

# LAWYERS DEFENDING AMERICAN DEMOCRACY

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Open Letter , Statement , Uncategorized

## Open Letter Supporting the 100,000 Lawyers, Agents, and Staff Members of the U. S. Department of Justice

October 1, 2020 By Edemikat

If you currently are, or previously were, a member of the Bar, we encourage you to affirm your support of the tens of thousands of dedicated DOJ employees by [adding your name to](#)

[this letter.](#)

We, the undersigned, are attorneys from across the political spectrum and across the country. We write to express support for Department of Justice (“DOJ”) professionals who may face difficult choices about participating in political misuse of the DOJ in the election period ahead. The public and these professionals should know that if they stand up to such misuse — whether via resignation, public statements, or other forms of expressive dissent — they will have broad support in the legal profession, whose best traditions they will be upholding.

By word and deed, Attorney General Barr has demonstrated a willingness to politicize the DOJ by backing and helping to implement the President’s most partisan and extreme views. Mr. Trump’s [refusal](#) to commit to a peaceful transition of power – even if solely intended as another effort to discourage voters – heightens our concern about what actions the Attorney General might take that would undermine the vote and the rule of law.

The Department of Justice is a cornerstone of our legal system. Trust in its fairness and impartiality requires an Attorney General singularly dedicated to the principles espoused on its own website:

***Thomas Jefferson wrote, “The most sacred of the duties of government [is] to do equal and impartial justice to all its citizens.” This sacred duty remains the guiding principle for the women and men of the U.S. Department of Justice.***

Attorney General Barr’s prosecutorial actions supporting the President’s friends and partisan interests have eroded public confidence in his commitment to impartial justice for all people. Earlier this year, Barr’s intervention in DOJ cases against presidential allies Roger Stone and [Michael Flynn](#) prompted more than 2,000 DOJ alumni to speak out in protest.

In July, twenty-seven distinguished DC Bar members filed a [disciplinary complaint](#) against Mr. Barr. Among other things, the complaint cited his misrepresenting the law in Senate testimony defending his decision that the Mueller Report’s evidence was insufficient to charge the President with obstructing justice. The complaint also charged him with violating

his lawyer's oath to uphold the Constitution when he oversaw the use of force against peaceful protestors in Lafayette Square. The complaint stated that: "Mr. Barr has consistently made decisions and taken action to serve the personal and political self-interests of President Donald Trump, rather than the interest of the United States."

As the election approaches, Mr. Barr has increasingly politicized the DOJ with his public pronouncements and actions:

- On September 14, he stated: "As an attorney general, I'm not supposed to get into politics." He then immediately undermined that standard: "We [are] going to find ourselves irrevocably committed to the socialist path . . . if Trump loses this election. . . ."
- On September 16, *The New York Times* reported that Attorney General Barr had [asked](#) DOJ prosecutors to consider filing criminal charges against the Seattle Mayor, whom President Trump had [attacked](#) for allowing a police-free zone to help calm unrest.
- On September 17, Barr embraced one of the President's chief campaign themes with a [shocking](#) statement, asserting that state stay-at-home measures to control coronavirus spread constituted the "greatest intrusion on civil liberties" in history "other than slavery."
- On September 23, Barr dishonored constitutional checks and balances by [blocking](#) DOJ officials from appearing before Congress because House Judiciary Committee Democrats had been "scolding" him at his July 28, 2020 testimony.

Further, DOJ's impartiality has traditionally meant [avoiding actions](#) shortly before elections that might affect the outcome. Mr. Barr has indicated that he is poised to [abandon](#) that tradition by pressing his hand-picked prosecutor, John Durham, to issue an irregular "report" with partisan impact within weeks of the election.

Additionally, Mr. Barr's statements raise grave concern about his readiness to influence the upcoming election. He has [defended](#) the President's threat to send law enforcement to polling places — historically done to [intimidate](#) voters. Barr's [endorsing](#) the President's unfounded mail-in ballot fraud claims raises red flags about potentially using DOJ in post-election litigation to undermine the vote.

We support DOJ attorneys and personnel who stand by their oaths and the Department of Justice's duty to do justice for the public by not participating in partisan misuse of the DOJ. They honor the rule of law, our profession, and the country as we face this crucial test for our democracy.

## **Affirm your support of the tens of thousands of dedicated DOJ employees**

Support Department of Justice employees by **adding your name to this letter**.

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Mark Aaronson – Professor of Law Emeritus, Univ. of Calif. Hastings College of the Law (Oakland, CA)
Richard Abel – Connell Distinguished Professor of Law Emeritus and Distinguished Research Professor, UCLA (Santa Monica, CA)
Nancy Abramowitz – Professor of Practice, American Univ. Washington College of Law (Washington, D.C.)
Jeffrey Abramson – Professor of Law (Austin, TX)
David Addlestone – N/A (Washington, D.C.)
Jan Adler – Retired Magistrate Judge, Southern District of California (San Diego, CA)
Dennis Aftergut – Of Counsel at Renne Public Law Group; former federal prosecutor and

San Francisco Chief Assistant City Attorney
Jerome Akman – Retired Attorney (Washington, D.C.)
Martha Albertson Fineman – Robert W Woodruff Professor of Law Emory University (Atlanta, GA)
Hilary Allen – Associate Professor (Washington , DC)
Roula Allouch – Of Counsel (Cincinnati, OH)
Michael Altman – Retired Trial Lawyer and Law Professor (Cambridge, MA)
Cory Amron – President, Women Lawyers On Guard Action Network, Inc. (Arlington , VA)
Christa Anderson – Partner at Kecker, Van Nest & Peters LLP (Martinez, CA)
R. Peter Anderson – Judge, Massachusetts Trial Court, Retired (Portland, OR)
Steven R. Andrews – Special Assistant to the Director of the FBI (Scottsdale, AZ)
Barbara Anthony – Former Antitrust Trial Attorney, US Justice Dept (Cambridge , MA)
George Argyris – Farella Braun + Martel (San Francisco, CA)
Ruthe C Ashley – Former President, National Asian Pacific American Bar Association (Vallejo, CA)
Paula Atkinson – Attorney (Denver, D.C.)
Barbara Atwood – Professor of Law Emerita, University of Arizona (Tucson, AZ)
Cristina Azar – Claims Counsel (Jacksonville, FL)
Robert Bacon – Attorney (Oakland, CA)
Julie Bahret – Former Practitioner (Gainesville , FL)
Judith Bailey – Federal Trade Commission (Washington , D.C.)
Robert S. Baker – Former Director of the Appalachian Research and Defense Fund (Beckley, WV)

Michael Barnes – US Congressman (Naples, FL)
Frederick Baron – Cooley LLP, Senior Counsel (Atherton, CA)
Charles Baron – Emeritus Professor of Law, Boston College Law School (Westport Point, MA)
Alan Baron – Former Asst. U.S. Attorney (Md.) (Washington, D.C.)
Elizabeth Barry – Former Chief Assistant Attorney General, Alaska (Anchorage, AK)
Margaret Barry – Visiting Professor (Bethesda, MD)
Jeffrey Bartell – Former Wisconsin Assistant Attorney General (Madison, WI)
Elizabeth Bartholet – Prof of Law, Harvard Law School (Cambridge, MA)
Steven Baumohl – Former Law Clerk to the Hon Joseph L Tauro (Asheville , NC)
Katherine L. Becker – Retired Attorney, U.S. Dept. of Health & Human Services (Gaithersburg, MD)
William Behrens – Law Office of William Behrens (Mentor, OH)
Bill Belding – Professor (Oxford, MD)
Marcia Bell – N/A (Mill Valley, CA)
Laurel Bellows – Former President of the American Bar Association (Chicago, IL)
Joel Bellows – Managing Partner, Bellows, PC. (Chicago, IL)
Alan Belsky – N/A (Baltimore, MD)
Richard Benes – N/A (San Diego, CA)
Ward Benshoof – Retired Partner, Alston & Bird LLC (Glendale, CA)
Nancy Zalusky Berg – N/A (Minneapolis , MN)
Jim Bergenn – Shipman & Goodwin LLP, Partner (hartford, CT)
Vivian Berger – Nash Professor of Law Emerita, Columbia Law School (New York, NY)

Pamela Berman – Robins Kaplan, LLP (Canton, MA)

Paul Berman – N/A (Silver Springs, MD)

Claudia Bernard – Retired Chief Circuit Mediator, Ninth Circuit Court of Appeals (Oakland , CA)

Marilyn Bernhardt – General Attorney (Sedona, AZ)

Peter Bernhardt – AUSA, Civil Chief, U.S. Attorney's Office (Sedona, AZ)

Paul Berning – Managing Partner (Alameda, CA)

Elizabeth Earle Beske – American University Washington College of Law (Washington, D.C.)

Debra Billard – Assistant Public Defender (Jacksonville, FL)

Sandra Blair – Retired Attorney (Berkeley , CA)

Laura Blank – N/A (New York, NY)

Robert Bloom – Professor Boston College Law school (Newton, MA)

Richard Bluestein – Krokidas and Bluestein (retired) (Boston, MA)

Eric Blumenson – Research Professor of Law (Cambridge, MA)

William Blumer – Current (Wyomissing, PA)

Maria Soledad Bodero – N/A (Jacksonville , FL)

Kristi Bodin – Attorney (Greenfield, MA)

Joshua Bogin – Trial Attorney, Civil Rights Division (1977-87); Adjunct Professor of Constitutional Law, Springfield College (Springfield, MA)

Bill Boies – N/A (Chicago, IL)

Beth Boland – Partner (Dover, MA)

Bruce Bookman – N/A (Anchorage, AK)

Anthony Borwick – Administrative Judge, Trial Attorney Land and Natural Resources Division, Department of Justice (Marina Del Rey, CA)

Amelia Boss – Trustee Professor of Law, Thomas R. Kline School of Law, Drexel University (Philadelphia, PA)

Charles Both – Law Offices of Charles R. Both (Washington, D.C.)

Pamela Bothwell – N/A (Los Angeles, CA)

Robert Bourque – N/A (New York , NY)

G Daniel Bowling – First Public Defender in Charleston County, SC & ADR Staff Attorney at the USDC for N. CA. (Mount Pleasant, SC)

Judith Bowman – N/A (Cambridge, MA)

John Bowman – Retired Attorney (Brookline, MA)

Karen Boyd – Founding Partner, Turner Boyd LLP (Palo Alto, CA)

Matthew Boyd – Attorney at Law (Lexington , KY)

Keith Braman – Attorney (Lawrence, KS)

Helene Brezinsky – Retired Law Partner (South Hero, VT)

Ann Brick – Retired staff attorney, ACLU of Northern California (Berkeley, CA)

Howard Brick – Assistant Attorney General (Lexington, MA)

Israela Brill-Cass – Ombuds, Wesleyan University and Founder, Fixerrr (Boston, MA)

John C. Brittain – Olie W. Rauh Professor of Law University of the District of Columbia David A. Clarke School of Law (Washington, D.C.)

Elaine Brock – N/A (Ann Arbor, MI)

Katherine Broderick – Former Dean of the District of Columbia Law School (, )

Mark Brodin – Boston College Law School (Newton, MA)

Theodora H. Brown – Attorney (Washington, D.C.)



Arthur Brunwasser – N/A (San Francisco , CA)
Michael Burns – Formerly of the Office for Civil Rights, U.S. Department of Education (Scottsdale, AZ)
John Burns – N/A (Raleigh, NC)
Barbara Burr – Attorney; former DOJ Senior Trial Attorney (Washington, D.C.)
Thomas Butters – Former Assistant District Attorney; Butters Brazilian LLP
Andrea Cabral – Fmr. Secretary of Public Safety, fmr. Asst. D.A., fmr. Asst. Attorney General (Boston, MA)
Elizabeth Cabraser – Partner, Lief Cabraser Heimann & Bernstein LLP (Sebastopol , CA)
M. James Callahan – Retired Attorney (Phoenix, AZ)
Kristina Campbell – Professor of Law, UDC David A Clarke School of Law (Washington , D.C.)
Jay Carlson – Retired Law partner (Madison , WI)
Kent Carnell – Partner Lawton & Cates (Madison, WI)
James Carr – Senior Assistant Attorney General (Estes Park, CO)
William Carroll – Former 30 Year Government Attorney including General Counsel of a Defense Agency (Washington, DC)
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Philip Cave – Owner, MLJ (Alexandria, VA)
Kathy Cerminara – Law Professor (Ft. Lauderdale, FL)
Carol Chandler – N/A (Boston, MA)
Jeffrey Chanin – Kecker, Van Nest & Peters (San Francisco, Ca)
Paulette Chapman – Partner, Koonz, McKenney, Johnson & DePaolis LLP (Falls Church,

VA)

Alice Cheng – Senior Associate Attorney (Walnut Creek, CA)

Carol Chodroff – Attorney (San Diego, CA)

Molly Wilson Chung – Attorney at Casner & Edwards, LIP (Boxford, MA)

Christine H. Chung – N/A (New York, NY)

Nanci Clarence – Former President, Bar Association of San Francisco (San Francisco, CA)

James Clark – Sidley Austin LLP, Retired Partner (Chicago, IL)

David Clark – Partner (Jackson, MS)

Dennis Clayton – Private practice (Spokane, WA)

Kimberly Clement – Former District Attorney, AUSA (Santa Rosa, CA)

Clay Clement – N/A (Santa Rosa, CA)

Brian Clemow – Of Counsel, Shipman & Goodwin LLP (Hartford, CT)

Sarah Cleveland – Louis Henkin Professor of Human and Constitutional Rights, Columbia Law School. Former Counsel on International Law to the Legal Adviser, U.S. Dept. of State (New York, NY)

Adrienne Coffin – N/A (West Palm Beach, FL)

Ed Cogen – Regional Counsel and Deputy Director, Mid-Atlantic Region, Office of Economic Opportunity (former.. Now Retired from private law practice) (Washington, D.C.)

Devin Cohen – Attorney (Teaneck, NJ)

Michael Colantuono – Attorney (Grass Valley, CA)

Rebecca Coll – Partner, Quadra & Coll, LLP (San Francisco, CA)

Julie Conger – Retired Judge (Sonoma, CA)

J.J. Conway – Attorney (Royal Oak, MI)

Corinne Cooper – Professor Emerita of Law (Tucson, AZ)

Bryan Coryell – Attorney (Santa Rosa, CA)

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John Cotton – Parter (Retired) Gartenberg, Gelfand LLC (Sebastopol , CA)

Sharon Cozort – Attorney (Houston, TX)

Glenn Cravez – Attorney/Mediator (Anchorage , AK)

Charles Crumpton – Mediator/Arbitrator (Honolulu, HI)

John Cunha – Cunha & Holcomb, P.C. (Boston, MA)

Kevin Curtin – N/A (Boston , MA)

Dana Curtis – N/A (Sausalito, CA)

Douglas Cuthbertson – Partner, Lief Cabraser Heimann & Bernstein, LLP (New York, NY)

Stanley Cygelman – Casner & Edwards, LLP (winchester, MA)

Gene Dahmen – N/A (Boston, MA)

Marc Dann – Former Attorney General (Cleveland, OH)

Douglas Davis – Of Counsel (Tucson , AZ)

Angela Davis – Professor (Washington, D.C.)

Robert Dawson – Assistant County Attorney (Arlington, VA)

Linda Day – Assistant Conflict Defender (Atlanta, GA)

James Day – N/A (San Francisco, CA)

James De Golia – Former SVP & General Counsel (Casper , WY)

George Dean – Former Assistant Attorney General of Massachusetts (Newton, MA)

Sarah Deer – Former Attorney General (Lawrence, KS)

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Robert Dodig – N/A (Cape Coral, FL)
Emily Doskow – N/A (Oakland, CA)
David Driesen – University Professor, Syracuse University (Syracuse, NY)
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Drew Duffy – N/A (Columbus, OH)
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Daniel Edelman – Katz Marshall & Banks LLP (Washington, D.C.)
Stewart Edelstein – Cohen and Wolf, P.C. (Stockbridge, MA)
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Stan Eichner – N/A (Somerville, MA)
Ryan Ellis – Attorney (Minneapolis, MN)
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Patrick English – Principal, Dines and English L.L.C. (Clifton, NJ)
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Evan Falchuk – Former independent gubernatorial candidate for Massachusetts and founder of the United Independent Party (Auburndale, MA)
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Lynn Faris – Former Attorney (Alameda , CA)
Ellice Fatoullah – Attorney (New Canaan, CT)
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Walter Featherly – General Counsel, Calista Corporation (Anchorage, AK)
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Michael C. Fee – Attorney (Boston, MA)
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Bob Feldman – Former, Assistant US Attorney, Northern District of California (Redwood Shores , CA)
Cary Feldman – Former AUSA-DC (North Bethesda, MD)
Aaron X. Fellmeth – Professor, Sandra Day O’Connor College of Law, Arizona State University ( , )
Nicholas Fels – Retired partner, Covington & Burling LLP ( , )
Michael Felsen – Former Regional Solicitor, U.S. Department of Labor (Jamaica Plain, MA)
gary fentin – Shatz, Schwartz and Fentin, P.C. (Springfield, MA)
Edward Ferguson – Former Assistant U.S. Attorney, Southern District of New York (Brooklyn, NY)
Joseph G. Ferguson – Attorney (Dunmore, PA)
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James Ferrucci – Attorney (Verona , NJ)
Andrea Ferster – Past President, D.C. Bar (2013-2014) (Washington, DC)
Eugene Fidell – NYU Law School (Stockbridge, MA)
Deborah Filler – Senior Staff Attorney, Cambridge & Somerville Legal Services office of

Greater Boston Legal Services (Brookline, MA)
robert finkel – Partner, Moritt Hock; Adjunct Prof. BULS (NYC, NY)
Michael Fischer – Senior Attorney (Ret.), Judicial Council of California (El Cerrito, CA)
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Barbara Hayden Fitts – Counsellor at Law (Brookline, MA)
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Brian Flick – Partner, DannLaw (Cincinnati, OH)
Paul Fogel – Partner, Reed Smith LLP; former Judge, Alameda County Superior Court (Berkeley, CA)
Matthew Fogelson – Former Trial Attorney, U.S. Dept. of Justice (Oakland, CA)
John Foley – N/A (Bloomfield, CT)
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Julie Ford – Doll, Jansen & Ford (Dayton, OH)
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Robert Freedman – Hon. Robert B. Freedman (Ret.) (San Francisco, CA)
John Friedemann – Friedemann Goldberg Wargo Hess LLP (Santa Rosa, CA)
Jill Friedman – N/A (Montgomery, AL)
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Gary Friedman – Mediation Law offices (Muir Beach, CA)
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Michael Frisch – Ethics Counsel and Adjunct Professor of Law Georgetown University Law Center (Washington, D.C.)
Steven Froot – Partner, Boies Schiller Flexner LLP; former Assistant United States Attorney, SDNY (Bronx, NY)
Christopher Gagin – Former Magistrate (St. Clairsville, OH)
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Kay Gardiner – Former Deputy Chief, Civ. Div. USAO, SDNY (New York, NY)
Lenore Garon – Attorney (formerly Trial Attorney, DOJ) (Falls Church, VA)
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Allan Gelbard – Attorney; Vice President, First Amendment Lawyers Association (Encino, CA)
Nancy Gertner – Retired Judge; Current Visiting professor at Yale Law; Senior Lecturer at Harvard (Brookline, MA)
Tianna Gibbs – Associate Professor of Law, David A. Clarke School of Law (Washington, D.C.)
Martha Gifford – Law Office of Martha E. Gifford, former Trial Attorney, US DOJ (Brooklyn, NY)
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David Glenn – Attorney, Syndicated Radio Host (Raleigh, NC)

Richard Glickstein – Special Advisor, NYC Human Resources Admin (Ossining, NY)

Richard Glovsky – Locke Lord LLP (Boston, MA)

Barry Gold – Partner at Conn Kavanaugh Rosenthal Peisch & Ford, LLP (Boston, MA)

Michael Goldberg – Partner, Casner & Edwards, LLP (Boston, MA)

Stephen Golden – Retired Attorney (tucson, AZ)

Daniel Goldstein – Retired partner, Brown, Goldstein & Levy, LLP (Spofford, NH)

Cher Gonzalez – Partner (Sacramento , CA)

Lee Gordon – Retired, City of New York (Bayside, NY)

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Neil Goteiner – Partner (San Francisco, CA)

Robert Gottlieb – Attorney (New York, NY)

James Gottstein – Law Project for Psychiatric Rights (Anchorage, AK)

W. Andrew Gowder, Jr. – Partner, Austen & Gowder, LLC (Charleston , SC)

David Grace – Retired Attorney (Santa Barbara, CA)

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Paul Grant – Former National Board Member of the American Civil Liberties Union  
(Juneau, AK)

Lewis Greenblatt – Senior Counsel Reed Smith LLP (Chicago, IL)

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Anthony Guadalupe Baerga – GBLO   A Law Studio (Brooklyn, NY)
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Ernest Haddad – General Counsel Emeritus, MassGeneral Brigham; Former Associate Dean, Boston University School of Law (Boston, MA)
Kathryn Hall – N/A (Glenview, IL)
Rebecca Hamilton – Associate Professor (Washington, DC)
Russell Hanlon – N/A (San Jose, CA)
Stephen Hanlon – Lawyer (St. Louis, MO)
James Hanrahan – Past Managing Partner, Bowditch & Dewey LLP (Framingham, MA)
Marilyn Harbur – Senior Assistant Attorney General (Salem, OR)
Lance Harke – N/A (Miami Shores, FL)
Susan Harriman – N/A (San Francisco, CA)
Daniel Harrington – Past Chair, Pennsylvania Bar Association Committee on Legal Ethic and Prof'l Responsibility (Haddonfield, NJ)
Cody Harris – Partner (San Francisco, CA)
Janine Harris – Attorney (Alexandria, VA)
Lindsay Harris – American University Washington College of Law (Washington , D.C.)
Scott Harshbarger – Former National President of Common Cause and two-term Attorney General of Massachusetts (Boston, MA)
Lance Hartwich – Law Office of Lance R. Hartwich, PLLC (Albany, NY)
Patrick Harvill – Retired Deputy District Attorney (Riverside, CA)
Janis Harwell – Retired Corporate General Counsel (San Francisco, CA)

Mary Haskell – Attorney (Lexington, MA)
M. Raymond Hatcher – Partner – Sloan Hatcher Perry Runge Robertson Smith & Jones (Longview, TX)
Bob Haurin – N/A (Ivyland, PA)
Henry Hecht – Lecturer in Residence, University of California, Berkeley, School of Law (Berkeley , CA)
Thelton Henderson – Judge, U.S. District Court, Northern District of California (ret.) (Berkeley, CA)
Wayne Henderson – N/A (Sudbury, MA)
Laurie Hepler – Partner (Foster City, CA)
Mark Herbst – N/A (Annapolis, MD)
Howard Herman – N/A (Oakland, CA)
Richard Herzog – Senior Counsel, Harkins Cunningham LLP (Washington, D.C.)
Kathy Hessler – Clinical Professor of Law (Tigard, OR)
Henry Hewitt – Partner (San Francisco , CA)
David Hicks – Deputy Attorney General (Dunsmuir , CA)
Steven Hirsch – Of Counsel, Kecker, Van Nest & Peters LLP (San Francisco, CA)
Liza Hirsch – Senior Attorney, Massachusetts Advocates for Children (Boston, MA)
Bob Hirshon – Former President: ABA and Maine State Bar (Ann Arbor, MI)
Sheldon Hirshon – Retired Attorney (Los Angeles , CA)
John Hitt – Former Chief of Civil Rights Division in MA AGO; Current Managing Member of Drohan, Hitt & Hadas LLC (Boston, MA)
Christopher Ho – N/A (San Francisco, CA)
Hon. Faith Hochberg – Reitred U.S. Distric Judge (NewYork , NY)

William Hoerger – Retired Attorney (Oakland, CA)

Rachel Hoerger – N/A (Oakland, CA)

William Hoffman – Former Chief Counsel to Office of Foreign Assets Control, US Treasury Department; former Attorney-Adviser, Legal Adviser’s Office, L/LEI, US State Department (Washington, D.C.)

Helen Holcomb – Partner, Cunha & Holcomb, P.C. (Boston, MA)

Toby Hollander – Guardian Ad Litem (Portland, ME)

Paul Holtzman – N/A (Boston, MA)

Daniel Homiller – N/A (Cary, NC)

Kathleen Hopkins – Private Attorney (Woodinville, WA)

William Horne – N/A (Newtonville, MA)

William W. Horton – Lawyer (Birmingham, AL)

Bonnie Hough – N/A (Sausalito , CA)

Christina Houston – Partner (Wilmington, DE)

Sandy Hovey – Executive Director (Quincy, MA)

Susanne C Howard – N/A (Cambridge, MA)

Katy Howard – Retired Administrative Law Judge (Eagle River, AK)

Larry Hoyt – Special counsel, Boulder County (Westminster, CO)

Richard Hughey – Attorney (Media, PA)

William Humenuk – Sr. VP & General Counsel, Buzzi Unicem USA (retired); former Partner Dechert LLP (Naples, FL)

David Hunter – Professor of Law (Takoma Park, MD)

Norma Hutcheson – Deputy Managing Counsel, USPS (Retired) (Washington, D.C.)

Susie Hwang – N/A (Palo Alto, CA)
Douglas Hyde – Retired Attorney, Former CEO (Grand Isle, VT)
Nancy Hykel – Attorney (Delray Beach, FL)
Steven Hyman – Attorney (New York, NY)
Miriam Hyman – Attorney (New York, NY)
Rebecca Ingber – Professor of Law, Cardozo Law School (New York, NY)
Trina Ingelfinger – Former Chief Attorney, Region I, U.S. Department of Education, Office for Civil Rights (Durham, NH)
Dan Jackson – Kecker, Van Nest & Peters LLP (San Francisco, CA)
Beth Jay – Attorney (Berkeley, CA)
Ira Joffe – Attorney (Bellaire, TX)
Belinda Johns – Former Senior Assistant Attorney General, California AG’s Office (San Francisco, CA)
Catherine Johnson – Environmental General Counsel LLP, Partner (Berkeley, CA)
Garth L. Jones – Attorney at the law firm of Stritmatter Kessler Koehler Moore (Hoquiam, WA)
Gerald Kahn – Attorney (Madison, CT)
Edward Kallgren – Past President, Bar Association of San Franciscoisco (San Mateo, CA)
Bernard Kamine – N/A (Los Angeles, CA)
Ian Kanig – Attorney (Berkeley, CA)
Chris Gus Kanios – Professor of Law, John F. Kenney School of Law (San Francisco, CA)
Kathryn Karcher – N/A (Bainbridge Island, WA)
Debra Katz – Katz, Marshall & Banks, LLP (Takoma Park, MD)

Marion and Richard Katzive – N/A (Irvington, NY)
Joyce Kauffman – Lawyer and Mediator (Roslindale, MA)
John Keker – Founding Partner, Keker, Van Nest & Peters LLP (San Francisco, CA)
Jennifer Keller – Partner/Founder (Irvine , CA)
Nicholas Kelley – Retired partner (Brookline, MA)
Bill Kelly – Retired Partner, Latham & Watkins (Washington, D.C.)
Michael Kelly – Dean, University of Maryland School of Law (Baltimore, MD)
James Kennedy – Adm Law Judge (Walnut Creek, CA)
Wesley Kennedy – Allison, Slutsky & Kennedy, P.C. (Chicago, IL)
Kenneth Kenworthy – N/A (Santa Rosa, CA)
Jessica Kerr – N/A (Fort Lauderdale, FL)
Alli Kielsingard – Associate Director, ABA Section of Civil Rights and Social Justice (Washington, D.C.)
Loren Kieve – N/A (San Francisco, CA)
Jennifer Kim – Senior Associate General Counsel (New York, NY)
Rebecca Kinburn – Attorney (Montclair, NJ)
Carol Kingsley – Attorney (san francisco, ca)
Crawford Kirkpatrick – N/A (Swansea , MA)
Joel Kirshenbaum – Attorney (san francisco, CA)
Isabelle Kirshner – Criminal Defense Attorney (New York, NY)
Thomas Kite – Solo Practitioner (Denver, CO)
Steve Klitzman – Retired Deputy Chief, FCC Office of Intergovernmental Affairs (Chevy Chase, MD)

Courtney Knippen – Judicial Law Clerk (Washington , D.C.)
Karen Koehler – Partner Stritmatter Kessler Koehler Moore Law Firm (Seattle, WA)
John Koeppe – N/A (San Francisco, CA)
Dawn Korman – Attorney (Georgetown, TX)
Dane Kostin – N/A (West Hartford, CT)
Alan Kovacs – Former Assistant District Attorney – Manhattan, NY; Former Assistant District Attorney – Chief, Appeals Bureau, Middlesex County, MA; former Assistant Attorney General, Chief, Antitrust Division, Massachusetts (Newton Highlands, MA)
David Kownacki – David P. Kownacki, P.C. (New York, NY)
Michael Kraemer – Retired Partner, White and Williams LLP (Providence, RI)
Mitchell Kraus – Formerly General Counsel, Transportation Communications Union (Miami Beach, FL)
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Leo Lam – Partner – Kecker, Van Nest & Peters (San Francisco, CA)
Sandra Lambert – Attorney at law, retired (San Rafael, CA)
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Jane Lang – Former General Counsel, U. S. Dep’t of Housing and Urban Development (, )

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Simon Lazarus – N/A (Bethesda, MD)

Richard Lee – N/A (Menlo Park, CA)

William Lee – Former Assistant District Attorney; Former Chief of Staff, MA Attorney General’s Office (Washington, D.C.)

John Lefcourte – Deputy Public Defender (Reno, NV)

Ann Lehman – Principal (Portland, OR)

Bruce Leicher – Attorney (Harvard, MA)

Elaine Leitner – Retired Mediator and Adjunct Law Professor at UC Hastings College of the Law (Oakland, CA)

Brian Lerner – Attorney at Law (Torrance, CA)

Ron Leshnower – Attorney (Dix Hills, NY)

Martin Levin – Principal, Law Office of Martin E. Levin, and former Chief of the Massachusetts Attorney General’s Environmental Crimes Division (Framingham, MA)

Barbara Levine – Retired Attorney (Philadelphia, PA)

Ilyse Levine-Kanji – N/A (Westborough, MA)

Ariel Levinson-Waldman – Former Senior Counsel to the Attorney General for the District of Columbia; former Assistant Counsel, U.S. House of Representatives; former Chief Oversight Counsel, U.S. Department of Labor (Washington, D.C.)

Arden Levy – Principal, Arden Levy Law PLLC (Alexandria, VA)

Andrew Levy – Senior counsel (New York, NY)
Robert Levy – N/A (New York, NY)
Eleanor Roberts Lewis – Retired Chief Counsel for International Commerce, U.S. Department of Commerce (Washington, D.C.)
Geoffrey Lewis – Bassil & Budreau (Boston, MA)
Justyn Lezin – Attorney, Cabello & Lezin, LLP (Oakland, CA)
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Alice Litter – Senior staff attorney, Office for Civil Rights, US Dept of Education (Harvard, MA)
Julie Locascio – Attorney at Law (Washington, D.C.)
Thomas Lohman – N/A (Anchorage, AK)
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Paula Mackin – Retired Child Welfare Litigator (Newton, MA)
Peter Macy, Ed.M., J.D. – Massachusetts Guardianship Policy Institute (Andover, MA)
Myrna Mandlawitz – President, MRM Associates, LLC (Washington, D.C.)



Maya Manian – Visiting Professor, American University Washington College of Law  
(Washington, D.C.)

Rick Mann – N/A (Needham, MA)

Lisa Manolius – N/A (San Francisco, CA)

Roger Manus – Director, Senior Law Clinic, Campbell University School of Law (Raleigh,  
NC)

Stanley J. Marcuss – Former Counsel to the U.S. Senate’s International Finance  
Subcommittee; former Senior Deputy Assistant Secretary in the U.S. Commerce  
Department; former partner, Milbank, Tweed, Hadley & McCloy; former Senior Fellow at  
Harvard’s Kennedy School; retired partner, Bryan Cave Leighton Paisner (, )

Donald Margolis – Senior Counsel, University of California (Oakland, CA)

Kate Margolis – Current counsel (Jackson, MS)

Zachary Margulis-Ohnuma – Law Office of Zachary Margulis-Ohnuma (Scarsdale, NY)

Robert Marino – Attorney (New York, NY)

Richard Mark – Former Assistant United States Attorney and Chief, Civil Division, SDNY  
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Jonathan Marshall – Former Common Pleas Court Judge (1988) (Columbus, OH)

Lori Martin – Former attorney (San Francisco, CA)

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Molly McClure – N/A (Inverness , CA)
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Robert McGarrah – Maryland Legal Aid (Bethesda, MD)
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Bruce Mohl – Justice, New Hampshire Superior Court, Retired; NH Deputy Attorney General (Meredith, NH)

Bruce Mohl – Retired Justice, New Hampshire Superior Court; Former Deputy Attorney General of New Hampshire (, )

Sadina Montani – N/A (Washington, D.C.)

Sandra Moody – N/A (Boston, MA)

carlos moreno – US District Court, Central District California (Ret.) (Los Angeles, CA)

Robert Gordon Mork – Attorney (Stavanger, Rogaland, Norway)

Alan Morrison – Associate Dean, George Washington University Law School (Washington, D.C.)

Eileen Morrison – Attorney (Newtonville, MA)

Kimberly Mossel – Attorney (Livonia, MI)

Ping Moy – Former GC and EVP, Lutheran Healthcare System; Former AUSA, SDNY (New York, NY)

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Timothy Nelson – Administrative Law Judge (Ret.) National Labor Relations Board (Piedmont, CA)
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Ryan Papir – Associate General Counsel, Trammo, Inc. (Scarsdale, NY)
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Michael Quinlan – Retired Attorney (Newtown, Pennsylvania)
Steven Ragland – Partner – Kecker, Van Nest & Peters LLP (San Francisco, CA)
Drucilla Ramey – Dean Emerita (San Francisco, CA)
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Roger Rice – N/A (Medford, MA)
Joe Rich – Section Chief, Department of Justice (Washington, D.C.)

Della Richardson – N/A (Brooklyn, NY)

Mark Richardson – Attorney (Wilmington, DE)

Kassie Richbourg – Attorney (Private Practice) (New Orleans, LA)

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Lauren Rikleen – President, Rikleen Institute for Strategic Leadership; Former president, Boston Bar Association (Wayland, MA)

Sander A. Rikleen – Partner, Sherin and Lodgen LLP (Boston, MA)

Roland Riopelle – SDNY Assistant US Attorney (New York, NY)

Ira Robbins – Professor of Law, American University Washington College of Law (Bethesda, MD)

Mary Maloney Roberts – Former General Counsel, Judicial Council of California, Administrative Office of the Courts (Oakland, CA)

Michelle Roberts – Counsel, Berliner Corcoran & Rowe (Washington DC, D.C.)

Keith Roberts – N/A (NY, NY)

Margaret Robinson – N/A (Syracuse, NY)

Estelle Rogers – N/A (Forestville, CA)

Jeffrey T. Rogg – Menominee County Prosecuting Attorney (Menominee, MI)

Joseph Rohr – Solo Practice (Baltimore, MD)

Alan Jay Rom – Rom Law P.C. (Chelmsford, MA)

Thomas Ronzetti – N/A (Miami, FL)

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Anthony Ross – Senior Associate (Los Angeles, CA)

Ezra Rosser – Professor of Law, American University Washington College of Law  
(Washington, D.C.)

David Rossman – Professor (Newton Hlds, MA)

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Sarah Sacks – Partner at Epstein Sacks PLLC, adjunct professor at Fordham University  
School of Law (New York, NY)

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Stephen Saia – Attorney (Pembroke, MA)

Stephen Saltzburg – Deputy Assistant Attorney General (Washington, D.C.)

Jill Saluck – Attorney (Westport, CT)

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Andrew Sampson – N/A (Santa Rosa, CA)

Gregory Sampson – Former Attorney (Buffalo, NY)

Diana Santiago – Senior Attorney (Braintree, MA)

Robert Saudek – Managing Partner, Morris, Manning & Martin (Atlanta, GA)



Diane Saunders – N/A (Pembroke, MA)
Diana Savit – Partner (Bethesda, MD)
Edward Scarvalone – (former) Assistant U.S. Attorney – SDNY (New York, NY)
Victor Schachter – Attorney (Portola Valley, CA)
Jennifer Schaffel – Attorney (Princeton Junction, NJ)
Lois Schiffer – Formerly Assistant Attorney General, Environment and Natural Resources Division, US DOJ (Washington, DC)
Kathy Schillreff – The Rev. Episcopal Priest (Naples, FL)
Andrew Schwartz – Partner (San Francisco, CA)
Steven Schwartz – Shatz, Schwartz and Fentin, PC (Chevy Chase, MD)
Robert Schwartz – JAGC, Army; White and Williams, retired (Bala Cynwyd, PA)
Stephen Seckler – Seckler Legal Recruiting and Coaching (Newton, MA)
Eric A. Seiff – Former Assistant District Attorney, New York County. former special District Attorney, Bronx County, N.Y. former Chairman of the New York State Commission of Investigation (New York, NY)
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Marilyn Tebor Shaw – Associate Judicial Administrator, Office of Judicial Administration, Office of the President, Cornell University (former; Associate General Counsel, National Gallery of Art (retired)) (Ithaca, NY)

Peter Sheehan – Executive Attorney Social Justice Law Project (Oakland, CA)

Jeri Shepherd – Attorney at Law (Greeley, CO)

Jeff Sherbakoff – Retired private practice (Santa Barbara, CA)

Sabrina Shroff – Public Defender (New York, NY)

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Greg Spaulding – Attorney, Partner (Santa Rosa, CA)
John Speicher – Shareholder at Leiswitz Heller PC (Wyomissing, PA)
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Michael Waldren – Attorney at Law (Long Beach, CA)
Sondra Stigen Wallace – Associate General Counsel for Legislation, US Department of Health and Human Services (retired) (South Thomaston, ME)
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Les Wallerstein – N/A (Lexington, MA)
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Kathryn Werdegar – Associate Justice of the California Supreme Court (Ret.) (Ross, CA)
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Barry White – Ambassador (Newton, MA)

Sharon Goddard White – White White & Van Etten PC (Boston, MA)
Mary Allen Wilkes – Assistant District Attorney, Middlesex County (Cambridge, MA)
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Peter Zeidenberg – Former Deputy Special Counsel & Trial Attorney (Bethesda, MD)
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General Inquiries: [hello@lawyersdefendingdemocracy.org](mailto:hello@lawyersdefendingdemocracy.org)

Press Inquires: [press@lawyersdefendingdemoracy.org](mailto:press@lawyersdefendingdemoracy.org)

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