

## ADMINISTRATIVE LAW

Williams & Connolly LLP lawyers practice in all aspects of the regulatory environment, including but not limited to litigating before administrative law judges and challenging administrative decisions in the federal courts. The firm represented the former Chief Executive Officers of Fannie Mae and Freddie Mac, government-sponsored enterprises regulated by the Office of Federal Housing Enterprise Oversight ("OFHEO") within the Department of Housing and Urban Development. In the wake of financial restatements by Fannie Mae and Freddie Mac, OFHEO brought its first ever enforcement actions against the former CEOs. The firm represented the former CEOs in defending the respective administrative charges brought against them alleging violations of the statutes creating both agencies. In addition, the firm sought in federal court and obtained the release of one former CEO's assets frozen by OFHEO.

The firm also represented a company in an administrative action brought by the Consumer Product Safety Commission over a nationwide recall of allegedly defective fire sprinklers. The firm has also handled numerous administrative proceedings regarding automobile dealerships, and hearings before many other government agencies.

## REPRESENTATIVE ADMINISTRATIVE LAW MATTERS

### **Federal Administrative Matters**

Examples of the scope of the firm's federal administrative law practice include:

- **Office of Federal Housing Enterprise Oversight** - Defense of the chief executive officers of Fannie Mae and Freddie Mac against administrative charges alleging violations of the statutes creating both agencies.
- **Department of Defense** - Successful challenge to administrative order preventing interview of witness by defense counsel in investigation of foreign military sales; representation of individuals and companies in security-clearance and contract debarment proceedings.
- **Department of Energy** - Investigation concerning procedures for contract awards.
- **Department of Interior** - Successful suit against Fish & Wildlife Service's interpretation of the Endangered Species Act.
- **Department of Justice** - Litigation of handicapped-access regulations as applied to sports arenas.

"WILLIAMS AND CONNOLLY  
LIKES TO SAVE ITSELF FOR  
CLIENTS IN MORTAL DANGER."

*The American Lawyer*

"THE POWERHOUSE WASHINGTON  
LAW FIRM WITH A DEEP BENCH."

*Wall Street Journal*

"WILLIAMS & CONNOLLY, THE  
WASHINGTON POWER LAW FIRM."

*Washington Post*

"A REPUTATION FOR FIERCE  
REPRESENTATION OF ITS HIGH-  
PROFILE CLIENTS."

*National Law Journal*

"ONE OF THE CITY'S MOST  
PRESTIGIOUS AND FEARED LAW  
FIRMS."

*The New Republic*

"TIGHTLY KNIT, HIGHLY TRAINED,  
AND NOTORIOUSLY RELENTLESS."

*Legal Times*

"WASHINGTON D.C.'S WILLIAMS &  
CONNOLLY IS ONE OF THE MOST  
PRESTIGIOUS FIRMS IN THE  
COUNTRY - AND ONE OF THE MOST  
TIGHT-LIPPED."

*Vault.com*

- **Department of Labor** - Successful challenges to applicability of hours and overtime regulations to journalists; litigation of other applications of Fair Labor Standards Act to other professions.
- **Department of State** - Litigation on procedural standards for visa denials and discretion of U.S. consuls; litigation of requests for information under Freedom of Information Act.
- **Department of Transportation** - Successful appeal to the U.S. Court of Appeals for the D.C. Circuit, challenging Department's approval of merger of two airlines.
- **Environmental Protection Agency** - Representation of chemical manufacturer challenging EPA pesticide restrictions in two-year administrative trial and court review.
- **Consumer Product Safety Commission** - Representation of a restaurant chain in CPSC proceeding investigating restaurant playground equipment.
- **Equal Employment Opportunity Commission** - Extensive practice defending against charges of race and sex discrimination.
- **Federal Communications Commission** - Investigation of telephone company practices; representation of clients in contested administrative proceedings for telephone licenses.
- **Federal Election Commission** - Representation of political figures regarding FEC proceedings and investigations.
- **Federal Energy Regulatory Commission** - Representation of oil producers in complex price-control proceedings.
- **Federal Trade Commission** - Successful defense in administrative trial of agricultural equipment manufacturer charged with unfair trade practices.
- **Securities and Exchange Commission** - Administrative investigations; frequent defense of enforcement actions on behalf of both individuals and corporations.
- **Federal Aviation Administration** - Frequent representation of Air Transport Association of America, the trade association of major airlines. Examples of cases include: (1) winning ruling in court of appeals that FAA penalty provisions were unlawful; (2) obtaining court order blocking new FAA regulations on scheduling hours and duties of pilots.
- **Food and Drug Administration** - Numerous matters on behalf of drug manufacturers, both challenging and supporting FDA regulations and rulings; successful argument on behalf of tobacco industry in landmark Supreme Court decision invalidating FDA's attempt to regulate tobacco. *FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120 (2000).
- **Maritime Administration** - Numerous cases involving ship construction subsidies, including matters progressing to the United States Supreme Court. Several matters challenging bidding procedures on LNG tankers.
- **National Credit Union Administration** - Representation in the U.S. Court of Appeals for D.C. Circuit of national credit union association in case challenging agency interpretation of credit union law.
- **Bureau of Alcohol, Tobacco and Firearms** - Dealer license renewal issues.
- **Comptroller of the Currency** - Administrative investigations and enforcement proceedings.
- **Federal Deposit Insurance Corporation** - Defense of administrative proceedings involving bank regulation.
- **General Accounting Office** - Administrative review of contracting procedures and bid protests.
- **Immigration and Naturalization Service** - Issues involving residency, asylum, obtaining specialized visas.
- **National Labor Relations Board** - Defense of numerous unfair-labor-practice complaints, including rules affecting professional sports teams.
- **Office of Thrift Supervision** - Administrative investigations and enforcement actions.
- **U.S. Coast Guard** - Litigation concerning interpretation of the Wrecked Vessels Act.
- **U.S. Postal Service** - Successful representation, both before an administrative law judge and in court, of direct-mail business.

This listing does not include Williams & Connolly's further extensive practice, involving numerous government agencies, in disputes involving all aspects of government contracts. These cases include boards of contract appeals, damage actions in the Court of Federal Claims, and contract debarment proceedings. In addition, the firm has handled a wide range of matters related to the Internal Revenue Service include obtaining favorable private tax rulings and court challenges to the validity of tax regulations.

### ***State and Local Administrative Matters***

Besides appearing before and interacting with the gamut of federal agencies, Williams & Connolly conducts proceedings before many state regulatory agencies, and also litigates state regulatory decisions in both state and federal courts. Examples include:

- ***Metropolitan Washington Airports Authority*** - Successful administrative hearing to obtain major airport car-rental concession contract for client.
- ***Gaming agencies*** - Representation of gaming equipment manufacturers in regulatory proceedings and administrative trials before commissions in several states.
- ***State insurance commissions*** - Proceedings to challenge revocation of insurance license by state insurance commission.
- ***School boards*** - Challenges to the constitutionality of application of school admission qualifications, held to be unlawfully discriminatory.
- ***District of Columbia Human Rights Commission*** - Defense of race and sex discrimination complaints.
- ***Virginia Department of Environmental Quality*** - Administrative and court review of decision concerning site of power plant.
- ***Florida Department of Highway Safety and Motor Vehicles*** - Successful representation of motorcycle dealerships in administrative proceedings and in court.
- ***State Motor Vehicle Boards*** - Representation of automobile dealers before Boards in many states in protests and petitions concerning franchise regulations, often involving court review as well.