

Milbank

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— VCARD

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Neal Katyal is a partner in the Washington, DC office of Milbank LLP and a member of the firm's Litigation & Arbitration Group.

Primary Focus & Experience

Mr. Katyal, the former Acting Solicitor General of the United States, focuses on appellate and complex litigation. He has argued 52 cases before the Supreme Court of the United States.

He has extensive experience in matters of antitrust, corporate, constitutional, securities, technology, criminal, patent, copyright, trademark, ERISA, products liability, labor, employment and tribal law. In the 2022-23 Supreme Court term, he argued five separate cases (nearly 10% of the docket), including winning the landmark voting case *Moore v. Harper*, which Judge Michael Luttig described as “the most important case for American democracy in the almost two and a half centuries since America’s founding.” Judge Luttig also said Mr. Katyal’s argument “was the single best oral argument I have ever heard made in the Supreme Court of the United States.” His cases include successfully striking down the Guantanamo military tribunals, successfully defending the constitutionality of the Voting Rights Act and successfully defending the Peace Cross in Maryland. His 2017 win in *Bristol Myers Squibb v. Superior Court* was a landmark victory for personal jurisdiction law and his 2006 win in *Hamdan v. Rumsfeld* was described by former Acting Solicitor General Walter Dellinger as “simply the most important decision on presidential power and the rule of law ever. Ever.”

From 2010 to 2011, Mr. Katyal served as Acting Solicitor General of the United States, where he argued several major Supreme Court cases involving a variety of issues, such as his successful defense of the constitutionality of the Voting Rights Act of 1965, his victorious defense of former Attorney General John Ashcroft for alleged abuses in the war on terror, his unanimous victory against eight states who sued the nation’s leading power plants for contributing to global warming, and a variety of other matters. As Acting Solicitor General, he was responsible for representing the federal government of the United States in all appellate matters before the US Supreme Court and the Courts of Appeals throughout the nation. He served as Counsel of Record hundreds of times in the US Supreme Court. He was also the only head of the Solicitor General’s office to argue a case

in the US Court of Appeals for the Federal Circuit, on the important question of whether certain aspects of the human genome were patentable.

After graduating from Yale Law School, Mr. Katyal clerked for The Honorable Guido Calabresi of the US Court of Appeals for the Second Circuit as well as for The Honorable Justice Stephen G. Breyer of the US Supreme Court. He also served in the Deputy Attorney General's Office at the Justice Department as National Security Advisor and as Special Assistant to the Deputy Attorney General during 1998-1999.

Mr. Katyal is a best-selling *New York Times* author and has published dozens of scholarly articles in law journals (including several in the *Harvard Law Review* and *Yale Law Journal*), as well as many op-ed articles in publications such as the *New York Times* and the *Washington Post*. He has testified numerous times before various committees of both the US House of Representatives and the US Senate.

Recognition & Accomplishments

Mr. Katyal is the recipient of the highest award given to a civilian by the US Department of Justice, the Edmund Randolph Award, which the Attorney General presented to him in 2011. The Chief Justice of the United States appointed him in 2011 (and again in 2014) to the Advisory Committee on Federal Appellate Rules.

Among other honors, he was named Litigator of the Year in 2017 and 2023 by *The American Lawyer*; one of the top 200 lawyers in the United States by *Forbes* magazine (in 2024); one of the 500 Leading Lawyers by *Lawdragon Magazine* (one of three lawyers named every single year from 2005 to 2024); one of the 500 Most Influential People in Washington, DC by *Washingtonian* magazine (2022 and 2023); Appellate MVP by *Law360* numerous times; winner of *Financial Times* Innovative Lawyer Award in two different categories (both private and public law, in 2017 and again in 2023), one of *GQ's* Men of the Year (2017), 40 Most Influential Lawyers of the Last Decade Nationwide by *National Law Journal* (2010), and 90 Greatest Washington Lawyers Over the Last 30 Years by *Legal Times* (2008). Mr. Katyal also won the *National Law Journal's* pro bono award in 2004. He has appeared on virtually every major American news program, as well as on *The Late Show with Stephen Colbert*. He has also performed on Netflix's *House of Cards* and Showtime's *Billions* (where he played himself in both series).

In 2021, Mr. Katyal was named a Trustee of Dartmouth College. In 2022, he was named a Trustee of the Whitney Museum in New York City. In 2023, he was named Vice President and Trustee of the Supreme Court Historical Society.

Mr. Katyal has also served as a law professor for over two decades at Georgetown University Law Center, where he was one of the youngest professors to have received tenure and a chaired professorship in the university's history. He has served as a visiting professor at both Harvard and Yale law schools.

Awards and Rankings:

- Litigator of the Year, *American Lawyer* (2023-2024)
- Litigator of the Year, Grand Prize Winner, *American Lawyer* (2017-2018)
- *Chambers USA* Appellate Law: Nationwide, Band 1 (2013-2025)
- Appellate: Courts of Appeal, Hall of Fame, *Legal 500 US* (2020)

- Top 500 Lawyers in America; one of three nationwide to win every year; recognized on Legends list, *Lawdragon Magazine* (2006-2018)
- Appellate Attorney of the Year, *Benchmark Litigation* (2018-2019)
- Dispute Resolution: Appellate: Supreme Court (Federal and State), Leading Lawyer, *Legal 500 US* (2013-2017)
- Appellate MVP, *Law360* (2013-2014, 2017)
- 10 Most Innovative Lawyers, *Financial Times* (2015)
- Edmund Randolph Award (highest award DOJ can give a civilian), Department of Justice (2011)
- 40 Most Influential Lawyers of the Last Decade Nationwide by *National Law Journal* (2010)
- 90 Greatest Washington Lawyers Over the Last 30 Years by *Legal Times* (2008)
- Lawyer of the Year, *Lawyers USA* (2006)
- Lawyer of the Year, Runner-up, *National Law Journal* (2006)
- Dispute resolution: Appellate, Hall of Fame, *Legal 500 US* (2020)
- Dispute resolution: Appellate, Recommended, *Legal 500 US* (2020)

ADDITIONAL DETAILS

EDUCATION

Yale Law School, J.D.

Dartmouth College, A.B.

ADMISSIONS

District of Columbia

US Supreme Court

US Court of Appeals for the District of Columbia

US Court of Appeals for the Federal Circuit

US Court of Appeals for the Second Circuit

US Court of Appeals for the Fourth Circuit

US Court of Appeals for the Sixth Circuit

US Court of Appeals for the Seventh Circuit

US Court of Appeals for the Eighth Circuit

US Court of Appeals for the Ninth Circuit

EXPERIENCE

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|------------|--------------------------|---------------------------------------|
| Antitrust | Litigation & Arbitration | Securities and Commodities Litigation |
| Technology | United States | |

FEATURED NEWS

Leading Supreme Court Attorney and Former Acting Solicitor General Neal Katyal Joins Milbank's Litigation & Arbitration Group

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