



Walter Dellinger

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Walter Dellinger is an influential authority on appellate and Supreme Court decisions, lending his experience as a former Solicitor General and decades of legal knowledge to amicus briefs, a multitude of *pro bono* clients, and public and private companies involved in bet-the-company litigation. A frequent commentator for the *Wall Street Journal*, *Slate*, and major television networks, Walter holds the designation of the Douglas B. Maggs Emeritus Professor of Law at Duke University. He was named one of the 100 Most Influential Lawyers in America by the *National Law Journal* and recognized with a Lifetime Achievement Award from the *American Lawyer*.

Walter, who formerly served as O'Melveny's Diversity and Inclusion Partner, helped convince the US Supreme Court that proponents of Proposition 8, California's ban on same-sex marriage, did not have standing to appeal a court order invalidating it. That ruling, *Hollingsworth v. Perry*, cleared the way for marriage equality in California and eventually nationwide.

Dellinger served as Assistant Attorney General and head of the Office of Legal Counsel (OLC) from 1993 to 1996. He was acting Solicitor General for the 1996-97 Term of the US Supreme Court. During that time, Walter argued nine cases before the Court, the most by any Solicitor General in more than 20 years. His arguments included cases dealing with physician-assisted suicide, the line item veto, the cable television act, the Brady Act, the Religious Freedom Restoration Act, and the constitutionality of remedial services for parochial school children.

He has served as Special Counsel to the Board of Directors of the New York Stock Exchange in connection with the NYSE's

Admissions

Bar Admissions

District of Columbia

Court Admissions

US Supreme Court

US Court of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Ninth, Tenth, Eleventh, Federal, and District of Columbia Circuits

Education

Yale University, J.D., 1966: Editor, *Yale Law Journal*

University of North Carolina, B.A., 1963: with honors; John J. Parker Medal for Leadership; Frank Porter Graham Award as Outstanding Senior

transformation into a publicly held company and its acquisition of an electronic trading company.

After serving in early 1993 in the White House as an advisor to the President on constitutional issues, Walter was nominated by the President to be Assistant Attorney General. He was confirmed by the Senate in October 1993 and served for three years. As head of the OLC, Walter issued opinions on a wide variety of issues, including: the President's authority to deploy United States forces in Haiti and Bosnia; whether the trade agreements required treaty ratification; and a major review of separation of powers questions. He provided extensive legal advice on questions arising out of the shutdown of the federal government, on national debt ceiling issues, and on loan guarantees for Mexico.

Walter has published articles on constitutional issues for scholarly journals including the *Harvard Law Review*, the *Yale Law Journal*, and the *Duke Law Journal*, and has written for the *New York Times*, the *Washington Post*, *Newsweek*, the *New Republic*, and the *London Times*. He has been a visiting professor at the Catholic University of Belgium and has given lectures to university faculties in Florence, Siena, Nuremberg, Copenhagen, Leiden, Utrecht, Tilburg, Mexico, and Rio de Janeiro, and has delivered major lectures at Stanford, Yale, Harvard, Michigan, Berkeley, Penn, Duke, Chicago, and other US law schools. He has testified more than 25 times before committees of Congress.

In private practice, his arguments before the United States Supreme Court have included argued *Exxon Shipping Co. v. Baker*, *Morgan Stanley Capital Group Inc. v. Public Utility District No. 1 of Snohomish County, Alabama v. North Carolina*, *Hosanna-Tabor v. EEOC*, *Heller v. District of Columbia*, *Jackson v. Birmingham School District*, *Brown v. Legal Foundation of Washington*, *US Airways v. Barnett*, *Utah v. Evans*, *Hunt v. Cromartie*, and *Hunt v. Easley*. His most notable Court of Appeals and state supreme court arguments include *Martha Stewart v. United States*, *Whiteside v. United States*, and *Exxon v. Alabama*, *LCI v. Phillips*.

Corporate & Government Experience

- Acting Solicitor General of the US Supreme Court (1996-1997)
- Assistant Attorney General and head of the Office of Legal Counsel, OLC (1993-1996)

Professional Activities

Clerkships

- Honorable Hugo L. Black, U.S. Supreme Court (1968-1969)

Fellowships

- National Humanities Center (1988-89)

Professor

- Duke University, School of Law, Douglas B. Maggs Professor

Author

- "Initial Reactions to OLC's Opinion on the Whitaker Designation as 'Acting' Attorney General," *Just Security* (2018)

Honors & Awards

- Named a Local Litigation Star and National Practice Area Star for Appellate Law by *Benchmark Litigation* (2020)
- Recognized by *Best Lawyers*® 2020 for Appellate Practice, Bet-the-Company Litigation, and Commercial Litigation in Washington, DC; Walter has been listed in *Best Lawyers*® since 2006.
- Named one of the 100 Most Influential Lawyers in America by the *National Law Journal*
- Recognized with a Lifetime Achievement Award from the *American Lawyer*
- Included in *The Legal 500* Hall of Fame since its inception in 2017, and continually recognized as a Leading Lawyer in the category of “Dispute Resolution: Appellate”
- Recognized as a Senior Statesman by *Chambers USA* in Appellate Law