

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JENNER & BLOCK LLP, :
 :
 Plaintiff, :
 :
 v. : **Case No. 1:25-cv-00916-JDB**
 :
 U.S. DEPARTMENT OF JUSTICE, et al., :
 :
 Defendants. :

**CONSENT MOTION FOR LEAVE TO FILE BRIEF OF AMICUS CURIAE
INTERNATIONAL ACADEMY OF TRIAL LAWYERS IN SUPPORT OF PLAINTIFF**

The International Academy of Trial Lawyers ("Academy"), by and through undersigned counsel, respectfully moves this Court for leave to file the attached amicus curiae brief in support of Plaintiff Jenner & Block.

The Academy is an organization of elite trial lawyers from the United States and abroad, dedicated to administering justice and preserving the adversary system. The Academy's membership includes a balanced group of plaintiff and defense lawyers, prosecutors, public defenders, and judges, reflecting a broad and bipartisan commitment to the Rule of Law.

As outlined in the attached brief, the Academy believes the Executive Order at issue represents a profound threat to the independence of the legal profession and the constitutional right to counsel. This is just the latest in a series of attacks against law firms disfavored by the administration because of the nature of the litigation they pursue. The Academy's Executive Board unanimously authorized the filing of this brief to express its deep concern about the chilling effect of government retaliation against law firms that represent clients in litigation against the Executive Branch.

This moment echoes others in our nation's history when lawyers who took on unpopular civil rights cases were vilified at the time but later recognized as defenders of constitutional principles. Courts—and history—have consistently affirmed that such advocacy strengthens our democracy. The Academy stands proudly in that tradition.

The Academy respectfully submits that its perspective, grounded in decades of trial experience and institutional commitment to the Rule of Law, will assist the Court in evaluating the broader implications of the Executive Order challenged in this case.

Counsel for Plaintiff and Defendant have consented to the filing of this amicus brief.

The International Academy of Trial Lawyers respectfully requests that the Court grant leave to file the attached amicus curiae brief.

Dated: April 11, 2025

Respectfully submitted,

/s/ Patrick M. Regan

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**BRIEF OF AMICUS CURIAE INTERNATIONAL ACADEMY
OF TRIAL LAWYERS IN SUPPORT OF PLAINTIFF**

The International Academy of Trial Lawyers ("Academy") respectfully submits this brief as amicus curiae in support of Plaintiff Jenner & Block's challenge to the Executive Order issued by the Executive Branch.

INTEREST OF AMICUS CURIAE

The Academy is a group of elite trial lawyers from the United States and abroad, dedicated to administering justice and the Rule of Law. Its membership comprises an equal balance of plaintiff and defense lawyers, public defenders, prosecutors, and judiciary members. The Academy is committed to the principle that every person and institution—no matter how unpopular—is entitled to legal representation free from retaliation.

The Executive Board of the Academy unanimously authorized the filing of this amicus brief to express its grave concern over the March 25, 2025 Executive Order (The "Order")—titled "Addressing Risks from Jenner & Block," which imposes severe penalties on a law firm based solely on its representation of clients engaged in litigation against the government. Such executive action threatens the independence of the legal

profession, the adversarial system, and the constitutional guarantees of due process and access to the courts.

ARGUMENT

I. The Executive Order Is an Unprecedented Attack on the Independence of the Legal Profession

The Executive Order penalizes Jenner & Block for the nature of its client representations, including litigation that challenges government policies. Such retaliatory action by the Executive Branch—against a firm because of its advocacy—represents a direct threat to the Rule of Law. It undermines the principle that lawyers must be free to advocate for their clients without fear of government retribution.

II. This Retaliation Chills Advocacy and Violates the Constitution

The Executive Order chills constitutionally protected legal advocacy by targeting a firm based on who it represents and what arguments it advances in court. It violates the First Amendment right to petition the government for redress and the Fifth Amendment's due process protections. It also strikes at the integrity of the adversarial system, which depends on lawyers' ability to zealously represent clients regardless of political consequences.

III. History Has Vindicated Lawyers Who Took Unpopular Positions Against the Government

Throughout American history, lawyers representing unpopular clients have played a critical role in shaping constitutional law and advancing justice. Lawyers who defended civil rights activists during segregation, Japanese Americans interned during World War II, and targets of McCarthy-era investigations were often vilified in their time.

But courts—and history—have consistently affirmed that their advocacy strengthened American democracy. The Academy views the current moment through that same lens

IV. The Judiciary Must Stand as a Bulwark Against Executive Overreach

The courts have long been guardians of constitutional principles when other branches overstep. This case presents such a moment. The Academy urges this Court to enjoin enforcement of the Order, reaffirming that lawyers must be free to represent clients without fear of political retribution. Anything less risks eroding the independence of the legal profession and the Rule of Law itself.

CONCLUSION

The International Academy of Trial Lawyers respectfully urges this Court to grant the Plaintiff's motion and enjoin the Executive Order's enforcement.

Dated: April 11, 2025

Respectfully submitted,

/s/ Patrick M. Regan

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[PROPOSED] ORDER

The Consent Motion of the International Academy of Trial Lawyers for Leave to File an Amicus Brief in Support of Plaintiff's Motion for Summary Judgment and for Declaratory Relief is hereby **GRANTED**.

Dated: _____

Hon. John D. Bates