

# Ian Samuel

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FACULTY WEBPAGE: <http://hls.harvard.edu/faculty/directory/11599/Samuel>

## Academic appointments

2016- **Harvard Law School**  
Climenko Fellow and Lecturer on Law

## Research & teaching interests

Cyberlaw & Security · Criminal Procedure · Constitutional Law  
Criminal Law · Intellectual Property

## Education

2008 **J.D. *summa cum laude***  
**New York University School of Law**  
*New York University Law Review*, Articles Editor  
Furman Scholar  
Intellectual Property Scholarship (full tuition)

2005 **B.S. in Computer Science**  
**Truman State University**  
Association of Computing Machinery, President

## Clerkships

O.T. 2012 **Justice Antonin Scalia**  
Supreme Court of the United States

2008-09 **Chief Judge Alex Kozinski**  
United States Court of Appeals for the Ninth Circuit

## Publications

### WORKS IN PROGRESS

*The New Writs of Assistance* (job talk)  
86 FORDHAM L. REV. \_\_\_\_ (forthcoming 2018)

*Privacy Without Permission*  
70 STAN. L. REV. ONLINE \_\_\_\_ (forthcoming 2017)

### LAW REVIEW ARTICLES & BOOK CHAPTERS

2009 [The Institutional Dimension of Private Consumer Protection](#)  
in NEW FRONTIERS OF CONSUMER PROTECTION (with Samuel Issacharoff)

### SHORTER PIECES & STUDENT WORK

2016 [The Counter-Clerks of Justice Scalia](#)  
10 NEW YORK UNIVERSITY JOURNAL OF LAW & LIBERTY 1

2008 [Warrantless Location Tracking](#) (student note)  
83 NEW YORK UNIVERSITY LAW REVIEW 1324

### COMMENTARY

2016- Co-Host, [First Mondays](#) (seasonal podcast focused on the Supreme Court) (with Dan Epps)

2017 [Is It Unethical to Ghost-Write a Brief in Opposition?](#)  
PRAWFSBLAWG

2017 [Why It Would Be Bad for Trump to Break Up the Ninth Circuit](#)  
THE MERCURY NEWS (with Brian Goldman)

2017 [Youngstown Zone Zero](#)  
TAKE CARE (with Leah Litman)

2017 [The Opinion-Assignment Power](#)  
PRAWFSBLAWG

2017 [Morales-Santana and the “Mean Remedy”](#)  
PRAWFSBLAWG

2017 [“See the Sights of Terminal 4!” A Reply to Section 1182\(f\) Enthusiasts](#)  
YALE J. ON REG.: NOTICE & COMMENT

2017 [No Peeking? Korematsu and Judicial Credulity](#)  
TAKE CARE (with Leah Litman)

2017 [Government Workers Can Ignore Trump’s Immigration Order — and We’ll Defend Them](#)  
THE BOSTON GLOBE (with Dan Epps & Leah Litman)

2017 [The Nervous Civil Servant’s Guide to Defying an Illegal Order](#)  
SLATE

2016 [Did Justice Scalia Believe in Dinosaurs? An Investigation](#)  
MEDIUM

## Presentations & Invited Lectures

2017 ”The New Writs of Assistance”  
Colorado Federalist Society

2017 ”Justice Scalia and the Supreme Court”  
Northeastern University

2016 [”The Counter-Clerks of Justice Scalia”](#)  
Hofstra University

2014 ”The Supreme Court’s Role in Government”  
Panetta Institute for Public Policy

2014 [”What Is a Private Conversation?”](#)  
Tunnel X (with Laurence Tribe, Daniel Menaker, & Cindy Jeffers)

## Honors & awards

2008 **Law Review Alumni Association Prize**  
New York University School of Law (second-highest GPA at graduation)

2008 **Sommer Memorial Prize**  
New York University School of Law (graduation prize for scholarship and character)

2005 **National Debate Champion**  
National Parliamentary Tournament of Excellence

2004 **National Debate Champion and Top Speaker**  
National Parliamentary Debate Association

## Teaching

2016-17 First-Year Legal Research and Writing

## Other Experience

2013-16 **Jones Day**  
*Associate, Issues & Appeals Group*  
Briefed and argued three cases in the courts of appeals, including *United States v. Lavabit*, 749 F.3d 276 (4th Cir. 2014) (a challenge to the scope of the government’s ability to require third-party providers of information services to assist in searches), and *Barnett v. Norman*, 782 F.3d 417 (9th

Cir. 2015) (a successful appeal by an indigent prisoner in an excessive-force case).

2010-12

**United States Department of Justice, Civil Division**

*Attorney, Appellate Staff*

Briefed and argued eight cases in the courts of appeals, including *Lowenstein v. Dep't of Homeland Security*, 626 F.3d 678 (2d Cir. 2010) (a Freedom of Information Act suit involving the government's counterterrorism programs); *Robinson v. Napolitano*, 689 F.3d 888 (8th Cir. 2012) (a suit concerning the classification of air-traffic security information); and *United States v. Timms*, 664 F.3d 436 (4th Cir. 2012) (a constitutional challenge to the Adam Walsh Child Protection and Safety Act). Also participated in the government's defense of the Affordable Care Act and its litigation over the constitutionality of the Defense of Marriage Act.

O.T. 2009

**United States Department of Justice, Office of the Solicitor General**

*Bristow Fellow*

Wrote briefs in the Supreme Court cases, participated in moot courts, and recommended to the Solicitor General whether adverse decisions in the lower courts should be appealed.

Summer 2007

**Boies, Schiller & Flexner LLP**

*Summer Associate*