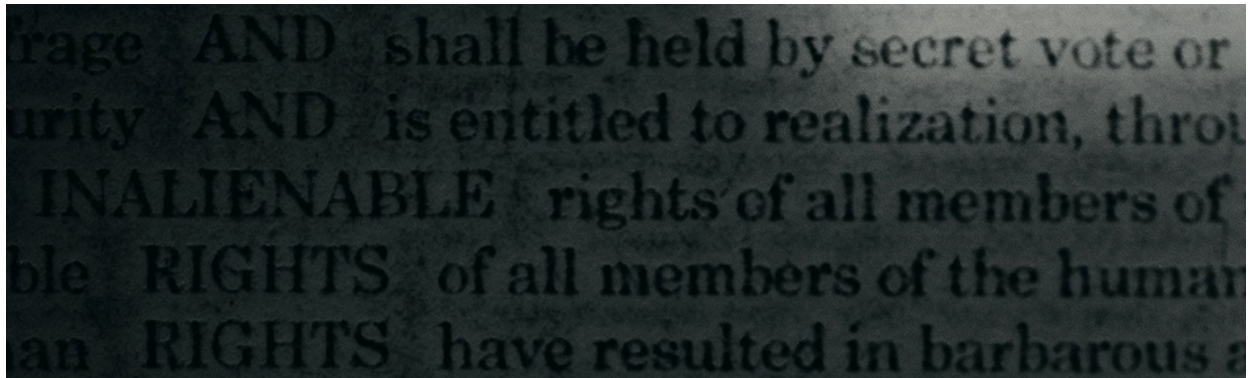


Public Interest and Pro Bono



From our inception, we have put public interest and pro bono work at the heart of our values, believing resolutely that we could be both high-achieving, leave-it-all-on-the-floor commercial litigators and fierce advocates on the issues that shape our society. We are committed to practicing law to make a difference, whether by working in communities where good legal representation is in short supply, taking on pro bono individual and class representations, providing meaningful support for existing organizations, or by partnering with federal and state justice officials to identify cases that might benefit from our expertise through public-private partnerships.

Outstanding Firm for Pro Bono

We were named the leading pro bono firm of 2022 by *Chambers*, won the publication’s “2023 Pro Bono Lawyer of the Year” for evacuating nearly 500 girls and their families from Taliban-controlled Afghanistan, and are currently shortlisted again by *Chambers* for “2024 Pro Bono Firm of the Year.” In December, *Bloomberg Law* named us to its 2023 list of “Pro Bono Innovators.”

Our attorneys averaged 151 pro bono hours in 2023 – significantly higher than the industry average of 54, according to *The American Lawyer* 2023 Pro Bono Scorecard.

Some of our recent pro bono work includes:

- Representing, alongside the Legal Aid Society and the New York Civil Liberties Union, 11 protestors and journalists wrongfully arrested and beaten at the protests that occurred throughout New York City following the death of George Floyd.

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Working with The Legal Aid Society and Legal Services NYC – and alongside the New York State Attorney General’s Office and the New York City Law Department – we secured multiple dismissals of constitutional challenges by several landlord groups to New York City’s rent-stabilization regime, which protects tenants in about a million apartments (half the city’s rental housing stock) and tens of thousands of apartments across the state. After winning dismissals of five suits on the pleadings, Selendy Gay and its co-counsel defended those decisions on appeal before the Second Circuit, which has now affirmed the district courts’ decisions in all five cases. In the first three cases, the Supreme Court denied the landlords’ petitions for certiorari.

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Aided Afghan refugees in escaping the Taliban and resettling in Canada. Co-led by Jennifer Selendy, 30 Birds Foundation is an organization that helped evacuate Afghan girls and their

families. The organization has successfully relocated over 500 people to safety and now provides resources and counseling to the women in Canada to help them achieve their full potential.

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Representing the authors of “And Tango Makes Three” in a First Amendment case involving the removal and restriction of their widely lauded children’s book in multiple Florida school districts. The book conveys healthy and loving same-sex relationships and families with same-sex parents.

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Representing eight Capitol Police Officers who were on duty during the January 6 riots in a case that goes to the core of the peaceful transition of power in our democracy.

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Representing Dr. Justin Phillips, a professor of political science at Columbia University, in suing the U.S. Census Bureau in New York Federal Court for the release of data he and his team need to evaluate potential distortions in the 2020 Census. Dr. Phillips has raised concerns that the Bureau’s method for safeguarding census data may inadvertently be introducing bias into the data by shrinking denser – and typically more diverse – population centers.

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Represented Vote Solar, a solar energy advocacy group, before the State of Utah Public Service Commission to determine the value of solar energy in the state’s net metering program. We also litigated against Rocky Mountain Power in its attempt to end net metering in Utah.

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Represented a group of the Sandy Hook Elementary School shooting victims’ families, in Alabama Bankruptcy Court, seeking to preserve claims brought against Remington Outdoor Co. in its chapter 11 bankruptcy filing.

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Represented Garden State Equality, the largest civil rights organization in New Jersey, in defending New Jersey’s ban on so-called “conversion therapy” from First Amendment challenge. After obtaining summary judgment in the District of New Jersey, we argued the case in the Third Circuit, obtaining a unanimous panel decision affirming the law, which remains on the books.

Some of our recent amici briefs include:

- Filed an amicus brief before the U.S. Supreme Court on behalf of former Republican members of Congress in *Trump v. Anderson, et. al.* The brief argues in support of the Colorado Supreme Court’s decision that former President Trump violated his oath of office and engaged in an insurrection against the Constitution, therefore disqualifying him from federal office.

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Filed an amicus brief before the U.S. Supreme Court in *Trump v. United States* on behalf of 43 former officials who worked in numerous administrations from former Presidents Nixon to Trump; officials in the White House and Departments of Justice, Homeland Security, and Defense; former members of Congress; and others who support a strong Presidency. The brief argues against immunity from criminal prosecution for former President Trump for his alleged conduct during his tenure in office.

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Filed an amicus brief on behalf of 65 organizations in support of the U.S. National Women’s Soccer Team which, despite its monumental successes, was being paid at substantially lower rates than its men’s counterpart. The team won a \$24 million pay discrimination settlement.

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Authored an amicus brief on behalf of Constitutional scholar and former Harvard Law School Dean, Martha Minow, on the history of *Brown v. Board of Education*. In a monumental ruling, relying closely on the analysis proffered in our brief, the Sixth Circuit recognized for the first time in our nation's history an explicit fundamental right to a minimally adequate education under the Due Process Clause of the U.S. Constitution.

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Authored an amicus brief on behalf of the Korematsu Center and other Asian-American civil rights organizations in support of a U.S. citizen challenging the denial of a visa application for her husband based on the doctrine of consular nonreviewability. The brief shows how that doctrine is a constitutional aberration born of overt anti-Asian racism and urges the court to continue to distance the U.S. from this harmful history.

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Filed an amicus brief on behalf of the National Academy of Education that urges the U.S. Supreme Court to preserve race-conscious admissions policies at colleges and universities, arguing it is the best and currently only way to ensure a racially diverse student body and in the best interest of universities and society at large.

Protecting the Public Interest

In addition to our pro bono work, our lawyers have developed a strong track record of protecting the public interest through cases that represent our values, including:

- Representing the Florida teachers' unions and a university professor, who are all members of the American Federation of Teachers (AFT), in a current challenge to Florida's recent anti-union legislation limiting university professors' ability to arbitrate the denial of tenure and other negative employment decisions.

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Represented the American Federation of Teachers (AFT) as co-counsel with Stroock in successfully defending against a motion to dismiss AFT's constitutional challenge to New Hampshire's so-called "divisive concepts" law. The district court recognized that the offending law required public school teachers to choose between existing educational mandates or those established by the new, censorious law. AFT's claims that the new law violates the First Amendment and is void for vagueness survived dismissal and will go forward. AFT's case has been consolidated with a parallel case brought by the American Civil Liberties Union of New Hampshire.

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Represented public service workers, members of the American Federation of Teachers (AFT) union, in a settlement of a nationwide class action lawsuit with Navient, one of the nation's largest student loan servicers, challenging Navient's practices with respect to advising federal student loan borrowers on Public Service Loan Forgiveness (PSLF). We secured approval of a novel class settlement under which Navient agreed, among other things, to forgive the loans of all named plaintiffs, enhance its service to public service workers (teachers, nurses, Legal Aid workers, firemen and policemen, for example), and contribute millions to a nonprofit organization that provides education and student loan counseling to public service workers.

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Represented the American Federation of Teachers, President Randi Weingarten, and eight individual AFT member plaintiffs in litigation that resulted in a landmark settlement with the U.S. Department of Education following the prior administration's failure to properly implement the PSLF program. The agreement promised significant overhauls of the Department's administration of the PSLF program and discharged the full remaining loan balances of the eight individual plaintiffs.

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Representing Drivetrain as trustee for the Commonwealth Avoidance Actions Trust, seeking, among other things, recovery of hundreds of millions of dollars of underwriting fees and swap termination fees from 13 major Wall Street banks for their role in deepening Puerto Rico's debt crisis.

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Represented the Federal Housing Finance Agency in a one-month securities fraud trial in the Southern District of New York, successfully obtaining over \$800 million for U.S. taxpayers. The court's 361-page decision shone a harsh spotlight on industry-standard practices in the period leading to the Great Recession, holding that "the magnitude of falsity, conservatively estimated, was enormous." The judgment was unanimously affirmed by the Second Circuit, and the Supreme Court of the United States denied certiorari.