

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

PERKINS COIE LLP,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE, *et. al.*,

Defendants.

Civil Action No. 25-716 (BAH)

**BRIEF OF *AMICI CURIAE* 504 LAW FIRMS IN SUPPORT OF PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT AND FOR DECLARATORY AND
PERMANENT INJUNCTION**

Nathan P. Eimer (*pro hac vice forthcoming*)
EIMER STAHL LLP
224 South Michigan Avenue, Suite 1100
Chicago, IL 60604
Telephone: (312) 660-7600
Fax: (312) 692-1718
neimer@eimerstahl.com

Donald B. Verrilli, Jr. (D.C. Bar. No. 420434)
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Ave. NW, Suite 500E
Washington, D.C. 20001-5369
Telephone: (202) 220-1100
Fax: (202) 220-2300
Donald.Verilli@mto.com

Counsel for Amici Curiae

CORPORATE DISCLOSURE STATEMENT

Amici curiae are law firms and legal corporations. They have no parent corporations and do not issue stock.

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INTEREST OF AMICI CURIAE¹

This *amicus* brief is filed on behalf of many of this Nation’s leading law firms.²

Although we do not take this step lightly, our abiding commitment to preserving the integrity of the American legal system leaves us no choice but to join together to oppose the March 6, 2025 Executive Order entitled “Addressing Risks from Perkins Coie LLP” (the “Executive Order”) that is at issue in this litigation. The Executive Order (which is now subject to a temporary restraining order) should be permanently enjoined as a violation of core First, Fifth, and Sixth Amendment guarantees, as well as bedrock separation-of-powers principles.

But something even more fundamental is at stake. In recent weeks, the President has issued not one but *five* executive orders imposing punitive sanctions on leading law firms in undisguised retaliation for representations that the firm, or its former partners, have undertaken, and more may be in the offing.³ Those Orders pose a grave threat to our system of constitutional governance and to the rule of law itself. The judiciary should act with resolve—now—to ensure that this abuse of executive power ceases. Cf. *Cooper v. Aaron*, 358 U.S. 1 (1958).

¹ In accordance with Federal Rule of Appellate Procedure 29(a)(4)(E), *amici* certify that (1) this brief was authored entirely by counsel for *amici curiae* and not by counsel for any party, in whole or part; (2) no party or counsel for any party contributed money to fund preparing or submitting this brief; and (3) apart from counsel for *amici curiae*, no other person contributed money to fund preparing or submitting this brief.

² The individual *amici* are described in Appendix A.

³ See Addressing Risks from WilmerHale, The White House (Mar. 28, 2025) (“WilmerHale Order”), <https://tinyurl.com/4m8a79jn>; Addressing Risks from Jenner & Block, The White House (Mar. 25, 2025) (“Jenner Order”), <https://tinyurl.com/u7ts9x49>; Addressing Risks from Paul Weiss, The White House (Mar. 14, 2025) (“Paul Weiss Order”), <https://tinyurl.com/5w4j69fv>; Suspension of Security Clearances and Evaluation of Government Contracts (Feb. 25, 2025), <https://tinyurl.com/3yxdmfp>.

ARGUMENT

1. The Executive Order at issue in this case, and the others like it, take direct aim at several of the Nation’s leading law firms and seek to cow every other firm, large and small, into submission. On the basis of almost-decade-old allegations, the Executive Order subjects an entire firm, as well as its clients and personnel, to draconian punishment—including the revocation of its attorneys’ security clearances, the potential loss of clients that contract with the United States, and denial of access to federal buildings and facilities. Such disabilities would threaten the survival of any law firm.

2. The looming threat posed by the Executive Order at issue in this case and the others like it is not lost on anyone practicing law in this country today: any controversial representation challenging actions of the current administration (or even causes it disfavours) now brings with it the risk of devastating retaliation. Whatever short-term advantage an administration may gain from exercising power in this way, the rule of law cannot long endure in the climate of fear that such actions create. Our adversarial system depends upon zealous advocates litigating each side of a case with equal vigor; that is how impartial judges arrive at just, informed decisions that vindicate the rule of law. See *Legal Services Corp. v. Velazquez*, 531 U.S. 533, 545 (2001) (“An informed, independent judiciary presumes an informed, independent bar.”). In the same vein, it is a deeply held principle of the legal profession that everyone, no matter their actions or beliefs, is entitled to zealous advocacy on their behalf. See *Martinez v. Ryan*, 566 U.S. 1, 12 (2012) (“[T]he right to counsel is the foundation for our adversary system”). The principle is so deeply ingrained that lawyers—going back to John Adams’ defense of eight British soldiers who perpetrated the Boston Massacre of 1770—consider it a core part of their professional obligation to take on representation of clients with whom they disagree, even vehemently. Indeed, the

“courage” of attorneys who take on unpopular clients has long “made lawyerdom proud.”
Sacher v. United States, 343 U.S. 1, 4 (1952).

The work done by *amici*, and other firms like them, is indispensable to the success of our system. Many advocate for the interests of the Nation’s leading business and financial institutions, which depend on the stability of the rule of law in order to thrive economically. Others advocate for the interests of small businesses, nonprofit organizations, consumers, workers and other individuals, and likewise depend on the impartial administration of justice to advance their clients’ objectives. Individuals at these firms hold a wide range of political, social and economic views—even with respect to the representations attacked in the executive orders. But despite those differences *amici* are united in their support for the integrity of the adversarial system and the rule of law.

3. The role of *amici* and firms like them is particularly important when a law firm represents a client challenging the actions of a president or his administration, Republican or Democratic. Checking federal government overreach, whether it be infringements on religious liberty, assaults on the freedom of the press, or burdensome regulation, is a vital part of what *amici* and others like them are called to do. By definition, such litigation brings lawyers into conflict with the policies and objectives of the Executive Branch.

Since this Court entered its Temporary Restraining Order, the Administration has redoubled its threats of retaliation against the legal profession. In that regard, the express targeting of law firm pro bono efforts in the three most recent executive orders—which attack those firms’ pro bono representations as “activities that make our communities less safe, increase burdens on local businesses, limit constitutional freedoms, and degrade the quality of American elections”—is cause for particularly acute concern. Paul Weiss Order, § 1. For our system of

justice to operate, members of the bar must be free to advocate zealously for all their clients, large and small, rich and poor, without fear of retribution. They must be free, in the words of Chief Justice Marshall, to defend “the right of every individual to claim the protection of the laws.” *Marbury v. Madison*, 5 U.S. 137, 163 (1803). Without such zealous advocacy, there is no prospect of equal justice under law.

4. History offers indelible reminders of the perils associated with governmental intrusion into the autonomy of the legal system and with political retribution aimed at lawyers thought to stand in the way of a regime’s political objectives. In too many countries and instances to name, regimes have disbarred, prosecuted and jailed lawyers who dared to represent opposition figures or challenge government actions, with predictable results for the rule of law and the integrity of the legal profession.

Fortunately, such abuses have been rare in our country’s history. Over the past two decades alone, elite law firms have represented clients seeking to invalidate major presidential initiatives, from the Military Commissions Act of 2006⁴ to the Affordable Care Act⁵ and the Dodd-Frank Act.⁶ Until now, it would have been inconceivable that a law firm would risk punitive retribution from the federal government for undertaking representations of this kind. And when state or local governments have attempted to wield the threat of official retribution to deter entities from advocating for what they believe, the Supreme Court has condemned such actions in clear and decisive terms. E.g. *National Rifle Ass’n v. Vullo*, 602 U.S.175, 189 (2024) (“[T]he First Amendment prohibits government officials from relying on the threat of invoking

⁴ *Boumediene v. Bush*, 553 U.S. 723 (2008).

⁵ *NFIB v. Sebelius*, 567 U.S. 519 (2012).

⁶ *Seila Law v. Consumer Financial Protection Bureau*, 591 U.S. 197 (2020); *Consumer Financial Protection Bureau v. Community Financial Services Ass’n*, 601 U.S. 416 (2024).

legal sanctions and other means of coercion ... to achieve the suppression of disfavored speech.” (citation omitted)). But that proud tradition is in jeopardy. Unless the judiciary acts decisively now, what was once beyond the pale will in short order become a stark reality. Corporations and individuals alike will risk losing their right to be represented by the law firms of their choice and a profound chill will be cast over the First Amendment right to petition the courts for redress.

5. Like every lawyer, the members of the *amicus* law firms have sworn an oath to uphold the Constitution and to discharge the obligations of the profession to the best of our ability. That oath obligates all of us, no matter our political views, to be faithful custodians of our Nation’s commitment to the rule of law—a commitment that has made it possible for this Nation’s corporations to lead the world in innovation and productivity; for our scientists, scholars and creative artists to contribute so much to human progress; and for all of us to know that we can turn to the courts to vindicate our fundamental civil rights. We therefore feel a special responsibility to stand up now to the unprecedented threat posed by the Executive Order at issue in this case and the others like it.

CONCLUSION

For the foregoing reasons, this Court should grant the motion for permanent injunction.

Dated: April 4, 2025

Nathan P. Eimer (*pro hac vice forthcoming*)
EIMER STAHL LLP
224 South Michigan Avenue, Suite 1100
Chicago, IL 60604
Telephone: (312) 660-7600
Fax: (312) 692-1718
neimer@eimerstahl.com

/s/ Donald B. Verrilli, Jr.

Donald B. Verrilli, Jr. (D.C. Bar. No. 420434)
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Ave. NW, Suite 500E
Washington, D.C. 20001-5369
Telephone: (202) 220-1100
Fax: (202) 220-2300
Donald.Verilli@mt.com

Counsel for Amici Curiae

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing complies with Local Civil Rule 7(o)(4) and does not exceed 25 pages. I further certify that the attached *amicus* brief complies with the typeface and type style requirements of Local Rule 5.1(d) because it has been prepared in a proportionally spaced typeface using Microsoft Word and 12-point Times New Roman font.

Dated: April 4, 2025

/s/ Donald B. Verrilli, Jr.

Donald B. Verrilli, Jr.

APPENDIX A

List of Amici Curiae

300degrees PLLC
Advocate Law Group P.C.
Ajamie LLP
Aldous Law
Ali & Lockwood LLP
ALR Civil Rights LLC
Alto Litigation
Altshuler Berzon LLP
Anapol Weiss
Anderson & Kreiger LLP
Andrus Anderson LLP
Andrus Wagstaff, PC
Arete Law Group PLLC
Arguedas, Cassman, Headley & Goldman LLP
Armond Wilson LLP
Arnold & Porter
Arrowood LLP
Arshack, Hajek & Lehrman, PLLC
Ascherman Law
Aviso Legal Group LLP
Aylstock, Witkin, Kreis and Overholtz, PLLC
Bailey & Glasser, LLP
Banashek Irving & McNutt, LLP
Bangos Law Firm, P.A.
Bangs, McCullen, Butler, Foye & Simmons, LLP
Bantle & Levy LLP
Barrientos PC
Baughman Kroup Bosse PLLC
Beale, Micheaels, Slack & Shughart, P.C.
Bedell, Dittmar, DeVault, Pillans & Cox, P. A.
Beeman & Muchmore, LLP
Berger Montague PC
Berman Tabacco
Bernstein & Gordon LLP
Beveridge & Diamond, P.C.
Binder & Schwartz LLP
Bird, Marella, Rhow, Lincenberg, Drooks & Nessim, LLP
Birrell Law Firm PLLC
BLL LLP
Bloom Law PLLC
Blumberg Law Corporation
Bondurant, Mixson & Elmore
Botkin Chiarello Calaf PLLC
Bradley Bernstein Sands LLP
Brandt Law, PLLC

BraunHagey & Borden LLP
Breskin Johnson & Townsend
Brian L. Tannebaum, P.A.
Broadband Legal Strategies, LLC
BrotmanLaw, PLLC
Brown, Goldstein & Levy, LLP
Bryan Schwartz Law, P.C.
Burgess Law PC
Cade Law Group LLC
Caffrey Hill, PLLC
Caldwell LLP
Cannon & Dunphy
Caplan Cobb LLC
Casey Gerry Francavilla Blatt LLP
Charhon Callahan Robson & Garza, PLLC
Charles J. Kettlewell LLC
Charles S. Tusa PLLC
Ciresi Conlin LLP
Civil Rights Litigation Group, PLLC
Clapp, Moroney, Vucinich, Beeman + Scheley
Clarick Gueron Reisbaum LLP
Clark Smith Villazor LLP
Clarke Johnston Thorp & Rice, PPC
Clayman Rosenberg Kirshner & Linder LLP
Clean Energy Counsel, LLP
Clifford Law Offices, P.C.
Clinton & Peed
Coast Law Group, LLP
Coblentz Patch Duffy & Bass LLP
Cochran Law Group
Cohen Hirsch LP
Cohen Milstein Sellers & Toll PLLC
Cohen Williams LLP
Colantuono, Highsmith & Whatley
Commins, Knudsen & Chou
Complex Appellate Litigation Group LLP
Conrad | Metlitzky | Kane LLP
Coogan Gallagher
Coopers LLP
Coppersmith Brockelman PLC
Corr Cronin LLP
Cotchett, Pitre & McCarthy, LLP
Covington & Burling LLP
Cowan DeBaets Abrahams & Sheppard LLP
Crain Brogdon, LLP
Creative Criminal Defense Consultants

Crowell & Moring LLP
Cultural Heritage Partners, PLLC
Cummins & Cummins, LLP
Curcio Law, PLLC
Daar & Newman, a Professional Law Corporation
David Corbett PLLC
Davis Graham & Stubbs LLP
Davis Levin Livingston
Davis Wright Tremaine LLP
DEH Law, PLLC
Deutsch Hunt PLLC
DMC Law, LLC
Donahue, Goldberg & Herzog
Dorsay & Easton LLP
Doyle Dennis Avery LLP
Dreher Law Firm
Dreyer Babich Buccola Wood Campora, LLP
Eagle Team LLP
Edelson PC
EDGE, A Professional Law Corporation
Edward R. Shaw P.A.
Ehrlich & Craig LLP
Eimer Stahl LLP
Emery Celli Brinckerhoff Abady Ward & Maazel LLP
Equity Litigation Group LLP
Eric Maxfield Law, LLC
Esler Stephens & Buckley LLP
Estes Law Group
Ezkovich & Co., LLC
Faraci Lange, LLP
Farella Braun + Martel LLP
Faughnan Law, PLLC
Feinberg, Jackson, Worthman & Wasow LLP
Fenwick & West LLP
Finkel Law Group P.C.
Fisher Taubenfeld LLP
Foley Hoag
Folger Levin LLP
Forsgren Fisher McCalmont DeMarea Tysver LLP
Fox & Robertson, PC
Frank Freed Subit & Thomas
Frankel PLLC
Frankfurt Kurnit Klein & Selz
Freedman Boyd Hollander & Goldberg P.A.
FreelandLaw LLP
Freshfields US LLP

Friedemann Goldberg Wargo Hess LLP
Friedman | Rubin, PLLP
Gainey Law, PLLC
Gair Gair Conason Rubinstein Bloom Hershenhorn Steigman & Mackauf
Galihier DeRobertis & Waxman LLP
Gallagher Evelius & Jones LLP
Garmey Law
Getman, Sweeney & Dunn, PLLC
Gibbs Mura LLP
Gingras, Thomsen & Wachs, LLP
Girard Sharp LLP
Gish PLLC
Giskan Solotaroff & Anderson LLP
Glaser Weil Fink Howard Jordan & Shapiro LLP
Gleason, Dunn, Walsh & O'Shea
Glenn Agre Bergman & Fuentes LLP
Glenn F. Hardy PC
Goodley McCarthy LLC
Gordon Thomas Honeywell Law
Gordon Tilden Thomas & Cordell LLP
GrahamHollis, APC
Grant & Eisenhofer, P.A.
Graves, Dougherty, Hearon & Moody, P.C.
Green & Willstatter
Greenblatt Law LLC
Greene Broillet & Wheeler, LLP
Greene Espel PLLP
Greenspun Shapiro Ginsberg & Yang PC
Groombridge, Wu, Baughman and Stone LLP
Gross & Belsky PC
Grossman LLP
Grossman Roth Yaffa Cohen
Gupta Wessler LLP
Gustafson Gluek, PLLC
GVR Partners LLP
Hagens Berman Sobol Shapiro LLP
Hanson Bridgett LLP
Hanson Crawford Crum Family Law Group, LLP
Hanusz Law, PC
Harris St. Laurent & Wechsler LLP
Hausfeld LLP
Hecker Fink LLP
Hepworth Holzer, LLP
Hinman Legal PC
Hirschfeld Kraemer LLP
HKM Employment Attorneys LLP

Holland, Holland Edwards & Grossman, LLC
Holmes Costin & Marcus PLLC
Holwell Shuster & Goldberg LLP
Hoq Law APC
Houlding Law PC
Hughes Socol Piers Resnick & Dym, Ltd.
Hutchinson, Black and Cook, LLC
Hykel Law, LLC
Iliff, Meredith, Wildberger & Brennan, PC
Incline Law Group, LLP
Interlaken Law Group, PLLC
J. Cantor Law
Jacobs & Schlesinger LLP
James D. Leach Attorney
James D. Taylor, P.C.
James Ellis Arden
Jassy Vick Carolan LLP
Jenner & Block LLP
John A. Yannis, Attorney at Law
John Vail Law PLLC
Johnson & Klein Law
Justice Law Collaborative LLC
Kaiser PLLC
Kaplan Gore LLP
Kaplan Kirsch LLP
Kaplan Law Firm, PLLC
Kaplan Martin LLP
Katz Banks Kumin LLP
Kaufman Lieb Lebowitz & Frick
KBM Law
Keker, Van Nest & Peters LLP
Keller Benvenuti Kim LLP
Keller Grover LLP
Keller Rohrback LLP
Kendall Brill & Kelly LLP
Kenneth P. Tableman, P.C.
Kevin Kohls PLC
Kieve Law Offices
Killmer Lane, LLP
Kingfisher Law APC
KKL LLP
Kline & Specter, PC
KO Law PC
Kohn, Kohn & Colapinto, LLP
Koskoff Koskoff & Bieder, PC
Kosloski Law, PLLC

KoslynLaw
Koss Firm APC
Kostelanetz LLP
Kramon & Graham, P.A.
Krantz & Berman LLP
Kreindler & Associates
Krevolin & Horst, LLC
Krokidas & Bluestein LLP
Kropf Moseley Schmitt
Kuras Legal, PLC
Kwall Barack Nadeau PLLC
Kwun Bhansali Lazarus LLP
Laminack, Pirtle & Martines LLP
Lamitie Law LLC
Langer, Grogan & Diver, P.C.
Langrock Sperry & Wool, LLP
Lansner & Kubitschek
Lauren H. Berkowitz, Attorney at Law, PLLC
Law Forward, Inc.
Law Office of Alexis Haller, P.C.
Law Office of Anya Goldstein
Law Office of Dan Roth
Law Office of Diane K. Vaillancourt
Law Office of Gail Shifman
Law Office of Ihsan Dogramaci PLLC
Law Office of John D. Cline
Law Office of Lisa C. Lambert
Law Office of Matthew Stiegler
Law Office of Nanci Clarence
Law Office of Rebecca E. Ary
Law Office of Richard J. Davis
Law Office of Sara Azari
Law Office of Stephen Chahn Lee, LLC
Law Office of Susan F. Zinder, PLLC
Law Office of Susan Mindenbergs
Law Offices of Alex J. Higgins
Law Offices of Andrew Marks PLLC
Law Offices of Arthur Thomas Donato
Law Offices of David M. Zeff
Law Offices of Evan A. Jenness
Law Offices of Greg Rosenfeld, P.A.
Law Offices of Johanna J. Raimond Ltd.
Law Offices of Jonathan G Stein
Law Offices of Karen A. Klein
Law Offices of Laurel Stuart-Fink, PLLC
Law Offices of Richard M. Steingard

Law Offices of Robert D. Richman LLC
Law Offices of Steven B. Piser
Law Offices of Thomas Schneck
LeGrand Law PLLC
Leichtman Law PLLC
Lerch, Early & Brewer
Leung Law PLLC
Leventhal Puga Braley PC
Levi Merrithew Horst PC
Levine Lee LLP
Lewis & Lin, LLC
Lewis Baach Kaufmann Middlemiss
Libby Hoopes Brooks & Mulvey, P.C.
Lieff Cabraser Heimann & Bernstein, LLP
Lisa Cahill PLLC
Littlepage Booth
Livelihood Law, LLC
Lockridge Grindal Nauen PLLP
Loevy & Loevy
Long & Levit LLP
LoVerde Law, LLC
Lowrey Parady Lebsack & DeFazio, LLC
MacDonald Hoague & Bayless
Manatt, Phelps & Phillips, LLP
Mancini Shenk LLP
Marino & Weiss, P.C.
Markowitz Herbold PC
Marshall & Saunders, P.S.
Marziani, Stevens & Gonzalez PLLC
Maslon LLP
Massey & Gail LLP
McDowell Rackner Gibson PC
McGillivray Steele Elkin LLP
McHugh Law, PLLC
McNaul Ebel Nawrot & Helgren PLLC
Mehri & Skalet, PLLC
Melnik Legal
Michael A Jacobson, PS Inc.
Michael Broad
Miller Korzenik Sommers Rayman LLP
Miller Nash LLP
Miller Shakman Levine & Feldman LLP
Miner Barnhill & Galland, PC
Monchamp Meldrum LLP
Moses & Moses, P.C.
Moskowitz Colson Ginsberg & Schulman

Motley Rice LLC
Moya Law Firm
Munger, Tolles, & Olson LLP
Munley Law PC
Nace Law Group
Nachawati Law Group PLLC
Neal, Gerber & Eisenberg LLP
Neill Schwerin Boxerman, P.C.
Nelson & Fraenkel LLP
Newman McNulty
Nichols Kaster, PLLP
Northern Justice Project, LLC
Ogborn Mihm, LLP
Olson Grimsley Kawanabe Hinchcliff & Murray LLC
O'Malley & Madden, P.C.
Orange Law Offices, P.C.
Orsus Gate LLP
Outten & Golden LLP
Pacific Northwest Law LLP
Pacifica Law Group LLP
Paradigm Counsel LLP
Paradise Law Group, PC
Parker Lipman LLP
Parker Pohl LLP
Pashman Stein Walder Hayden, P.C.
Patterson Belknap Webb & Tyler LLP
Paul H. Stevenson Law Offices
Peiffer Wolf Carr Kane Conway & Wise, LLP
Perdue & Kidd LLP
Persyn Law & Policy
Peter L. Conway, P.C.
Petrillo Klein + Boxer LLP
Pfeiffer Rudolf LLC
Phillips & Paolicelli
Podhurst Orseck, P.A.
Pope McGlamry, P.C.
Price Law, LLC
Purchase, George & Murphey, P.C.
Rafferty Domnick Cunningham Yaffa
Rathod Mohamedbhai LLC
REH Legal
Reitler Kailas & Rosenblatt LLP
Rekhi and Wolk
Relman Colfax PLLC
Richards Carrington, LLC
Ritz Clark & Ben-Asher LLP

Riviera Law and Mediation
Rizio, Lipinsky, Heiting PC
Robbins LLP
Roberts Disability Law, P.C.
Rogers Joseph O'Donnell
Romanucci & Blandin, LLC
Rosen Bien Galvan & Grunfeld LLP
Rosenberg Martin Greenberg, LLP
Roxanne Conlin & Associates, P.C.
Rudy, Exelrod, Zieff & Lowe, LLP
Ruiz & Smart LLP
Russ Perisho, PLLC
Russell & Woofter LLC
Salahi PC
Sall Spencer Callas & Krueger, ALC
Salvatore Prescott Porter & Porter, PLLC
Salvi, Schostok & Pritchard P.C.
Sandler Reiff Lamb Rosenstein & Birkenstock, PC
Sanger, Hanley, Sanger & Avila, LLP
Sarafa Law PLLC
Scale LLP
Schindler Cohen & Hochman LLP
Schroeter, Goldmark & Bender, P.S.
Schwabe, Williamson & Wyatt, P.C.
Searcy Denney Scarola Barnhart & Shipley, P.A.
Seeskin Law LLC
Segal & Amos, PLLC
Sentner Safran LLP
Sercarz & Riopelle, LLP
Serpe LLC
Shades of Gray Law Group, P.C.
Shaheen & Gordon
Sharp Law Firm, P.A.
Shartsis Friese LLP
Sher Tremonte LLP
Shinder Cantor Lerner LLP
Shishido Taren Goldsworthy PLLC
Shreefer Law Firm, LLC
Shute, Mihaly & Weinberger LLP
Sideman & Bancroft
Sitara Human Rights Law
Slater Legal PLLC
Smith & Marjanovic Law LLC
Smith LaCien LLP
Smith Mullin, P.C.
Smith Partners PLLP

Solow, PLLC
Spark Justice Law LLC
Spear Wilderman, P.C.
Spera Law Group, LLC
Sperling Kenny Nachwalter, LLC
Spertus, Landes & Josephs, LLP
Spiegel & McDiarmid LLP
Stapleton Segal Cochran LLC
Stenberg Law, PLLC
Sterne, Kessler, Goldstein & Fox PLLC
Steven Toff Law & Consulting, PLLC
Stoel Rives
Strehorn, Ryan & Hoose
Stulberg & Walsh, LLP
Susman Godfrey L.L.P.
Tabitha Myers Law PLLC (Midtown Law)
Taus, Cebulash & Landau, LLP
Terrell Marshall Law Group PLLC
Terris, Pravlik & Millian, LLP
The Advani Law Firm
The Banks Law Firm, P.A.
The Basile Law Firm
The Coopersmith Law Firm, LLP
The deRubertis Law Firm, APC
The Employment Law Group, PC
The Fierberg National Law Group, PLLC
The Josh Greenberg Law Firm PLLC
The Krudys Law Firm, PLC
The Law Office of Barry M. Wolf
The Law Office of Christy O'Connor
The Law Office of Deborah M. Golden (Golden Law)
The Law Office of Marlo P. Cadeddu, P.C.
The Law Office of Stephen Wade Nebgen, PLLC
The Law Offices of Eric J. Moutz, LLC
The Law Offices of John Burton
The Law Offices of Mark P. Zimmatt
The Law Offices of Peter Swarth
The Law Offices of Seth P. Chazin
The Maddox Firm LLC
The Norton Law Firm PC
The Paer Law Group, APC
The Prinz Law Firm, P.C.
The Rossman Firm LLC
The Schaps Law Office, A.P.C.
The Soto Law Office, LLC
Thede Culpepper Moore Munro & Silliman LLP

Thomas Law LLC
Tim Lyons Law, PLLC
Tin Fulton Walker & Owen, PLLC
Todd & Weld LLP
Tonkon Torp LLP
Trister, Ross, Schadler & Gold, PLLC
Untiedt Dabdoub, PLLC
VANAMAN GERMAN LLP
Victor M. Glasberg & Associates
VII & IX, A Professional Law Corporation
Vinick Hyams LLP
Visible Law LLC
Vladeck, Raskin & Clark, PC
Vodde IP, PLLC
Volin Employment Law, PLLC
Walden Macht Haran & Williams LLP
Walkup Melodia Kelly & Schoenberger
Wallen Law PC
Wang Hecker LLP
Washington Employment Benefits Advocates, PLLC
Waters Kraus Paul & Siegel
Weddle Law PLLC
Weissman & Mintz LLC
Weitz & Luxenberg, P.C.
Whistleblower Partners LLP
White & Stradley, PLLC
Wiggin and Dana LLP
Wilkinson Stekloff
Willenson Law, LLC
William D. Shapiro Law, Inc.
Williams Oinonen LLC
Wilmer Cutler Pickering Hale and Dorr LLP
Wilson Turner Kosmo LLP
Windy City Trial Group
Winebrake & Santillo, LLC
Wolf & Oxley PLLC
Woodside Counsel, P.C.
Work/Environment Law Group
Yetter Coleman LLP
Yow PC
Zalkind Duncan & Bernstein LLP
Zimmer, Citron & Clarke LLP
Zimmerman Reed LLP
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