen helping students with their oral arguments and providing expertise on vaccine injury litigation.

The Vaccine Injury Litigation Clinic is among more than 20 Jacob Burns Community Legal Clinics at GW Law. The clinics enable students to gain real-world experience representing indigent clients under the mentorship and guidance of experts like Gentry.

## BRONIN RECEIVES HEINZ AWARD

GW LAW PROFESSOR SARA BRONIN, one of the country's foremost experts in property, land use, zoning, and historic preservation law, has won a Heinz Award.

Bronin, the Freda H. Alverson Professor of Law, was one of 30 Heinz Award recipients announced in September. She was selected for an award in the Economy category for her work spotlighting how law and policy can foster more equitable, sustainable, well-designed, and connected spaces.

Bronin is the author of *Key to the City: How Zoning Shapes Our World* and the founder of the National Zoning Atlas, a nonprofit that digitizes the zoning codes of more than 30,000 U.S. jurisdictions to create a searchable map and database. Her related project, the National Preservation Atlas, provides information on historic properties and encourages their protection.

"It is critical that we understand how the seemingly mundane rules governing our built environment powerfully influence our



Sara Bronin

health, wealth, happiness, and long-term survival on this planet. People who steward our laws and policies—including local zoning rules, state building codes, and federal historic preservation standards—too often prioritize the status quo at the expense of a just and equitable future," Bronin said.

She previously chaired the Advisory

“IT IS CRITICAL THAT WE UNDERSTAND HOW THE SEEMINGLY MUNDANE RULES GOVERNING OUR BUILT ENVIRONMENT POWERFULLY INFLUENCE OUR HEALTH, WEALTH, HAPPINESS, AND LONG-TERM SURVIVAL ON THIS PLANET.”

— Sara Bronin

Council on Historic Preservation, which adopted policies on climate change and housing, streamlined review processes to facilitate federal rehabilitation projects, and advanced federal recognition of indigenous knowledge.

The Heinz Award was established in memory of U.S. Sen. John Heinz to celebrate excellence and achievement in areas that were important to the late senator. As part of the accolade, each recipient receives a cash prize.

## PAPANDREA INSTALLED AS BURCHFIELD PROFESSOR OF FIRST AMENDMENT LAW

MARY ROSE PAPANDREA, A NATIONALLY recognized free speech and media law expert, was installed as GW Law's inaugural Burchfield Professor of First Amendment and Free Speech Law in October.

"This is no ordinary academic investiture," Dean Dayna Bowen Matthew told those in attendance at the installation ceremony. "Today is a celebration, indeed, a launch of George Washington University Law School's preeminence in the legal academy as the home of what I see as the most talented, diverse, and influential free speech scholars in the nation."

GW President Ellen M. Granberg reflected on the significance of the Burchfield Professorship and its alignment with the university's mission to advance scholarship that serves the public interest. She said the professorship "sits at the intersection of some of

the most consequential legal issues of our era."

The Burchfield Professorship was established through a generous gift from Bobby Burchfield, JD '79, a retired courtroom lawyer who never lost a jury trial. Burchfield is a longtime advocate for free and civil discourse, and he spoke at the installation about the growing complexity of speech controversies in the United States and abroad, particularly in digital and private spaces where First Amendment protections may not formally apply.

He stressed the importance of preparing future legal professionals to navigate these evolving challenges and pointed to GW Law's longstanding commitment to First Amendment scholarship.

"It is essential for us to create a free speech culture," Papandrea said. "So just having a legal protection is not sufficient.



Mary Rose Papandrea

And so, it's so appropriate that this chair is not merely a First Amendment professorship, but a First Amendment and free speech professorship."

Endowed professorships are among the highest honors a university can bestow and serve as powerful catalysts for academic leadership, research, and public engagement.

BRAND-MANATT LECTURE

# Advancing International Law



Professor Sean Murphy (left) and Dr. Jean-Marie Henckaerts engaged in a fireside chat at the fall Brand-Manatt Lecture.

DR. JEAN-MARIE HENCKAERTS, SJD '94, returned to his alma mater from Geneva, Switzerland, in November to present the fall 2025 Brand-Manatt Lecture. An expert in international humanitarian law, Henckaerts serves as a legal adviser in the legal division of the International Committee of the Red Cross (ICRC) and is head of the ICRC's project to update the Commentaries on the Geneva Conventions of 1949 and the Additional Protocols of 1977. The treaties form the cornerstone of modern international humanitarian law.

“WE ARE DELIGHTED TO SEE DR. HENCKAERTS FOLLOW IN THEIR FOOTSTEPS IN SHAPING AND ADVANCING INTERNATIONAL LAW IN THE MOST DIFFICULT CONTEXTS...”

– Sean D. Murphy



Henckaerts engaged in a timely fireside chat with GW Law Professor Sean D. Murphy, a former president of the American Society of International Law, about the newly released, updated ICRC Commentary to the Fourth Geneva Convention, which was published in September. The event, which was hosted by GW Law's International and Comparative Law Program, marked the updated commentary's launch in the United States; the document focuses on the protection of civilians in armed conflict situations and during times of occupation.

The fireside chat was followed by a panel discussion featuring remarks by Dr. Beth Van Schaack, a distinguished fellow at the Center for Human Rights and International Justice at Stanford University; Dr. Tess Bridgeman, co-editor-in-chief of *Just Security* and senior fellow at New York University School of Law Reiss Center on Law and Security; and Eric Young, retired U.S. Army colonel and former judge advocate. The panel was moderated by Rosa Celorio, GW Law's associate dean for international and comparative legal studies.

The Brand-Manatt Lecture was established by Joseph L. Brand, JD '63, and Ambassador Charles T. Manatt, JD '62, to bring leading public figures and scholars to GW Law to discuss important

## SCHAFFNER EDITS NEW ENCYCLOPEDIA OF ANIMAL LAW

PROFESSOR JOAN SCHAFFNER, faculty co-director of GW Law's Animal Legal Education Initiative, created and edited the new *Elgar Concise Encyclopedia of Animal Law* that was published in July. Schaffner spent three years on the global project after Edward Elgar Publishing approached her about the opportunity in 2022.

“It's written for lawyers, advocates, politicians, and policymakers—anyone who wants a broad introduction to any animal law issue of interest,” Schaffner said.

The encyclopedia contains 119 entries from 140 authors and presents a comprehensive review of the laws that regulate human interactions with, and use of, animals. Entries look at laws around the world.

Assistant Dean for Animal Law Kathy Hessler wrote an encyclopedia entry on the laws and regulations surrounding aquatic animals. Professor Iselin Gambert, faculty co-director of the Animal Legal Education Initiative and director of the Fundamentals of Lawyering Program, contributed an entry on the laws and regulations surrounding cultivated meat.

“Our Animal Legal Education Initiative, which is now moving into its fourth year, is going strong. Our work over the past

contemporary issues. The late Mr. Brand was a partner at Squire Patton Boggs and a GW trustee. The late Mr. Manatt, the founder of Manatt, Phelps, & Phillips, LLP, was the U.S. Ambassador to the Dominican Republic and chair of the Democratic National Committee.

“The Brand-Manatt Lecture brings our community together to advance international law,” said Murphy. Noting that Henckaerts’ SJD supervisor was the late Professor Louis Sohn and that he served as a research assistant for the late Professor Thomas Buergethal, he added, “We are delighted to see Dr. Henckaerts follow in their footsteps in shaping and advancing international law in the most difficult contexts, such as armed conflicts and the conduct of hostilities.”



Joan Schaffner

three years, has grown GW’s reputation in the area of animal law,” Schaffner said. The program has expanded GW’s animal law curriculum, including a clinical offering. It has also organized webinars and conferences on animal law scholarship.

Select entries from the encyclopedia serve as a resource in the undergraduate course *Envisioning a Compassionate Food System for Humans, Animals, and the Environment*, which is taught through GW’s Global Food Institute.

*The Elgar Concise Encyclopedia of Animal Law* is available for order in hard copy and e-book. Use the code ANML35 at checkout to obtain a 35 percent discount.



Kathy Hessler

## GW LAW HOSTS CONFERENCE ON ANIMAL LAW AND AI

THE ANIMAL LAW PROGRAM brought together experts from around the globe in November for a conference exploring how AI, and technology that can be paired with AI, might be used to address challenges that jointly impact humans and animals.

“Artificial intelligence is already a part of our world. It is important to think about how its development and use can cause both benefit and harm to all the beings on the planet and the earth itself,” said Assistant Dean for Animal Law Kathy Hessler. “Without clear consideration and appropriate regulation, we could replicate current problems and cause new ones. But by talking with experts across professional and geographic domains we can begin conversations that will inform good policy decision-making.”

The Artificial Intelligence, Animals, and the Law Conference provided insights into how new technologies could change the animal law field. Panel discussions focused on the basics of AI, ethics, and the law, as well as regulation and policy surrounding AI and animal law. Panelists also discussed how attorneys think about and use AI; applications and considerations when using AI for animals; the impact of AI on the planet; and AI and animal research.

The conference brought GW animal law professors together with international science journalists, nonprofit leaders, animal advocates, environmental law professors, private practice attorneys, and AI experts.

## PARTNERING WITH OXFORD ON ANIMAL LAW

ASSISTANT DEAN FOR ANIMAL LAW Kathy Hessler traveled to England with GW Law third-year student Emma DiGiovanni, to present at the 10th annual Oxford Centre for Animal Ethics Summer School.

“We had the opportunity to meet people from around the globe working on animal issues from varied academic and advocacy perspectives,” Hessler said. “It was gratifying to hear that the work of the Animal Law Program at GW Law is having a meaningful impact and supporting the work of others.”

The August program was part of the new Animal Ethics and Law Partnership between Oxford and GW’s Animal Law Program. The summer school focused on the ethics of captivity, with a special focus on aquaculture. Hessler spoke about “Aquaculture Hatcheries: The Need to Protect Animals throughout the System,” shedding light on a little-considered area of legal research, while DiGiovanni discussed legal protections for plant-based foods as a strategy to reduce farmed animal captivity.

Both are contributing, along with alumna Hana Nabulsi, JD ’25, to the *Journal of Animal Ethics*.

Hessler and DiGiovanni were joined in Oxford by Lori Marino, a neuroscientist and co-director of the Animal Law and Science Project. Marino discussed “Law, Science and Ethics: The Three Pillars of Protection for Captive Cetaceans” while Amy Wilson, a member of GW’s Aquatic Animal Law Project, made a presentation on “Factory Fins: Cruelty and Harm beneath the Surface.”

Marino and Hessler are co-founders of World Aquatic Animal Day.



## Energy Law Program Welcomes Inaugural Distinguished Scholars



Allan T. Marks



Matthew Brotmann

GW LAW HAS LAUNCHED A Distinguished Scholar Program in Energy Law and Sustainability in a bid to advance reliable, affordable, and efficient use of clean and sustainable energy through collaboration among preeminent thinkers, practitioners, faculty, and students. The program's inaugural scholars are Allan T. Marks and Matthew Brotmann.

"We are at a pivotal moment in the global energy transition, and the legal and ethical questions we face are more complex than ever," said Dean Dayna Bowen Matthew. "The Distinguished Scholar Program in Energy Law and Sustainability is a testament to our commitment to academic excellence and public service.

"By bringing thought leaders like Allan Marks and Matthew Brotmann to our campus, we are ensuring that GW Law remains at the forefront of global discourse and solutions," she added.

Marks teaches in GW's Environmental and Energy Law program and contributes to the Ethics, Energy, and Sustainability project. He is a retired partner at Milbank LLP, where he practiced for more than 30 years in the firm's global project, energy, and infrastructure finance group, handling

over \$100 billion in complex transactions involving renewable energy, water, transportation, banking, capital markets, and cross-border investment.

Brotmann is a professorial lecturer in law and a distinguished scholar at GW Law, where he, too, works on the Ethics, Energy, and Sustainability project. He currently heads Equinor's regulatory and public affairs unit and serves as senior counsel for Norwegian energy company's renewables portfolio in the Americas. He served as senior counsel at the New York Power Authority and assistant general counsel at the MTA/Triborough Bridge and Tunnel Authority.

The Ethics, Energy, and Sustainability project focuses on the complex challenges of creating a sustainable energy future. It examines the ethical dimensions of energy policy, the social and environmental justice implications of infrastructure development, and the role of law and finance in advancing a more equitable transition to clean energy. Through their residency, Marks and Brotmann will collaborate on high-impact research, enrich the academic community, and mentor the next generation of legal and policy leaders.

## COMPETITION LAW CENTER EXPANDS EXPERTISE

GW LAW HAS APPOINTED THREE leading voices in antitrust law—Doug Melamed, Jon Nuechterlein, and Mark Popofsky—to the Competition Law Center (CLC).

"This brilliant ensemble brings us unsurpassed insight into competition law at home and abroad," said CLC Director William Kovacic. "Their formidable knowledge—based on broad experience as scholars, practitioners, and government officials—will be a wonderful resource for our students and the global competition policy community."

The distinguished scholars added their expertise to the classroom during the fall term, co-teaching a new course on Advanced Topics in Antitrust with Professor Barak Richman. They also participate in the center's workshops, conferences, and student-focused programs, fostering collaboration across academic, professional, and policy communities.

Melamed practiced law for 43 years. From 2009 until 2014, he was senior vice president and general counsel at Intel Corp. Prior to that, he was a partner in the Washington, D.C., office of WilmerHale, serving as a chair of the antitrust and competition practice group. From 1996 to 2001, he was acting assistant attorney general in charge of the Antitrust Division in the U.S. Department of Justice.

He spent the 2014-15 academic year at Stanford Law School as the Herman Phleger Visiting Professor of Law and was appointed Professor of the Practice of Law at Stanford in 2015.

Nuechterlein is a Washington, D.C.-based attorney and author with broad experience in government and the private sector. In addition to his role at the CLC, he is a lecturer at the University of Virginia School of Law and an adjunct professor at Georgetown University Law Center, where he has taught seminars in antitrust and telecommunications law.

In December 2024, Nuechterlein retired from Sidley Austin after nearly nine years as a partner and co-leader of the firm's telecom and internet competition practice. From 2013 to 2016, he was general counsel of the Federal Trade

Commission. His extensive government experience also includes positions as deputy general counsel of the Federal Communications Commission, assistant to the solicitor general, and law clerk for Supreme Court Justice David Souter.

Nuechterlein is the co-author, with Phil Weiser, of the first two editions of *Digital Crossroads: Telecommunications Law and Policy in the Internet Age*. He and Georgetown Law Professor Howard Shelanski worked on the third edition of that book, which is scheduled for publication in early 2026.



William Kovacic

“THIS BRILLIANT ENSEMBLE BRINGS US UNSURPASSED INSIGHT INTO COMPETITION LAW AT HOME AND ABROAD.”

– William Kovacic

Popofsky chairs the antitrust group at Ropes & Gray LLP. He has taught advanced antitrust courses as a lecturer at Harvard and the University of Pennsylvania Carey Law School and was an adjunct professor at Georgetown Law for more than two decades. Prior to that, he served as senior counsel to Assistant Attorney General Joel Klein in the Antitrust Division of the U.S. Department of Justice, playing a key role in multiple cases and securing a landmark victory in the California Supreme Court in *Ixchel Pharma, LLC v. Biogen Inc.*

## BROWN WINS LIFETIME ACHIEVEMENT AWARD

KAREN BROWN, THE THEODORE Rinehart Professor of Business Law, received the lifetime achievement award at the Association of American Law Schools’ Annual Meeting in January. The award, presented by the AALS Tax Section, recognized Brown’s distinguished career of teaching, service, and scholarship, and her “impact in the field of taxation, the legal community, and the academy.”

Brown, whose scholarship focuses on income, corporate, and international taxation, is the co-author of a book on international tax transactions and the co-editor of a book on tax reform. She has been instrumental in advancing the Tax Law Program at GW Law, which was recently given an A-rating by the *National Jurist*.

Prior to joining GW Law nearly three decades ago, Brown was a professor at the Brooklyn Law School and at the University of Minnesota where she received the Stanley V. Kinyon Award for excellence in teaching. Before beginning her teaching career, she was a trial attorney for the U.S. Department of Justice, Tax Division, and an associate at Steptoe & Johnson.

Among the many awards she’s received over the course of her illustrious career, she



Karen Brown

“PROFESSOR BROWN’S MENTORSHIP AND EXPERTISE HAVE PROPELLED THE CAREERS OF MANY GW LAW GRADUATES.”

– Dean Dayna Bowen Matthew.

was the recipient of GW Law’s Nota Bene Inaugural Faculty Member of the Year Award in 2024 and the winner of the Bureau of National Affairs’ Distinguished Service in Tax Award in 2019.

“I congratulate Professor Brown on her lifetime achievement award,” said Dean Dayna Bowen Matthew. “Professor Brown’s mentorship and expertise have propelled the careers of many GW Law graduates. Her commitment to teaching in and advancing the field of tax law is why GW Law is among the top law schools for tax law in the nation.”

## STEPPING UP DURING THE GOVERNMENT SHUTDOWN

WHEN MORE THAN 45 GW LAW STUDENTS WERE SHUT OUT OF THEIR federal government field placements during the historic 43-day government shutdown in the fall, the GW Law community answered the call. GW Law’s Field Placement Program, led by Dean Keri McCoy, acted swiftly, connecting with alumni and faculty to successfully find alternative projects and opportunities for every student seeking replacement work.

Students were assigned to state courts projects, set up to help faculty scholarship and research, and connected with nonprofits and non-governmental organizations. One alumnus who rose to the challenge was Minnesota District Court Judge William Koch, JD ’88, who provided students with six assignments for the court.

“When the school reached out following the federal shutdown, I was happy to find a creative solution to an unexpected need,” said Koch. “And my colleagues on the trial court bench were more than happy to offer some very interesting projects.”

Dean Dayna Bowen Matthew said she was impressed with the speed and agility with which the community acted, saying the shutdown presented an unusual challenge but staff, faculty, students, and alumni met the moment “with excellence.”