

Requests to the Governor's office to file in out-of-state cases and join amicus briefs

Note: Date indicates the date of the email sent to Sam Langholz

5/6: State of N.Y. v. EPA (U.S. Southern District of N.Y.) Lawsuit to challenge a final agency policy under which EPA will not enforce a wide range of monitoring and reporting requirements under federal environmental laws in response to the COVID-19 pandemic. **DECLINED**

5/6: State of N.Y. v. EPA (D.C. Circuit). Petition to challenge Refrigerant Management Rule under the Clean Air Act. **DECLINED**

4/29: Amicus Brief in Mayor & City Council of Baltimore v. Azar (Fourth Circuit). In support of city's challenge of a rule that bars Title X family planning grantees from providing or referring patients for abortion. **DECLINED**

4/5: Amicus Brief in Chiafalo v. Washington; Colorado v. Baca (U.S. Supreme Court). In support of states' arguments to bind presidential electors to the state's popular vote. **CONSENTED**

4/3: Amicus Brief in Trump v. Pennsylvania/ Little Sisters of the Poor v. Pennsylvania (U.S. Supreme Court). In support of Pennsylvania and New Jersey's challenge of rules that authorize exemptions to Affordable Care Act's birth-control mandate. **DECLINED**

4/3: California v. EPA (D.C. Circuit). Lawsuit to oppose the Safer Affordable Fuel-Efficient (SAFE) rule, a proposal to roll back the greenhouse gas emissions and fuel economy standards for model year 2021-2026 passenger cars and light trucks. **DECLINED**

3/27: Amicus Brief in State of Arizona ex rel. Brnovich v. Board of Regents (Arizona Supreme Court). To join current and former attorneys general in supporting the powers of the Arizona attorney general to represent the state as chief legal officer and sue the regents over a tuition

increase. **DEFERRED** (Governor did not see this as requiring her approval and did not object, as the brief was by current and former AGs, not states.)

3/27: Amicus Brief in Ford Motor Co. v. Montana Eighth Judicial District and Ford Motor Co. v. Bandemer (U.S. Supreme Court). In support of rulings by Montana and Minnesota Supreme Courts over whether a state court may exercise specific personal jurisdiction over a non-resident corporation that marketed its product in the state, but where those contacts did not cause the plaintiff's claims. **CONSENTED**

2/27: Amicus Brief in National Pork Producers Council v. Ross (District Court for Southern District of California). In support of the plaintiffs' challenge to California's Proposition 12, which bans the sale of veal, pork, and eggs from animals not raised in accordance with that state's animal-confinement regulations. **CONSENTED**

2/27: Amicus Brief in Trump v. Vance (U.S. Supreme Court) . In support of respondent over whether a grand-jury subpoena served on a custodian of the president's personal records violates Article II and the Supremacy Clause of the Constitution. **DECLINED**

2/25: Amicus Brief in Barr v. American Association of Political Consultants. (U.S. Supreme Court) In support of the federal ban on robocalls. **CONSENTED**

2/24: Amicus Brief Supporting Plaintiffs in U.T. v Barr (D.C. District Court) In support of plaintiffs' motion for summary judgment against a rule barring humanitarian relief for asylum seekers from Northern Triangle countries. **DECLINED**

2/24: Amicus Brief in Rutledge v. Pharmaceutical Care Management Association (U.S. Supreme Court). In support of the plaintiff supporting Arkansas's statute regulating drug-reimbursement rates set by pharmacy benefit managers, which is similar to laws enacted by a substantial majority of the states. **CONSENTED**

2/14: Amicus Brief in Preterm-Cleveland v. Himes (Sixth Circuit) In support of plaintiff in challenge to Ohio law prohibiting abortions with prenatal diagnosis of Down syndrome. **DECLINED**

2/4: Amicus brief in Al Otro Lato v. Wolf (Ninth Circuit) In support of preliminary injunction blocking Homeland Security from applying the Third Country Transit Rule to asylum seekers who made a claim before July 16, 2019. **DECLINED**

2/2: Amicus Brief in MRNY v. Pompeo (Southern District of NY) In support of preliminary injunction to block new rules to deny green cards and visas to immigrants who are likely to use government assistance programs in the future. **DECLINED**

2/2: Amicus Brief in John Doe #1 v. Trump (Ninth Circuit) In support of preliminary injunction blocking a presidential proclamation barring immigrants from receiving visas unless they will be covered by health insurance. **DECLINED**

1/27: Amicus brief in FTC v. Credit Bureau Center (Cert. petition for U.S. Supreme Court). Whether Section 13(b) of the FTC Act authorizes district courts to enter an injunction that orders that the defendants return unlawfully obtained funds to victims. **CONSENTED**

1/17: Amicus brief in Planned Parenthood v Parson (Eighth circuit) In support of overturning Missouri law that makes it a crime to perform an abortion at or after 8, 14, 18, or 20 weeks of pregnancy. **DECLINED**

1/17: Amicus Memo in Seila Law v. CFPB (U.S. Supreme Court). In support of the respondent, over whether vesting of substantial executive authority in the Consumer Financial Protection Bureau violates the separation of powers. **DECLINED**

1/15: Amicus Brief in Liu v. SEC. (U.S. Supreme Court). In support of the respondent and appeals court ruling holding that the Securities and Exchange Commission possesses the authority in civil actions to seek disgorgement of money acquired through fraud. **DECLINED**

1/13: Amicus Brief in Lomax v. Ortiz-Marquez (U.S. Supreme Court). In support of respondent, arguing that a dismissal without prejudice for failure to state a claim counts as a strike under the federal law allowing in forma pauperis lawsuits by prisoners. **CONSENTED**

1/13: Amicus brief in Allegheny Defense Project v FERC (D.C. Circuit). In support of petitioner, arguing that FERC's practice of issuing tolling orders, thereby forestalling judicial review while pipeline construction gets under way, violates the Due Process Clause. **DECLINED**

12/30: Amicus Brief in Little Rock Family Planning Services v. Rutledge (Eighth Circuit). In support of plaintiffs to overturn Arkansas abortion bans. **DECLINED**

12/19: Amicus Brief in Saget v. Trump (Second Circuit). In support of plaintiffs to oppose terminating temporary protective status for Haitians. **DECLINED**

12/16: Amicus Brief in Massachusetts v. Nuclear Regulatory Commission (D.C. Circuit). In support of petitioner to stay NRC's decision in the decommissioning of a power plant. **CONSENTED**

12/10: Amicus Brief in Organic Trade Association v. USDA (D.C. District Court). In support of defendants' motion for summary judgment and decision to withdraw the Organic Livestock and Poultry Practices Rule before it took effect. **CONSENTED**

12/9: Transportation Workers v. Federal Railroad Administration (Ninth Circuit) In support of the petitioners in four consolidated cases related to train crew staffing requirements and the preemption of state safety standards. **DECLINED**

12/9: State of Washington et. al. v. U.S. Department of State. (U.S. Western District of Washington) Multistate lawsuit seeking declaratory and injunctive relief to halt rules deregulating 3-D printed guns. **DECLINED**

12/9: Amicus brief in Impax v. FTC (Fifth Circuit) In support of the respondent's decision regarding "pay-for-delay" agreements between brand drug companies and generic rivals. **CONSENTED**

12/9: Amicus brief in Brackeen v. Bernhardt (Fifth Circuit). In support of defendants to preserve the Indian Child Welfare Act in regard to adoptions. **CONSENTED**

11/19: Amicus brief in Weingarten v. U.S. Department of Education (D.C. District Court) In support of student borrower plaintiffs who allege that errors led to denials under the Public Service Loan Forgiveness law. **DECLINED**

11/18: Amicus brief in Grimm v. Gloucester County School Board (Fourth Circuit). In support of plaintiff alleging discrimination over school's policy denying transgender students access to common restrooms. **DECLINED**

11/13: Amicus brief in Minnesota v. CenturyLink. (U.S. District Court in Minnesota). In support of the Minnesota attorney general and against CenturyLink's argument that a state attorney general cannot pursue restitution against a defendant once private litigants settle their claims against the same defendant. **CONSENTED**

10/11: Amicus brief in Regents of the University of Minnesota v. LSI Corp. (Cert. petition for U.S. Supreme Court) In support of the Regents over whether *inter partes* review proceedings challenging a patent's validity brought by private respondents against a state university or government are barred by sovereign immunity. **CONSENTED**

10/2: Amicus brief in East Bay Sanctuary Covenant v. Barr (Ninth Circuit) In support of preliminary injunction enjoining rule that, with limited exceptions, bars asylum to any applicant

who transited through a third country but did not apply for and fail to obtain humanitarian protection there. **DECLINED**

10/2: Amicus brief in State of Vermont v. Max B. Misch (Vermont Supreme Court) In support of restrictions on large-capacity ammunition magazines. **DECLINED**

10/1: Amicus brief in Jackson Women's Health Organization v. Dobbs (Fifth Circuit) In support of overturning Mississippi law making it a criminal offense to perform an abortion if a “fetal heartbeat” is detected, thereby banning abortions beginning at approximately 6 weeks of pregnancy. **DECLINED**

10/1: First Amended Complaint in California v. Elaine Chao (D.C. District Court) In support of California’s challenge to NHTSA preemption regulation on greenhouse emission standards for cars and zero emission vehicles. **DECLINED**

9/12: Amicus brief in EMW Women's Surgical Center v. Meier (U.S. Sixth Circuit) In support of overturning Kentucky statute that prohibits physicians from providing second-trimester abortion services. **DECLINED**

9/11: Amicus brief in North Dakota v. Purdue Pharma. (North Dakota Supreme Court) In support of North Dakota’s appeal of summary judgment in opioid lawsuit. **CONSENTED**

8/27: Amicus brief in Pennsylvania v. Navient. (U.S. Third Circuit) Defending the states’ vital ability to enforce state and federal consumer protection laws against student loan servicers. **CONSENTED** [Press release](#)

8/18: Amicus brief in Whole Woman's Health Alliance v. Hill. (U.S. Seventh Circuit) In support of overturning Indiana’s abortion law. **DECLINED**

8/15: Amicus brief in Make the Road New York, et al. v. McAleenan. (D.C. District Court) Re: Expedited removal process for immigrants. **DECLINED**

8/8: Amicus brief in *N.Y. State Rifle & Pistol Ass'n v. City of N.Y.*, (U.S. Supreme Court) Re: Transportation of firearms. **DECLINED**

7/25: Amicus brief in *Grace v. Barr* (D.C. Circuit) Re: asylum protections. **DECLINED**

7/16: As plaintiff in *New York v. EPA*. (D.C. Circuit) Re: EPA's ACE Rule, which repeals the Clean Power Plan. **DECLINED**

7/16: Amicus brief in *Union of Concerned Scientists v. Wheeler* (U.S. First Circuit) Re: EPA's restrictions on who can serve on its science advisory boards. **DECLINED**

7/15: Amicus brief in *Duncan v. Becerra* (U.S. Ninth Circuit) Re: California's law banning possession of large capacity magazines. **DECLINED**

7/5: Amicus brief in *Flores v. Barr* (U.S. Central District of California): Re: Flores Settlement Agreement and health and safety standards for the facilities in which immigrant children are confined. **DECLINED**

7/3: Petition and consent decree, *U.S. DOJ v. Lehigh Cement Co.* (Eastern District of Pennsylvania) Re: settlement for alleged air pollution violations. **CONSENTED**

7/3: Amicus brief in *Mueller v. City of Joliet* (U.S. Seventh Circuit) Re: coverage under Uniformed Services Employment and Reemployment Rights Act for National Guard duty. **CONSENTED**

6/14: Complaint and multistate settlement with Endo (Northern District of California) Re: alleged anticompetitive conduct (pay-for-delay agreements) for the purpose and effect of obstructing generic competition for the branded drug Lidoderm. **CONSENTED**

6/11: Amicus briefs in *Bostock v. Clayton County, Ga.*; *Altitude Express, Inc. v. Zarda*; and *R.G. & G.R. Harris Funeral Homes, Inc. v. Equal Opportunity Employment Comm'n* (U.S. Supreme

Court) Re: whether Title VII prohibits employment discrimination on the basis of sexual orientation or gender identity. **DECLINED**

Forwarded, but consent not requested

2/28: Amicus Brief in InterVarsity Christian Fellowship v. University of Iowa (Eighth Circuit). In support of petitioner arguing that university violated InterVarsity's First Amendment rights.

2/28: Amicus Brief in Skipper v. Byrd (Cert. petition for U.S. Supreme Court). In support of petitioner to reverse ruling that Sixth Amendment guarantees a right to an attorney's help in obtaining a plea offer. (Iowa has already extended the right to counsel beyond the confines of the Sixth Amendment for state rules and state constitutional provisions.)

2/28: Amicus Brief in New Hampshire v. Barr (First Circuit). In support of petitioner over whether the Wire Act applies to non-sports gambling.

2/2: Amicus brief in Re: National Prescription Opiate Litigation (Sixth Circuit). In support of reversing the District Court's certification of a "negotiation class."

2/2: amicus brief in Our Lady of Guadalupe School v. Morrissey-Berru (Ninth Circuit) Whether the Religion Clauses prevent civil courts from adjudicating employment discrimination claims brought by an employee against her religious employer, where the employee carried out important religious functions.

1/13: Amicus Brief in U.S. Forest Service v. Cowpasture River Ass'n (U.S. Supreme Court) - in support of respondents, arguing that the Forest Service does not have statutory authority under the Mineral Leasing Act to grant a gas pipeline right-of-way across the Appalachian National Scenic Trail.

1/13: Amicus Brief in *Jacobson v. Florida Secretary of State* (11th Circuit) In support of appellants over the order of candidates on general election ballots.

12/31: Amicus Brief in *Brackeen v. Bernhardt* (Fifth Circuit) In support of plaintiffs to uphold ruling concerning adoptions under Indian Child Welfare Act.

12/19: Amicus Brief in *Yost v. Planned Parenthood Sw. Ohio Region* (Cert. petition for U.S. Supreme Court). In support of petitioners over whether a plaintiff who wins a preliminary injunction but never a merits judgment can seek attorney's fees from state officials.

12/16: Amicus Brief in *Hardeman v. Monsanto Company* (Ninth Circuit). In support of defendant over lower court's ruling allowing expert opinions in glyphosate case.

11/15: Amicus Brief in *Colorado v. Baca* (cert. petition for U.S. Supreme Court). In support of petitioner's argument that states can require its presidential electors to follow the state's popular vote when casting electoral-college ballots.

11/4: Amicus Brief in *Espinoza v. Montana Department of Revenue* (U.S. Supreme Court). In support of respondents and state no-aid provisions that address funding for religious schools.

10/29: Amicus brief in *McKinney v. Arizona* (U.S. Supreme Court) In support of Arizona in an appeal over a death-penalty case.

10/24: Amicus Brief in *Banister v. Davis* (U.S. Supreme Court) In support of respondent (Texas) in federal post-conviction habeas case.

10/22: Amicus Brief in *National Women's Law Center v. OMB* (D.C. Circuit). In support of appellees in lawsuit over equal pay data collection initiative.

9/30: Amicus Brief of Ohio (U.S. Sixth Circuit) Re: National Prescription Opiate Litigation

9/23: Amicus Brief in California Trout v. Hoopa Valley Tribe (D.C. Circuit) Re: Whether Oregon and California waived their authority under the Clean Water Act to issue water quality certification for a hydroelectric dam.

9/23: Amicus Brief in Our Lady Of Guadalupe School v. Agnes Morrissey-Berru (Ninth Circuit) Re: Whether the Religion Clauses prevent civil courts from adjudicating employment discrimination claims brought by an employee against her religious employer, where the employee carried out important religious functions.

9/16: Amicus Brief in City of Boise v. Martin (cert. petition for U.S. Supreme Court) Re: whether city's ordinances that regulate camping and disorderly conduct violate the 8th Amendment.

9/13: Amicus Brief in Espinoza v. Montana Department of Revenue. (cert. petition for U.S. Supreme Court) Re: Does it violate the Religion Clauses or Equal Protection Clause to invalidate a generally available and religiously neutral student-aid program because the program affords students the choice of attending religious schools?

9/10: Amicus Brief in Arizona v. Sackler (U.S. Supreme Court) Re: in support of Arizona's motion for leave to file bill of complaint in opioid case

9/2: Amicus brief in Moda Health Plan v. United States. (U.S. Supreme Court) Re: Is the federal government required to make the "risk corridor" payments to insurers that Congress mandated in the Affordable Care Act?

8/5: Amicus brief in Kell v. Benzon (cert. petition for U.S. Supreme Court) Re: appeals on stays of habeas proceedings.

8/2: Amicus brief in Kahler v. Kansas (U.S. Supreme Court) Re: Whether the Eighth and 14th Amendments permit a state to abolish the insanity defense.

7/19: Amicus brief in Tennessee v. Lindenberg (cert. petition for U.S. Supreme Court)
Re: statutory cap on punitive damages.

7/3: Amicus brief in U.S. v. Safehouse (U.S. Eastern District of Pennsylvania) Re: Medically supervised consumption sites for opioid users.

7/1: Amicus brief in Stromberg v. Qualcomm (U.S. Ninth Circuit) Re: indirect purchaser damages lawsuits

6/18: Amicus brief in Guerin v. Fowler (cert. petition for U.S. Supreme Court) Re: State employees' right to daily interest on retirement accounts.