JUSTICE ROBERTS MENTORED FACEBOOK ATTORNEY THOMAS G. HUNGAR, GIBSON DUNN LLP

CONGRESS MUST FIX A COMPROMISED JUDICIARY & EXECUTIVE BRANCH IN LEADER V. FACEBOOK; U.S. PROPERTY RIGHTS ARE ON THE CHOPPING BLOCK IN THIS CASE

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(JUNE 11, 2012) — Chief Justice John G. Roberts’ nomination disclosure says he was co-counsel on two cases in 2002-2003 with Theodore B. Olson, former U.S. Solicitor General, now Co-Chair of Gibson Dunn’s Appellate and Constitutional Law Practice Group. Those cases were Tahoe v. Tahoe, 535 US 302 (2002) and Smith v. Doe, 538 US 84 (2003). Olson hired Thomas G. Hungar to work for him as Deputy Solicitor General in 2003, while he was collaborating with John G. Roberts in Smith v. Doe. Scratching this now raging investigative itch, we googled ‘Theodore B. Olson AND Thomas G. Hungar.’

The results are jaw-dropping.

JUSTICE ROBERTS IS FACEBOOK ATTORNEY THOMAS HUNGAR’S MENTOR.

Here’s what Thomas Hungar told Law360 in 2009 about their relationship:

“‘The Deputy Solicitor General who supervised my first Supreme Court argument back in 1992 was John G. Roberts Jr. (he’s since gone on to somewhat greater fame). That experience has played a foundational role in my oral argument preparation ever since, because I’ve always tried to prepare the way he taught me.’”

In 2004, Theodore B. Olson moved to Gibson Dunn. Then, in 2008, Olson hired Hungar at Gibson Dunn LLP as their new Deputy Solicitor General. Hungar has now moved to Gibson Dunn as a partner in their Appellate and Constitutional Law Practice Group.

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http://americans4innovation.blogspot.com/p/justice-roberts-mentored-facebook.html
Gibson Dunn, evidently putting the team back together to capitalize on their “inside” relationship at the U.S. Supreme Court with their colleague and mentor John G. Roberts.

Here’s what Olson said about Hungar at his hiring in 2008:

“Tom is a brilliant lawyer and is highly respected by the legal community.”

[05]

In 2011, Chief Justice Roberts recused himself in the Microsoft v. i4i case “apparently because he owns Microsoft stock,” according to The New York Times, Apr. 18, 2011.[06]

The more likely reasons were because: (1) Thomas G. Hungar was Roberts’ protégé, and the close personal relationship precluded his participation; and (2) Theodore B. Olson’s law firm, Gibson Dunn LLP, was representing Microsoft, so the appearance of impropriety was too apparent. Either way, he was conflicted and did the right thing by recusing himself.

But then a year later, in Leader v. Facebook, Justice Roberts was totally silent about his conflicts of interest. Arguably, his conflicts were much worse given his significant investments in Facebook and related companies in addition to his close personal ties to Olson and Hungar and Facebook law firm, Cooley Godward LLP.

Oh what tangled webs we weave . . .

FOOTNOTES:


[02] Smith v. Doe, 538 US 84 (Supreme Court 2003); Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency; 535 US 302 (Supreme Court 2002).


[04] Law360. (Jun. 11, 2013); Q&A With Gibson Dunn’s Thomas Hungar. Portfolio Media.
