



***THE 9TH CIRCUIT POWERHOUSE:
PENDING CASES, PENDING OUTCOMES,
PENDING PRECEDENTS, AND PENDING PROBLEMS?***

***September 25, 2008 – Noon
Room 237A&B***

***Chapman University School of Law
Donald P. Kennedy Hall, One University Drive, Orange, California
Food Will Be Served/ MCLE Credit Available***

***Sponsored by:
The Chapman University School of Law Federalist Society Chapter
The Orange County Federalist Society Lawyers Chapter***

The 9th Circuit Court of Appeals is proving itself once again to be a powerhouse among the circuits. And based on some of the cases that it will decide in the near future it might actually edge out the D.C. Circuit as the most influential circuit court in the nation. The 9th Circuit is the largest of the courts of appeals, and there is a lot happening. Several of the unresolved cases awaiting final disposition by the 9th Circuit are quite noteworthy. And depending on the outcome, they could have widespread impact. Please join the Federalist Society at Chapman School of Law in a discussion analyzing some of these pending cases and the precedents they could set for Californians and all Americans.

**OPENING REMARKS:
Dean John C. Eastman
Chapman University School of Law**

**PANELISTS:
Mr. Horace Cooper
Senior Fellow, American Civil Rights Union**

**Ms. Janice Brenman
Fleming, Greenwald & Associates**

**Mr. Kenneth G. Parker
Teuton, Loewy & Parker LLP**

**Professor Ronald D. Rotunda
Chapman University School of Law**

**MODERATOR:
Professor Donald J. Kochan
Chapman University School of Law**

Biographies:

Mr. Horace Cooper is a senior fellow with the American Civil Rights Union, whose interests include current issues involving law and American society, political forecasting, and the changing makeup of the United States Supreme Court. Horace Cooper is a writer and legal commentator. He is also a research fellow with the National Center for Public Policy Research and a senior fellow with the American Civil Rights Union. From June 2005 - June 2007 he was a visiting assistant professor of law at George Mason University School of Law. While at GMUSL his research focus was on U.S. intellectual property rights policy, the role of the United States Supreme Court in the American constitutional system, political forecasting, the legislative process and federal labor law. Mr. Cooper has served in senior capacities in the George W. Bush Administration including stints as chief of staff at the Voice of America and the Dept of Labor's Employment Standards Administration. Horace Cooper previously served as Counsel to the Honorable Richard K. Arney, (Majority Leader of the United States House of Representatives from 1994 - 2002). Mr. Cooper's interests include current issues involving law and American society, political forecasting, and the changing makeup of the United States Supreme Court. [WWW.horacecooper.COM](http://www.horacecooper.com)

Ms. Janice Brenman is a former prosecutor now in private practice in Los Angeles. Ms. Brenman has commented in major legal publications on the subject of legal reform and celebrity's influence on the legal system. Ms. Janice R. Brenman is an attorney with the Los Angeles law firm Fleming, Greenwald & Associates. Ms. Brenman clerked for the Honorable Rupert J. Groh, Jr. of the United States District Court for the Central District of California Magistrate Judge.

Mr. Kenneth G. Parker is a partner of Teuton, Loewy & Parker LLP in Irvine, California, where he handles complex litigation and appeals. Mr. Parker also handles *pro bono* appeals before the Ninth Circuit. Mr. Parker graduated with high honors from the University of Texas School of Law in 1994, where he served as Articles Editor of the *Texas Law Review*. After graduating from law school, Mr. Parker served as a judicial clerk for Chief Judge Gerald Bard Tjoflat of the U.S. Court of Appeals for the Eleventh Circuit. Mr. Parker received his undergraduate degree from Texas A&M University. http://www.tlpfirm.com/kenneth_g_parker.html

Professor Ronald D. Rotunda joined Chapman in 2008. Prior to coming to Chapman, he was a University Professor and Professor of Law at George Mason University School of Law, joining George Mason in 2002. Before that, he was the Albert E. Jenner, Jr. Professor of Law, at the University of Illinois. He is a *magna cum laude* graduate of Harvard College and a *magna cum laude* graduate of Harvard Law School, where he was a member of *Harvard Law Review*. He joined the University of Illinois faculty in 1974 after clerking for Judge Walter R. Mansfield of the United States Court of Appeals for the Second Circuit, practicing law in Washington, D.C., and serving as assistant majority counsel for the Watergate Committee. He has co-authored the most widely used course book on legal ethics, *Problems and Materials on Professional Responsibility* (Foundation Press, 9th ed. 2006) and is the author of a leading course book on constitutional law, *Modern Constitutional Law* (West Publishing Co., 8th ed. 2007). He is the coauthor of, *Legal Ethics The Lawyer's Deskbook on Professional Responsibility* (ABA-West Group, St. Paul, Minnesota, 5th ed., 2007) (jointly published by the ABA and West Group, a division of Thompson Publishing) (with John Dzienkowski). Rotunda is also the co-author (with John Nowak) of the five volume *Treatise on Constitutional Law* (West Publishing Co., 4th ed. 2007), and a one volume *Treatise on Constitutional Law* (West Publishing Co., 7th ed. 2004). He is also the author of several other books and more than 200 articles in various law reviews, journals, newspapers, and books in this country and in Europe. The 2002-2003 *New Educational Quality Ranking of U.S. Law Schools* (EQR) ranks Professor Rotunda as the eleventh most cited of all law faculty in the United States. See http://www.leiterrankings.com/faculty/2002faculty_impact_cites.shtml. For a more comprehensive biography, see <http://www.chapman.edu/law/faculty/rotunda.asp>.

Dr. John C. Eastman was appointed Dean and Donald P. Kennedy Chair in Law in June 2007 at Chapman University School of Law. Previously, Dr. Eastman was the Henry Salvatori Professor of Law & Community Service, and Director of the Center for Constitutional Jurisprudence, a public interest law firm affiliated with the Claremont Institute that he founded in 1999. Prior to joining the Chapman Law faculty in August 1999, he served as a law clerk with Justice Clarence Thomas at the Supreme Court of the United States and with Judge J. Michael Luttig at the United States Court of Appeals for the Fourth Circuit. After his clerkships, Dr. Eastman practiced with the national law firm of Kirkland & Ellis, specializing in major civil and constitutional litigation at both the trial and appellate levels. Dr. Eastman earned his J.D. from the University of Chicago Law School, where he graduated with high honors in 1995. He was selected for membership in the Order of the Coif and was a member of the *Law Review*, a Bradley Fellow for Research in Constitutional History and an Olin Fellow in Law & Economics. Dr. Eastman also has a Ph.D. and M.A. in Government from the Claremont Graduate School, with fields of concentration in Political Philosophy, American Government, Constitutional Law, and International Relations. He has a B.A. in Politics and Economics from the University of Dallas. Prior to law school, he served as the Director of Congressional & Public Affairs at the United States Commission on Civil Rights during the Reagan administration and was the 1990 Republican Nominee for Congress in California's 34th District. He teaches Constitutional Law, Property, Legal History, First Amendment and Constitutional Litigation Clinic. <http://www.chapman.edu/law/faculty/eastman.asp>

Professor Donald J. Kochan joined the Chapman faculty in 2004 and is currently an Associate Professor of Law. Immediately before coming to Chapman, Professor Kochan was an Olin Research Fellow and Instructor in Law at the University of Virginia School of Law for the 2003-2004 academic year. During 2002-2003, he was a Visiting Assistant Professor of Law at George Mason University School of Law where he taught courses in Property and Environmental Law. Professor Kochan received his J.D. from Cornell Law School (1998), where he was a John M. Olin Scholar in Law and Economics and managing editor of the *Cornell International Law Journal*. He also served as editor and executive editor of the *Harvard Journal of Law & Public Policy* symposium issues in 1997 and 1998. He received his B.A. from Western Michigan University (1995), with majors in political science and philosophy. After graduating from law school, Professor Kochan was a law clerk to The Honorable Richard F. Suhrheinrich of the United States Court of Appeals for the Sixth Circuit. Following his clerkship, Professor Kochan was an associate with the firm of Crowell & Moring LLP in Washington, D.C., where he specialized in Natural Resources & Environmental Law. www.donaldjkochan.com