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Seventh Annual Chief Justice Ronald M. George Distinguished Lecture: GGU Law Review Presents: Judicial Insights with Judge McKeown and Justice Cuéllar

Golden Gate University School of Law

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GGU Law Review Presents: Judicial Insights with Judge McKeown and Justice Cuéllar

SEVENTH ANNUAL CHIEF JUSTICE RONALD M. GEORGE DISTINGUISHED LECTURE

JANUARY 29, 2016
Ronald M. George Lecture

The Annual Chief Justice Ronald M. George Distinguished Lecture, named after legendary former Chief Justice of California Ronald M. George, shines a light on the vital role of the courts by bringing together judicial leaders to share their perspectives on critical issues facing the judiciary.

Golden Gate University Law Review’s Ninth Circuit Survey is the nation’s only law review edition devoted exclusively to the decisions of the Ninth Circuit. Every year the Survey showcases key decisions of the court over a variety of legal fields, delving beyond the results of the Ninth Circuit cases to analyze the underlying reasoning, effect, and possible implications on future law, and this year’s Survey is no different.

The Introduction of this year’s Survey, written by the Honorable M. Margaret McKeown, highlights how the Ninth Circuit sees some of the most significant technology related cases and how evolving technology challenges the existing law in many areas. Key decisions involving First Amendment protections for video game creators, the conflict between the rights of landlords and tenants, and an actor’s copyright interest in her performance are analyzed in the three Notes written by Golden Gate University School of Law students, which you will have the opportunity to hear about from the authors.

Today, we are honored to welcome the Honorable M. Margaret McKeown, a judge on the U.S. Ninth Circuit Court of Appeals, and the Honorable Mariano-Florentino Cuéllar, an Associate Justice of the California Supreme Court, who will both be participating in our conversational style lecture.

Thank you to our community co-sponsor, the Bar Association of San Francisco

AGENDA  JANUARY 29, 2016

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
SAN FRANCISCO, CA

6:00  WELCOME – David Fike  
President, Golden Gate University

LAW REVIEW INTRODUCTION – Courtney Brown  
Editor-in-Chief of the GGU Law Review

• Leoangelo Cristobal  
  In re NCAA Student-Athlete Name & Likeness Licensing Litigation: How Free Speech Lost a Key Battle in the War for Creativity

• Veronica Kontilis  
  Barrientos v. 1801-1825 Morton LLC: Striving for Balance–The Impact of Fair Market Rent on Low-Income Renters and Landlords in the Section 8 Housing Choice Voucher Program

• Anna Nicolopulos  
  Garcia v. Google, Inc.: The Ninth Circuit’s Refusal to Extend Copyright Protection to an Actor’s Performance, reinforcing the letter of Copyright Law

6:30  KEYNOTE INTRODUCTION – Rachel Van Cleave  
Dean, Golden Gate University School of Law

6:40  LECTURE

Hon. M. Margaret McKeown  
Judge, U.S. Court of Appeals for the Ninth Circuit

Hon. Mariano-Florentino Cuéllar  
Associate Justice, California Supreme Court

7:45  CLOSING REMARKS – Rachel Van Cleave  
Dean, Golden Gate University School of Law

7:50  REFRESHMENTS SERVED
Judge McKeown was appointed to the United States Court of Appeals for the Ninth Circuit by President Clinton and was confirmed by the United States Senate in 1998. She attended the University of Madrid and graduated Phi Beta Kappa from the University of Wyoming with a B.A. in 1972 and from Georgetown University Law Center with a J.D. in 1975. She received an honorary doctorate from Georgetown University in 2005. Judge McKeown was a White House Fellow in 1980-1981, serving as Special Assistant to the Secretary of the Interior and Special Assistant at the White House. In 1993, she served as a Japan Society Leadership Fellow.

Judge McKeown is immediate past President of the Federal Judges Association and is currently Chair of the ABA Rule of Law Initiative Board. She serves on the Council of the American Law Institute, the Executive Council for the American Society of International Law, the managerial board of the International Association of Women Judges, and the Editorial Board of Litigation Journal. She is vice-chair of the Georgetown Law Board of Visitors and Jurist-in-Residence at the University of San Diego Law School.

Judge McKeown has lectured and taught extensively on intellectual property, international law, human rights law, litigation, ethics, judicial administration, and constitutional law in Latin America, Asia, the Middle East and Europe. She is co-author of “Trial Tactics in Trade Secret Litigation,” in Intellectual Property Counseling and Litigation (Matthew Bender), “The Promises of a New World Information Order,” in The Knowledge Economy (Aspen Institute), and “The Lost Sanctuary: Examining Sex Trafficking Through the Lens of Ah Sou” (Cornell Journal of International Law); “Happy Birthday Statute of Anne: The Dance Between the Courts and Congress” (Berkeley Technology Law Journal); “To Judge or Not to Judge: Transparency and Recusal in the Federal System,” (The Review of Litigation); “The Internet and the Constitution: A Selective Retrospective,” (Washington Journal of Law, Technology & Arts); and “Culinary Ambiguity: A Canonical Approach to Deciphering Menus,” (Harvard Journal on Legislation). She is also an author of Business and Commercial Litigation in Federal Courts (West Group).

Judge McKeown has received a number of prestigious awards, including the ABA Margaret Brent Women of Achievement Award, the Georgetown University John Carroll Award, the Georgetown University Law Center Drinan Award for Public Service, the California Bar Intellectual Property Vanguard Award, the University of Wyoming A&S Outstanding Alumnae, the Outstanding Mentor Award from Big Sisters, the Federal Bar Association Community Service Award, and the Girl Scouts’ “Cool Women” Award.

Judge McKeown has been active in community and civic affairs. She has served on the national boards of Volunteers of America and Girl Scouts of the U.S.A. and is the past chair of the White House Fellows Foundation.
Honorable Mariano-Florentino Cuéllar
Associate Justice, California Supreme Court

A member of the Stanford University faculty from 2001 to 2015, Cuéllar was the Stanley Morrison Professor of Law and Professor (by courtesy) of Political Science. His books, articles, and chapters focus on administrative agencies, criminal justice, executive power, and legislation, among other subjects, and he is co-author of one of the nation’s leading administrative law casebooks. From 2004 to 2015, Cuéllar held leadership positions at Stanford's Freeman Spogli Institute for International Studies. As Institute Director, he supervised 12 research centers and programs, including the Stanford Center at Peking University. He led university-wide initiatives on global poverty alleviation and cybersecurity, and earlier, co-directed the Institute's Center for International Security and Cooperation. Cuéllar also served in the federal executive branch. In 2009 and 2010, while on leave from Stanford, he worked at the White House as Special Assistant to the President for Justice and Regulatory Policy. He negotiated provisions in food safety, tobacco, and crack-powder cocaine sentencing reform legislation; convened the White House’s food safety working group and coordinated its response to the BP oil spill; set up the President’s Equal Pay Task Force; worked on the bipartisan repeal of the military’s Don’t Ask/Don’t Tell policy; and led efforts to support community-based crime prevention and immigrant integration. He was a presidential appointee, between 2010 and 2015, to the governing council of the U.S. Administrative Conference, an agency designed to improve fairness and efficiency in federal administrative procedures. He co-chaired the U.S. Department of Education’s National Equity and Excellence Commission from 2011 to 2013. Before that, in 2008 and early 2009, he co-chaired the presidential transition team on immigration, borders, and refugees.

Cuéllar is on the boards of the William and Flora Hewlett Foundation, the American Law Institute, and the American Bar Foundation, and is a life member of the Council on Foreign Relations. Within the California Judiciary, he leads the Language Access Implementation Task Force. He was the Barbara Harrell-Bond Distinguished Lecturer at Oxford University in 2012, and earlier was a member of the Silicon Valley Blue Ribbon Task Force on Aviation Security and Technology.

A naturalized U.S. citizen born in northern Mexico, Cuéllar graduated from Calexico High School in California’s Imperial Valley. He received a B.A. from Harvard magna cum laude, a J.D. from Yale Law School, and a Ph.D. in Political Science from Stanford. After law school, he began his career at the U.S. Treasury Department’s Office of Enforcement working on disrupting financial and cross-border crime, and clerked for Chief Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit. He is married to Judge Lucy H. Koh of the U.S. District Court for the Northern District of California. They have two children.