William Causey, Esq.

Oral History Project
The Historical Society of the District of Columbia Circuit

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United States Courts
District of Columbia Circuit

William Causey, Esq.

Interview conducted by: Eugene Goldman, Esq.
December 4, 2024

ORAL HISTORY OF HONORABLE WILLIAM CAUSEY, ESQ.
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NOTE

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PREFACE

The goal of the Oral History Project of the Historical Society of the District of Columbia Circuit is to preserve the recollections of the judges of the Courts of the District of Columbia Circuit and lawyers, court staff, and others who played important roles in the history of the Circuit. The Project began in 1991. Oral history interviews are conducted by volunteer attorneys who are trained by the Society. Before donating the oral history to the Society, both the subject of the history and the interviewer have had an opportunity to review and edit the transcripts.

Indexed transcripts of the oral histories and related documents are available in the Judges' Library in the E. Barrett Prettyman United States Courthouse, 333 Constitution Avenue, N.W., Washington, D.C., the Manuscript Division of the Library of Congress, and the library of the Historical Society of the District of Columbia

With the permission of the person being interviewed, oral histories are also available on the Internet through the Society's Web site, www.dcchs.org. Audio recordings of most interviews, as well as electronic versions of the transcripts, are in the custody of the Society.

The Historical Society of the District of Columbia Circuit

Oral History Donation Agreement of Interviewee

William F. Causey
Donor Name

I, William F. Causey, do hereby grant and convey to The Historical Society of the District of Columbia Circuit, Washington, D.C. and its employees, agents, successors and assigns (hereinafter collectively, "the Society") all my rights, title, and interest in the voice recordings (including but not limited to digital recordings and cassette tapes) and transcripts of my oral history interviews as described in Schedule A hereto, including literary rights and copyrights, for the purpose of preservation and publication of my oral history.

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I understand that the Society may duplicate, edit, or publish such recordings and transcripts in any form or format, including publication on the Internet. I permit the use of such recordings and transcripts in any manner that the Society considers appropriate.

I waive any claims I may have or acquire to any royalties from such use.

I reserve for myself and to the executor of my estate only the non-exclusive right to use such recordings and transcripts and their content as a resource for any book, pamphlet, article, or other writing of which I or my executor may be the author or co-author.

William F. Causey
William F. Causey

SWORN TO AND SUBSCRIBED before me this 26th day of February, 2025.

Robert Kotchenreuther II
Notary Public

Robert Kotchenreuther II
Notary Public, District of Columbia
My Commission Expires 12-14-26

My Commission expires: 12-14-2026

ROBERT KOTCHENREUTHER II * NOTARY PUBLIC * DISTRICT OF COLUMBIA * Exp. - 12/14/2026

ACCEPTED this 26th day of February, 2025, by James E. Rocap, III, President of The Historical Society of the District of Columbia Circuit.

James E. Rocap, III

Schedule A to Oral History Donation Agreement of Interviewee

William F. Causey
Donor Name

Voice recordings (including but not limited to digital recordings and cassette tapes) and transcripts resulting from my oral history interviews with Eugene I. Goldman conducted on the following dates:

Interview No.	Date	Description of Media Containing Voice Recordings	Transcript Page Numbers
1	12/4/2024	MP4	81

The Historical Society of the District of Columbia Circuit

Oral History Donation Agreement of Interviewer

Eugene I. Goldman
Donor Name

I, Eugene I. Goldman, do hereby grant and convey to The Historical Society of the District of Columbia Circuit, Washington, D.C. and its employees, agents, successors and assigns (hereinafter collectively, "the Society") all my rights, title, and interest in the voice recordings (including but not limited to digital recordings and cassette tapes) and transcripts of the oral history interviews I conducted with William F. Causey, as described in Schedule A hereto, including literary rights and copyrights, for the purpose of preservation and publication of his oral history.

All copies of such recordings and transcripts are subject to the same terms herein provided.

I understand that the Society may duplicate, edit, or publish such recordings and transcripts in any form or format, including publication on the Internet. I permit the use of such recordings and transcripts in any manner that the Society considers appropriate.

I waive any claims I may have or acquire to any royalties from such use.

I agree that I will make no use of the oral history, or the information contained therein, until it is concluded, edited and published by the Society, or until I receive earlier permission from the Society.

Eugene I. Goldman

District of Columbia

SWORN TO AND SUBSCRIBED before me this 27th day of February, 2025

Anindita Doris Bruce
Notary Public

ANINDITA DORIS BRUCE
NOTARY PUBLIC
District of Columbia
My Commission Expires Nov. 30, 2027

My Commission expires: 11/30/2027

ACCEPTED this 28th day of February, 2025, by James E. Rocap, III, President of The Historical Society of the District of Columbia Circuit.

James E. Rocap, III

Schedule A to Oral History Donation Agreement of Interviewer

Eugene I. Goldman
Donor Name

Voice recordings (including but not limited to digital recordings and cassette tapes) and transcripts resulting from the oral history interviews of William F. Causey conducted by Eugene I. Goldman on the following dates:

Interview No.	Date	Description of Media Containing Voice Recordings	Transcript Page Numbers
1	12/4/2024	MP4	81

Oral History of William F. Causey

This interview is being conducted on behalf of the Oral History Project of The Historical Society of the District of Columbia Circuit. The interviewer is Eugene Goldman, and the interviewee is William F. Causey. The interview took place via Zoom on Wednesday, December 4, 2024.

MR. GOLDMAN: Good morning, Bill. Are you ready to go?

MR. CAUSEY: Good morning, Gene. Yes, I am. Thank you for doing this.

MR. GOLDMAN: My pleasure. Can you please provide us with some background on your early years, where you grew up, and something that has stayed with you since birth?

MR. CAUSEY: Yes. I was born in Baltimore, Maryland on January 20, 1949, which happened to be the day of President Harry Truman's inauguration. I was born with the congenital heart condition of pulmonary stenosis, which means that the pulmonary valve which permits blood flow from the heart to the lungs was not functioning properly, so I was not getting enough oxygen in my blood system. I was a classic Blue Baby.

My mother was an Army nurse in World War II, and she could see within a few months after my birth that something was wrong. I struggled to move a lot, and my fingertips and lips were bluish. Fortunately, I was growing up in Baltimore. She took me to Johns Hopkins Hospital, and I was seen by an incredibly talented pediatric cardiologist at Hopkins by the name of Helen Taussig. And in fact, a book has just been written about Dr. Taussig's fascinating life.

Dr. Taussig diagnosed my pulmonary stenosis and followed me for the first couple years. She was deaf and would use her fingertips to

"listen" to my heart murmur. As my condition got worse, she urged Dr. Alfred Blalock, the famous heart surgeon at Hopkins and with whom Dr. Taussig had worked for many years to perfect the Blue Baby operation. She asked Dr. Blalock to operate on me. I was three years old at the time. Dr. Taussig told me years later that she asked Dr. Blalock to operate on me and that he replied, "Helen, I don't do three-year-olds. They don't survive the operation." Dr. Taussig then said, "well if you *don't* operate on him, he's going to die." Dr.Taussig said Dr. Blalock looked at her for a few moments and then said, "Helen, I'll do it for you."

So, all this occurred before the development of the heart lung machine, which is why there was a great risk with my surgery. The heart lung machine wasn't developed until several years later. So, I was placed on a block of ice to lower my heart rate for the surgery. My open heart surgery at Hopkins was in April 1952. I survived the surgery well and have done well to this day, seventy two years later.

Without doubt, the best thing my mother did for me, other than take me to see Dr. Taussig, was to tell me in my very early years, "you're not special. You're just like every other kid. Don't think you're unique because of your heart surgery. You are like everybody else, so go be like everybody else." That was a great piece of advice from my mother. I had this huge scar across my chest, the classic horizontal Blalock incision, and as a little boy, it was embarrassing to have other children stare at me. But my mother was right, so I would act like every other child I was around. I

went to public school. I played like the other kids and participated in sports all through high school and then a little later more seriously later in life until my budding baseball career abruptly ended with a rotator cuff injury.

MR. GOLDMAN: I was going to ask you that some people who have developed conditions early on associate with others within an organization or an association that looks after people with similar conditions. Have you maintained an interest with an organization that is associated with that early condition?

MR. CAUSEY: Yes. I have. Several years ago, I joined the Board of a nonprofit organization known as the Adult Congenital Heart Association. It's a national organization that was started about 26 years ago. It deals with issues that affect adults who have a congenital heart condition. For many years after the 1950s and early 1960s, when children who had surgery when they were young and grew up to be teens and young adults, there were very few cardiologists who were trained to deal with their conditions as an adult, so many of them dropped off the page of care. The ACHA was formed to work with those adults and help them get care. I wanted to give back to the heart medical community, and I'm now serving on the board of this organization. It is very fulfilling work.

MR. GOLDMAN: Good. Let's track your early college years, and to the extent you were diverted by some other interests which interfered with the completion of school, tell us about your political activities early on.

MR. CAUSEY: When I was growing up, I wanted to be a fireman, then an astronaut, then a baseball player, by the time of high school, a teacher. Because I was living in Baltimore, one of the best colleges in the area for teaching was Towson State College. It is now called Towson State University. I went there my freshman year thinking I was going to be a teacher.

I was always interested in politics, When I was in high school, I would play hooky from school at times and take the train to Washington, DC to walk the halls of Congress and watch the Supreme Court. One day, on a Friday afternoon in April of 1967, I was in what was called then the New Senate Office Building. Late that afternoon as I was about to get on an elevator, Senator Robert Kennedy entered the elevator. He was alone. He started asking me all kinds of questions. Was I a student? What did I think about the war in Vietnam? What are you studying in school? We got off the elevator and he kept asking me questions as we walked down this long corridor to his office. He just kept asking me questions. He was very friendly. I remember that he looked a lot older than he looked on television, and he was shorter but with a bit of salt and pepper hair. We got to his office, and he said I want you to give my secretary your name, address, and phone number, which I did. Her name was Angie Novello.

Then let's fast forward about a year to March 1968. I was about to end my freshman year at Towson. I was living at home, and one Sunday afternoon I received a phone call from a Washington lawyer named Fred Dutton who said he was working with Robert Kennedy and told me that

Kennedy had decided to run for president. Dutton asked if I wanted to be involved in the campaign and to work with a young lawyer in Baltimore named Paul Sarbanes. Dutton said that Sarbanes was going to head up the Kennedy campaign in Maryland with several other local lawyers and politicians, including a lawyer named Joseph H. H. Kaplan who worked with Sarbanes at Venable, Baejter & Howard in Baltimore, and Charles Moylan, Jr., who was the State's Attorney for Baltimore City and later a judge on the Maryland Court of Special Appeals. I said absolutely.

I joined the campaign within a week after Kennedy announced on March 16, 1968. We had a small makeshift storefront office on Baltimore Street downtown. I started working at the office while still going to school. In about two weeks Sarbanes told me that Kennedy's campaign in Indiana was not doing very well. The Indiana primary was important because it was the first presidential primary in a conservative state, and Kennedy had to make a good showing. Sarbanes wanted me to help organize the student groups in Indiana for Kennedy. I talked to my academic advisor at Towson, and he said that I could take a leave of absence and make up the coursework later. Soon I was on a bus with Joe Kaplan, a law partner of Sarbanes working on the campaign, to Indianapolis. I was in Indiana until the primary on May 7, 1968. I stayed at Ball State University, and travelled all over the state, many times with Kennedy. Kennedy won the primary.

MR. GOLDMAN: What campaign work did you do on the ground? Did that include Oregon?

MR. CAUSEY: Yes. I was in Indiana for about six weeks, organizing and speaking to student groups in all the major universities in Indiana – IU, Purdue, Ball State. I traveled a lot with Kennedy around the state, mostly when he went to college campuses. It was a very heady experience. After Indiana I was expecting to come back to Baltimore to finish my freshman year at Towson, but the campaign wanted me to stay on and travel in the next primaries, again helping to organize student groups and speak to college students. I was in Nebraska for a few days, then on to Oregon. The campaign was very worried about Oregon. It was a Democratic state, but it was a very independent state, and polls were showing Eugene McCarthy was doing very well. Of course, as you know, Kennedy lost Oregon.

MR. GOLDMAN: That was I think the only Kennedy family loss up until that point. How did that feel to the folks in the campaign at that point?

MR. CAUSEY: I think it was a gut punch to just about everyone but Kennedy. He was very much a pragmatist and realist. The person who seemed to be least affected by the Oregon loss was RFK. I think he could tell by campaigning in Oregon that things weren't going well, and I think he was anticipating possibly losing. But the Kennedy family, they're fighters. Word spread quickly within the campaign, that look, it's now on to California, and let's make sure we win there because if we don't win California, this is all over.

MR. GOLDMAN: Of course, it has a greater minority population than Oregon by far.

MR. CAUSEY: Yes. California was very different than Oregon. The crowds in California were huge and friendly, almost scary. I was going to go down and work

the California campaign after Oregon, but I stayed mostly in Northern California, which had a more active and progressive student population than Southern California. I was in San Francisco with Ted Kennedy and his people when RFK was shot, and then everything, of course, came to an abrupt and very sad end.

After the funeral in New York City, I came home and was on the train platform at Penn Station in Baltimore with Sarbanes, Kaplan, Moylan, and all the Maryland Kennedy people, Ted Venetoulis, who was the Baltimore County Executive, and John Carrol Byrnes, who later became a judge. I remember like it was yesterday the train slowly rolling through the train station with the bell slowly ringing. After about a week, I got the Dean at Towson to get me into a couple of courses that summer, and it was then that I decided to transfer to American University in Washington that Fall.

MR. GOLDMAN: Why did you make the change?

MR. CAUSEY: After the RFK campaign, I became much more politically aware and interested in politics. I thought I was pretty good at talking and debating with groups, so I decided that maybe instead of teaching, I should go to law school and think about a political career. Paul Sarbanes, Joe Kaplan, Charles Moylan and others in Baltimore politics encouraged me to do that. And it made sense if I was going to do that, to come to Washington, and to American University because its School of Government and Public Administration had a great reputation. I figured if I wanted to be a lawyer

in Washington, it'd probably be a good idea to go to the school of government in Washington. So that's why I went to AU. Plus, I love the city of Washington, so it was great to make the change. And to start living on my own. One of the best decisions of my life.

MR. GOLDMAN: You were there during turbulent times like 1970, 1971? Could you describe your experience during those turbulent times?

MR. CAUSEY: As soon as I got to AU in the Fall of 1968, I think because people knew I had worked on the Kennedy campaign, I was elected President of the Young Democrats, and that was the campaign year when Humphrey and Nixon were running for president. The Young Democrats were quite active that Fall. It was great fun after a sad summer, and I got to know a lot of students on campus.

One incident that occurred at AU that I remember well involves the University's library. When I arrived at AU, there was no main library building. The so-called library was scattered among several buildings on campus, and there was a lot of complaints from students and faculty. One day in early 1970, five of us decided to have an event that would make the point about the lack of a library. We decided to have a groundbreaking ceremony for a new library. We got spoons from the cafeteria, called the student newspaper to be present to take a photo and write a story about the event, and we picked the spot where for the groundbreaking ceremony where we thought the library should be built. The next day our picture was

in the student paper, and there was a story talking about the absence of a library building on campus. That was all people talked about for weeks.

By early 1970, I think in part because of the library story, many students said to me that I should run for president of the student government, and so I did. There were four other candidates at the time, a wide spectrum of political interest and student population diversity, so it was a very interesting campaign. I didn't win outright. I had a runoff with one other candidate, a very conservative young person who was very ambitious to be student body president and who was a fierce competitor in that campaign. I won that runoff election. I never did find out what the vote total was, but I won the election, and I went on to be president of the student government. I was sworn in four days before Kent State happened in May of 1970.

You can imagine the turmoil not only that Spring, but in the following year, with Kent State and the war in Vietnam and the first year of Nixon. It was quite a turbulent time.

We had a very serious, well-known publicized demonstration at American University in May 1970 as a result of the invasion of Cambodia and the killings at Kent State in an area adjacent to the university known as Ward Circle, the spot where the university is located in Northwest Washington, DC. There was police involvement, and a number of people were arrested. It was a pretty ugly situation, and here I was president of

the student government four days after Kent State. It happened to be the only time I was teargassed, and it is not a pleasant experience.

Anyhow, I got to know George Williams, the president of the University, very well because we had to work closely together during these turbulent times on campus. Although George Williams and I were different in many ways, we got along very well. It was a very interesting time, and I thoroughly enjoyed my year as student body president, including some of the people I met and appointed to positions within the student government. One of the issues I was not able to promote with Williams as the new student body president was the library issue. Another issue another I promoted with Williams as student body president was that the Board of Trustees of the University should have a recent graduate on the Board. I convinced Williams that this was a good idea and he helped get that passed, along with Barrett Prettyman, a well-known lawyer in DC who was on the Board and who I had first met in Oregon in the Kennedy campaign.

Shortly after I graduated in the Spring of 1971, the Board invited me to become the first former student board member. I think Williams wanted me on the Board because he also was lobbying the board for money for a new library. I served on the AU Board for two years. During my service, the board passed the funding for the new library. It now sits on campus, on the exact spot where the five of us had the groundbreaking ceremony a year earlier.

MR. GOLDMAN: At what point did your interest in attending law school solidify?

MR. CAUSEY: By the time I got to AU in 1968, I knew I wanted to go to law school. I continued to keep in contact with some of the people on the Hill that I had met in the Kennedy campaign as well as people in Baltimore such as Paul Sarbanes and Joe Kaplan. I thought at the time that I might want to go back to Baltimore and run for public office someday.

By this time, Paul Sarbanes was in the House of Representatives. He later went on to be a very important element in the impeachment of Richard Nixon, and Sarbanes and I kept in touch. Sarbanes would always say to me every time I would see him that I should run for either the state legislature or maybe even Congress. Of course I was flattered, and I always had it in the back of my mind to maybe do that someday.

MR. GOLDMAN: So you attended law school. Where?

MR. CAUSEY: I did return to Baltimore for law school at the University of Maryland.

MR. GOLDMAN: Where is that law school located?

MR. CAUSEY: It's in downtown Baltimore, near the University of Maryland Medical School. I got a piece of advice from somebody very early on when I was admitted to Maryland. They said law school is hard, but not that hard. You're going to do well. You should get yourself a parttime job during the day somewhere in the judicial system that would enhance your development in law school and as a young lawyer. I became a law clerk to Chief Judge Dulany Foster, who was the chief judge of the courts in Baltimore City at the time. And I served in that job during the entire time I

was in law school. In many ways, it gave me a better legal education than I was receiving in the classroom.

So I would go to work clerking for the judge during the day and walk the few blocks to law school at night, It was a great learning experience for three years. I did not like law school, but I learned so much clerking for Judge Foster.

MR. GOLDMAN: How did the law school treat night students?

MR. CAUSEY: I think very well. We had a large night school population. When I went on to teach later at Georgetown Law School, I quickly realized that night students were in many ways more engaging students than day students. They had more living experience. They were more mature – many of them had families and were working like I was. They took their legal education more seriously. It wasn't a continuation of college, which is how a lot of day students viewed law school. Although I did not enjoy the subject of many of the classes I had to take, I was not enthralled at the time with property or secured transactions or domestic relations, I thought by and large my night school education at Maryland was excellent, and I had some great professors.

MR. GOLDMAN: I think that is absolutely correct. People in the class included when I went to night school, guys and women in the service who were using their benefits to go to law school, serving in our military, Department of Defense, other intelligence agencies. You may have also experienced women who were now out of the house in terms of development of their

children. It was now their time to do something. So what I sense from you is you learned a lot about the maturity of your classmates even though you would be could be a considered a so-called baby compared to them.

MR. CAUSEY: Right. But still, what was great for me about that time was during the day, I'm working with all the lawyers in Baltimore City being essentially the extended arm of the chief judge, so everybody would treat me well even though I was just a law student. And then at night, I'd go to law school and be with all these wonderful students that were in my class. It was a great experience.

MR. GOLDMAN: Give us a minute or two on Judge Foster, for whom you clerked.

MR. CAUSEY: Delany Foster came from a very old and famous Maryland family. His family went back to almost the beginning of the colony of Maryland in the early 1600s. Being the chief judge, he knew everyone and certainly most of the lawyers in the city. This was in the early 1970s. The judge later told me that he thought I was the best law clerk he ever had, but I am sure he said that to all his law clerks. But he did ask me to stay for two additional years. One of my most prized books to this day is a leatherbound copy of Black's Law Dictionary that the Judge gave me when my service ended that has a wonderful inscription from him.

Judge Foster was an avid reader, and we always loved to talk about the books we were reading. I remember that we both loved the novel *Burr* by Gore Vidal that came out then, and the judge and I talked for hours about that book. He was a great fan of early American history. He was

also a big fan of Teddy White's book *The Making of the President 1960*, and we would talk a lot about that book. We also talked a lot about my experiences in the Kennedy campaign. Judge Foster was a conservative Democrat, and he was not enamored with RFK. I am not sure I convinced him of his errors, but we had some great discussions.

Judge Foster was an early riser, and he would always be in chambers when I arrived at about 8:30 in the morning. He was a fairly large man and had quite a presence on the bench, and I think many lawyers were intimidated by him. And he knew how to move cases along. One of the things he was responsible for as chief judge was to grant requests for postponements in criminal cases. I suggested that we should keep a record of the number and reasons for the postponements, and he and I developed a form for lawyers to use to fill out with the name of the case and the reason for the postponement request, and the lawyers had to see me first to get the form and fill it out. The judge wanted to have a form to start keeping a record of postponements in the criminal court. After the lawyers filled out the form, I would then take the lawyers in to see the judge. The judge was very stingy with granting criminal postponements. If you did not have a good reason, forget it. Word quickly got around the courthouse that you had to have a good reason for a postponement. Many of the lawyers would ask me if they thought the judge would accept their reasons for a postponement before filling out the form. Of course, I said I have no idea, although I usually could tell what the judge would do. I

think the lawyers eventually did not want to ask for a postponement and have it denied because that would look bad to the clients. And that did eventually reduce the number of postponement requests, which is what the judge wanted to happen in the first place.

So, I got to know just about every criminal lawyer and prosecutor in Baltimore at the time. And every time the Supreme Court or the Maryland courts would decide a case that involved criminal procedure, he asked me to read the opinions and brief him on what they said and to give him a copy of the opinions with my highlighting and markings.

I also recall that there were times when trial judges throughout Maryland had to sit by designation to hear cases in the Maryland Court of Appeals or Special Appeals, which trial judges had to do occasionally. By practice, he was exempt from doing this because he was chief judge, but he always insisted on sitting. He wanted to do nothing less than all the other judges. He would take me down with him to Annapolis to listen to the arguments, and then we would talk about the cases on the ride back to Baltimore, and he would ask me to draft an opinion. It was like serving as an appellate law clerk. I always thought my drafts were quite good, but he always found something to add or change.

I remember one case that involved the Maryland rule called the boulevard rule. It was what was otherwise known as the right-of-way rule that provided that when cars would approach an intersection at the same time and there was no traffic light or stop sign, the car on the driver's right

had the right-of-way to proceed before the others. There was a serious accident involving a death that involved the application of this rule. I was in law school and did not fully appreciate why he, as chief judge with all he had to deal with in Baltimore City, had to spend time on this case that essentially was an interpretation of traffic law. But I was impressed that he took so much time to read the trial record and read the cases to decide the case. It was a lesson for me that every case is important to the parties, and that details and facts mattered. An important learning lesson for a young lawyer that I was not learning in law school.

Judge Foster had a summer beach house in Bethany Beach, and every summer he would invite me down for a long weekend with him and his wife. We would sometimes go out to dinner. Judge Foster was a huge fan of hard crabs. We would see people in the restaurant in Delaware who knew him by sight. He seemed to know everyone wherever he went. He had great political instincts and would shake every hand with a smile.

He passed away about four or five years after I left working for him. He had an impressive funeral in Baltimore that brought out the entire legal and political community.

MR. GOLDMAN: Looking at your history, particularly your work experience on the Hill, I found it quite relevant to recent years discussion about the reach of the Presidential Records Act. Can you tell us your first venture working on Capitol Hill and getting into the original Act, its meaning, because it

became quite an issue for President Trump with respect to the prosecution in Florida.

MR. CAUSEY: It's a bit of a long story, but I'll try and compress it as best as I can. There's something in this story about being at the right place at the right time.

When I was in my last year at law school, Maryland required students to write a paper, and you had to get a faculty member to be your advisor for the paper. I asked Peter Quint, who taught Constitutional Law, to be my advisor. He was a terrific professor, a very young guy, which is probably why most students related to him. He said he would be happy to be my advisor but under one condition, that he selected the topic. This was in the Fall of 1974. Professor Quint wanted me to write a paper on who legally owns the papers of the President of the United States when the president leaves office. I thought that was an interesting topic and I said okay.

For my research, I read what happened to the presidential papers of just about every president of the United States, which ranged from bonfires at the end of the term to giving them to libraries and museums for presidential libraires to hiding them under the bed. There was no policy or law at all for what happened with presidential papers. So, in my paper I concluded that there ought to be a uniform federal standard for what happens with presidential papers. I didn't come down on who should have

them or who should have ownership, just that there should be a federal standard used by all departing presidents.

To this day, I have to sadly say that I cannot find that paper. I have no idea what grade I got on it, but apparently, I got a good grade because I passed. Shortly after I graduated, I gave a copy of my paper to Anthony C. Morella, who at the time was the general counsel at American University. I knew Tony well from my years at American University and I wanted Tony's thoughts on my paper. I remember him telling me that he thought it was a good job. And then I found out he gave the paper to a friend of his on the Hill. He never asked me to do this, but I'm glad he did. This was in the spring of 1975. All the news surrounding Watergate was bubbling. Agnew had resigned in October of 1973, then the dispute in the Supreme Court over Nixon's tapes, the impeachment talk, and then Nixon resigned in August 1974. Congress passed the Presidential Recordings and Materials Preservation Act of 1974. And there was a lot of litigation about what would happen to the tapes and who would get to hear them.

I got a call one day from a staff member of the Committee on House Administration in the House of Representatives. He said a friend of his had given him my paper and he'd like to talk with me about. Of course, I knew that that friend was Tony Morella.

I eventually was hired as a staff person with the House Administration Committee. I was hired largely because Congress had to propose a set of regulations for the General Services Administration that

had custody and control of Nixon's tapes and records. I guess it seemed to the people at House Administration that I knew something about presidential papers, so I was assigned to work with the General Counsel at GSA to help draft these regulations. I worked very closely with Steven Garfinkel, who was the GSA General Counsel, for over a year in drafting these regulations. Steve was a great person to work with – he died in 2018. Our work was the ground floor for the passage of the Presidential Records Act of 1978.

In addition to working with Steve on the regulations, I also spent my time at House Administration following all the Nixon litigation that was going on at the time. I got to meet and work with a lawyer named Stan Mortensen, who represented Nixon in most of those cases. Stan and I got to be good friends.

The Committee on House Administration also had jurisdiction over disputes to election to the House of Representatives, and I was involved in the investigation of several election disputes in 1976, one in Chicago and one in Seattle. The election dispute in Chicago involved Congressman Abner Mikva, who later became Chief Judge of the United States Court of Appeals for the DC Circuit. The election disputes were largely about ballot recounts, and far different than the highly partisan fights of today. And of course, this was before *Citizens United* and the presence of dark money in election issues.

And I had the best office in the city of Washington. I was on the third floor of the Capitol building right in the center looking down the Mall. I could see the Lincoln Memorial at the end of the Mall, but the Washington Monument sliced right through the view of the Lincoln Memorial. And I had a fireplace! I would sit in that office and wonder about all the meetings over the years that took place in that office. It was the best office I ever had in my career, and I have had some good offices.

MR. GOLDMAN: You have a view on the applicability of the statute you basically were responsible for and President Trump's arguments that he was entitled to keep the papers?

MR. CAUSEY: The 1978 Presidential Records Act is quite clear about this. Once the President leaves office, his White House papers become the property of the United States, and GSA and the National Archives are the government agencies that assumes custody of those records. GSA can issue regulations for the release of that material to the public, which it has done. But I don't think the law permits a president to take classified records with him after he leaves office, and certainly not to do that secretly with no one knowing. That is why Archives kept asking Trump for the return of those records as soon as it found out he had taken those records. To me, the issue was more about how Trump refused to return those records when asked to do so and how he maintained and exposed the records in Florida that created a potential national security problem.

MR. GOLDMAN: Very good. Alright. So, you're wrapping up things on the Hill, and you're thinking of being a real lawyer. What was your first step?

MR. CAUSEY: Well, something happened that changed my plans. I was starting to talk to people, but then something happened in the election of 1978. At that time in Congress, unlike today, chairmanships of committees would be determined by seniority, both in the House and the Senate. If a chairman of a committee or subcommittee lost an election or retired from Congress, the chairs of committees would go to the next senior member on that committee. In the midterm election of 1978, one of the congressmen who was chair of one of the subcommittees on the Education and Labor Committee either lost or retired, I cannot remember which it was, that meant that Congressman Bill Ford of Michigan, who had been the chairman of a subcommittee called Economic Opportunity, was elevated to be chair of another subcommittee, and the chair of Economic Opportunity would go to a new member. Bill Ford was a liberal Democrat from Detroit. The congressman who became the new chair of Economic Opportunity was Congressman Ike Andrews from North Carolina. Although Andrews represented the Raleigh Durham area, probably the most progressive district in North Carolina at the time, he was a conservative Democrat. That worried the senior Democratic leadership of Education and Labor. Carl Perkins was chair at the time. Bill Gaul was the general counsel. People in Tip O'Neill's Speaker's office were very worried about this. They didn't want this conservative Democrat to be in

charge of all the liberal issues in Economic Opportunity such as Head Start, the Juvenile Justice Act, and migrant farm workers. So, I was asked if I wanted to become the general counsel and staff director for Ike Andrews at Economic Opportunity. Thus, I would leave House Administration and move to Education and Labor.

I remember the meeting when I was asked about this. I naively said, "Well, I have never met Ike Andrews. I knew who he was because I see him around, but I have never talked with him. Don't you think I ought to meet him and see if he like me and wants to me to be his staff director and general counsel?" I remember that Speaker Tip O'Neil, was at this meeting, piped up and said, "Oh, don't worry. He's going to like you a lot."

So that was one of my many lessons of politics on the Hill. I became staff director and general counsel of this subcommittee at Education and Labor. But it was a difficult job in that Andrews put on the staff a young man from his district who thought he was the staff director. I needed to have many quiet talks with Congressman Andrews about that. But the work was very rewarding. We basically saved Head Start. I got to go and spend a week in Idaho to live with migrant farm workers. We reauthorized the Juvenile Justice Act. It was up for reauthorization, and for some reason, Jimmy Carter decided to have a signing ceremony at the White House. I was invited to the White House for the signing ceremony, and that was a very memorable experience as well. I have a nice photo

taken that day with Carter at the signing ceremony outside the Oval Office with one of the pens he used to sign the act.

By this time, well into my fifth year on the Hill, I then got a piece of advice from a very good friend on the Hill. I was now staff director and general counsel to a subcommittee. I was making the highest level salary I could at my age and years of service on the Hill, so I couldn't go much higher as a staffer at the time. My friend said you better get off the Hill because otherwise you're going to be stuck here forever. And he said you know all the people you see in the cafeteria who are in their forties and fifties who've been here forever? They've gone nowhere but sideways. They're maybe good at their job, but they are here to stay. Get off the Hill.

So that's exactly what I did. I joined a law firm by the name of Donahue, Ehrmantraut & Montedonico, a small but well respected insurance defense firm in the Washington area, which meant it handled a lot of litigation, and I really wanted to be a trial lawyer.

MR. GOLDMAN: How did you connect with that firm in the first place?

MR. CAUSEY: Someone introduced me to Bill Ehrmantraut, but I cannot remember who that was. Bill was the partner in the firm who did a lot of the medical related issues. I think someone had mentioned my medical history to Ehrmantraut, and he wanted to meet me. We met, and we started talking, and at some point, he said I know you're looking and that you want to do trial work. That's what we do. We do a lot of medical work. Why don't you come work for us. And I did.

MR. GOLDMAN: Very good. There's a case I'd like to get into a bit involving a father who was killed in an automobile accident. I think Chubb was the client for the firm. Could you describe what happened in that case.

MR. CAUSEY: It was a very sad case but turned out to be a very significant case for the law. There was a young man in his late twenties, maybe early thirties visiting Washington on business. He lived in North Carolina, was married and had two young daughters. He was in Georgetown one night with some business associates at a bar. He'd been drinking, and as he was leaving the bar, he foolishly and negligently walked across Wisconsin Avenue –not in a crosswalk – about 6:00 at night and got hit by a car traveling north on Wisconsin. The car was driven by a young woman who was driving her father's car. She was traumatized by the event. The young man was killed at the scene as a result of the accident, and his family filed suit against the woman. Chubb was the insurance company for the auto policy. Chubb asked us to represent the driver, and somebody at the firm, either Joe Montedonico or Bill Ehrmantraut, suggested I ought to handle the case. So, I started working the case.

It was clear to me after looking at all the initial facts that the young woman was not responsible for the accident. To me, it was clearly the fault of the young man walking across the middle of the street inebriated and being hit by the car. I remember Chubb said to me how are we going to prove what happened? I said why don't we reconstruct what happened by creating a visual animation of the accident. We have enough

undisputed facts, location of the accident, eyewitnesses to the drinking, the damage to the car that could suggest the speed and position of impact, enough facts to create a visual reconstruction. We needed to show that the driver was not speeding, was in her correct driving lane, and could not see the man before he darted out into the street.

I had by that time started reading the very early literature about computer animation and litigation. At the time there was a young firm in Annapolis called FTI, which I believe stood for Forensic Technologies International, I knew about them by reading the literature on accident reconstruction. I said to Joe Montedonico that we ought to hire FTI to do a computer animation of this accident to show that our client was not responsible. Joe thought it was a great idea.

Now, to our knowledge no lawyer had tried to introduce computer animation of a physical accident into evidence. I started doing some reading. There was very little case law on the subject at the time, and I learned about the new firm that was doing early computer animation.

I met with a small group at FTI to explore what could be done. They came up with ideas such as film the scene from the driver's perspective, with the car driving the same way at the same speed past the bar, to take all kinds of measurements, and examine the car and the medical records. We did a lot of reconstruction work. With all this information, FTI then created several computer animations views of the accident from different perspectives, and it was clear from these that our

driver was not at fault and that there was no viable last clear chance argument. Looking back at this many years later, and now being so familiar with all sophisticated computer animation and AI that is being used in litigation, what we created was very simple – but very new at the time.

So, I disclosed to the other side in discovery what we were doing. The lawyer on the other side was also a very experienced lawyer, Dan Toomey, who was handling this case because he knew the family. We knew each other at the time, and to this day, we're still good friends. I disclosed to Dan that I had FTI create a computer animation of the accident, and I intended to have it introduced into evidence for the trial. He said you can't do that. How are you going to get it admitted. I said it's one of the interesting issues in this case. Here is what the standards are for admitting this material. He said we're of course going to fight it, which I knew he would do. We gave him a copy of all our work product.

Dan filed a motion to exclude the animation. The case was before Judge Joyce Hens Green, and she assigned the matter to US Magistrate Judge Arthur Burnett. Judge Burnett held a two day hearing with witnesses from FTI. Of course, I had to show how FTI created this animation – presenting evidence of all the site visits, the technology of creating all the animations, the qualifications of the FTI personnel who created the animations, and all the physical evidence from discovery that supported the animations. We had to deal with some hearsay and other

evidentiary issues, and Judge Burnett watched the animation several times and asked a lot of questions of the FTI witnesses about how it was produced and what equipment was used to make the animations and all of the questions he should have been asking. He eventually ruled that the animations we wanted to use were admissible at trial. To the best of our knowledge, this was the first time a federal court in the District of Columbia permitted the use of computer animation as evidence at trial.

MR. GOLDMAN: Did the plaintiff's lawyer appeal that to the district court judge?

MR. CAUSEY: No. the animations were very compelling for our case. We settled within a few days.

MR. GOLDMAN: Okay.

MR. CAUSEY: I'm pretty sure that we both thought Judge Green would accept Burnett's recommendation. Judge Green was a very thorough and thoughtful judge. She was a wonderful person. She passed away about a year ago.

MR. GOLDMAN: I think this episode is a perfect example of cutting edge, the introduction of the technology and how we tried cases. And as you say, FTI is now publicly traded. A huge company. We use them for forensic accounting and other services. A lot of other firms do too. So this was the beginnings of FTI and your use of them in the beginnings of technology in the courtroom.

MR. CAUSEY: I later used them in a lot of medical malpractice cases too. You are correct, it was cutting edge for the courtroom.

Talking about FTI reminds me that I started to use FTI in other matters around this time with another client when I was with Montedonico. I was assigned a case by one of our insurance carriers to represent a small construction firm in Ocean City, Maryland, called Purnell Jarvis. At the time, Purnell Jarvis built about two thirds of the condominiums in Ocean City. George Purnell and Richard Jarvis were extremely interesting and very talented people. George was the brains of the group, and I remember that he was a good friend of Jimmy Buffett, and he even built a house for Buffett in Ocean City. Richard Jarvis was the public relations end of the firm—he was large person with an equally big personality. He was a race car driver in his spare time. Richard had little use for lawyers, but George seemed to understand the need and role of lawyers. Because George handled the business aspects of the firm, it made it a little easier for me.

Well, anyway, I was assigned this case involving a construction dispute at a condominium they had built. I think it was called the Atlantic, but I am not sure of that. Anyway, the issue was about some alleged faulty cantilevers used to support the balconies on the building. I used FTI do create a simple animation about how the cantilevers would be designed and installed into the structure to support the balconies. Again, it was very primitive at the time, but I think it helped me settle the case. George was so impressed that he asked me to be the lawyer to represent their business in all their litigation, and they had a lot. There was a period in the mid

1980s that I had to drive to Ocean City about twice a month. And I appeared in the Circuit Court for Wicomico County many times.

I remember a case I had involving a Purnell Jarvis condominium in Ocean City. I remember the case so well because Federal Judge Royce Lamberth and his wife Janice were owners of a unit in the condo and part of the plaintiffs committee in the case. The case eventually settled, and Judge Lamberth would remind me about the matter with a smile just about every time I saw him. And I remember that just about the same time I tried an age discrimination case before Judge Lamberth involving my client the National Telephone Cooperative Association. We did not say anything to each other during the case about the condo case, but I think Ocean City was in the back of both of our minds. The NTCA case was a hotly contested case, and the jury returned a verdict for NTCA in the case. I think Judge Lamberth looked upon me as a much more serious trial lawyer after that case.

MR. GOLDMAN: What happened to the Montedonico firm?

MR. CAUSEY: Well, let me first say that my trial mentor was Joe Montedonico. Joe was an incredibly talented trial lawyer and most interesting person. His descendants were the famous Love family from the Eastern Shore of Maryland. And Joe was one of the few people at the time who drove a shiny black Porsche. But at the same time Joe was an incredibly disorganized person. He couldn't find things that he was looking for, files, his keys, his calendar, which of course was paper at the time. But you put

him in a courtroom, and he was phenomenal. I learned so much about litigation and how to work a courtroom from Joe.

I was at the firm for a number of years, and then both Ed Donahue and Bill Ehrmantraut passed away within a few years of each other, and the firm started to dissolve with lawyers going in different directions. Joe handled the case for one of the survivors of the 1982 Air Florida crash and went on to do plaintiffs work and did very well. That case also was before Judge Joyce Hens Green. So many of us who were younger started to look around. I had some great trial experience by this time.

When I was with Joe, I watched him and the other senior partners go about managing the firm. Steven Hamilton and Brian Nash and Frank Canale and a few others taught me the business side of law practice. Because Joe was so disorganized at certain things, a lot of us, even the younger members of the firm, helped him make sure things in the firm ran smoothly. I also learned a lot about law firm personnel issues. I thought it would be interesting to have my own small litigation firm.

At the time, I knew a lawyer by the name of Jim Falk. Jim had a small practice, basically a government contracts practice, because he used to work for President Gerald Ford.

MR. GOLDMAN: Did he also work for him when Gerald Ford was Vice President?

MR. CAUSEY: Yes.

MR. GOLDMAN: Okay. So, they were very close.

MR. CAUSEY: Yes. And Jim was a very pleasant guy. He had a small practice and had his two sons in his practice. I remember we were talking at some social event, and Jim said, "You know, we don't do litigation, but my sons are young and want to do litigation. Can you come and join our practice, and can you bring some litigation work? You can run the litigation side of the firm. You've got insurance contacts and know the judges. You can perhaps get some work from some of the insurance carriers."

So, I joined Jim, and we renamed the firm Falk & Causey. We were in the building on M Street where Wilmer, Cutler & Pickering was located. We had an agreement with Wilmer Cutler to use their huge library, which was phenomenal for a small firm like ours to have access to such a great library.

However, for many reasons. it quickly became clear to me that this was not the right move. Perhaps I was naïve in thinking I could help manage a firm, or that I could fit into the so called family business. Except for a few significant cases, I missed everyday trial work and being in the courtroom. I soon learned that I did not want to be an administrator and a law firm manager. So, I eventually said to Jim, this isn't working for me. I'm probably going to want to do something else. I think he understood. Jim was a very nice person and I had become friends with one of his sons, Jim Falk Jr. Jim Senior was an excellent business lawyer, but helping him run a small firm was not for me.

MR. GOLDMAN: But while you were there, you had a very interesting case before Judge Ellis, right? I wouldn't call it cutting edge like we had with the discussion on FTI, but it did involve recently enacted statute and whether in the case there would be limitation of damages. Could you give us a description of that litigation.

MR. CAUSEY: Sure. This is I think one of the most interesting cases that I ever handled. Jim Falk knew a woman who lived in London. Her daughter was visiting friends in the Northern Virginia and one weekend she developed a rash on her face. The daughter, Susan, went to the ER at Arlington Hospital, and because she was from England, she did not have health insurance. Susan appeared at the ER in some distress. The hospital basically gave her two aspirin and said call us if it gets any worse. Within 24 hours, she was feeling terrible with a high fever. She had to be brought back into the ER in an ambulance. She had developed septicemia and wound up being in the hospital for six months. She lost sight in one eye and had to have one of her legs amputated. It was a horrible medical mistake.

At this time, I think this was in late 1989 or early1990, Congress had just passed a new law called the Emergency Medical Treatment and Active Labor Act, or EMTALA. I think the Supreme Court just within the past year decided an EMTALA case. Anyway, EMTALA provided that if a patient presents to an emergency room, or if the patient is a woman who is in labor, they must be treated under a standard of care even if the patient does not have health insurance coverage.

Jim asked me to handle the case for her. We filed suit against Arlington Hospital in federal court in the Eastern District of Virginia, where Arlington Hospital is located, claiming that Susan's first discharge from the ER without any examination or treatment because of her lack of insurance was a violation of EMTALA. The Act was very new. At the time there was only one similar case involving EMTALA that we could find. The case was assigned to Judge T. S. Ellis. I knew the lawyers representing Arlington Hospital because I had worked with many lawyers in the area who represented hospitals and doctors when I was with Montedonico. These lawyers were very good, and I think they knew the hospital had made a mistake. The facts were largely undisputed, and the real issue was damages. The EMTALA statute at the time, I don't know if this is still true today, had no cap on the amount of damages a successful plaintiff could recover. The hospital took the position that because the Act was silent on any limitation on damages, the judge had to apply Virginia State law on damages. At the time, Virginia law had a $1 million cap on medical malpractice cases. We took the position that the State law cap did not apply because Congress could have put a cap in the federal law if it wanted to cap damages; Congress could have said that the federal court had to apply the state law on damages. The fact that Congress was silent on any limitation on damages meant that there was no limit to what a plaintiff could recover under the federal statute. This issue was the problem in settling the case. The hospital was not going to pay the demand

we were asking for, which as you can imagine was significant given what happened to Susan, and the case went to trial before Judge Ellis.

Here's the most interesting thing about this case. I never met my client, Susan Power, in person. I never met her but I did meet her mother when I went to London with Jim Falk's son to take depositions of doctors and the mother, but I never met Susan because it was a very bad experience for her, and she didn't want to have to get personally involved in the case or have anything to do with the case. This was a terrible experience for her.

MR. GOLDMAN: There was no interest from any party to take her deposition, even overseas?

MR. CAUSEY: No. I think they knew better than to take Susan Power's deposition. There really was no serious factual dispute in the case, and her deposition would only add a greater level of emotional complication for them in the case. This was going to be a fight over the language and meaning of the statute regarding damages. The hospital lawyers knew that from the very beginning, and this was their defense. So, I went to trial without a client, the first and only time I've ever tried a case without my client with me in the courtroom. To this day I have never met Susan Power. I hope she is doing well.

Let me add this recollection. I remember the morning of the trial. It was still in the old Post Office building on the GW Parkway in Old Town Alexandria near the statue of the Confederate soldier that is facing south. I

think that it still there. We were all in the courtroom ready to start the trial before the jury was picked, and Judge Ellis walked out into the courtroom. He came out in his business suit, not in his robe, and he had a piece of paper wrapped in his hand. He sat down, and he said I have here my ruling on your cross motions on the damage issue. The thing I picked up was he always kept looking and talking to the defense lawyers. He strongly urged them to settle the case. I took that to mean he was going to rule in our favor on the cap question. I think the hospital was worried about getting a ruling from the judge against them on the damage question and that might impair their ability to appeal if they lost before the jury, and that it would set a bad precedent for other personal injury cases in Virginia. The hospital refused to settle. Judge Ellis was clearly upset by that. He came back on the bench in his robe, and we started the trial.

MR. GOLDMAN: How did Judge Ellis rule on the motion?

MR. CAUSEY: He issued a ruling in our favor when he came on the bench. I remember I won almost every evidentiary motion at trial. And of course, back in those days, a jury trial in the Eastern District of Virginia was at most two days.

So, we tried the case. I remember one of the things that I did that I knew was a risk, but I thought it was going to help us. There was a nurse on the jury venire panel, and I did not strike her and neither did the defense. I think it later turned out that the nurse was very helpful to me in explaining to the other jurors what the medical issues were in the case, and I suspect the nurse also knew something about EMTALA. Of course, you

never know what the jurors talk about or think about. This is always part of the thrill of trial work.

After all the evidence was presented in one day, the jury retired and was excused for the night. They came back the next morning, and by 10:30 we had a note that there was a verdict. I remember I looked at the defense lawyers. They looked at me. We both thought this is probably bad news for one of us. The jury came back and not only found for Susan but gave her a $5 million award. At the time, it was the highest plaintiff's negligence award in the Eastern District of Virginia. It was on the front page of the *Washington Post* the next day. And of course, the Hospital appealed.

MR. GOLDMAN: Yes. The $5 million versus $1 million. And limitation.

MR. CAUSEY: It was worth fighting over. They said we're going to appeal. They took an appeal to the Fourth Circuit and the court ruled in their favor by a 21 vote. But Chief Judge Sam Ervin wrote a very strong dissenting opinion agreeing with our argument, that if Congress wanted to put a cap on damages, they could have done that. With Chief Judge Ervin's strong dissenting opinion, we thought we had a very strong case for a cert petition to the Supreme Court. We got some advice from appellate lawyers about what they thought. They all said this is worth filing. I filed my one and only cert petition in my career. I thought it was a strong petition, but the Supreme Court had never ruled on an EMTALA case. The Court denied cert, I'm sure because at that time there was only one other

reported district court case on EMTALA, and there were no Court of Appeals decision except our case, so there was no conflict among the circuits. It was a federal statute, and they had jurisdiction in that respect. But it turned out not to be a strong case for granting cert. The Supreme Court needed another couple of cases from the circuits with a split, and we didn't have that. So, they denied cert. Now they're accepting more and more EMTALA cases. Thus, Susan Power, my client who I had never met, only received $1 million.

MR. GOLDMAN: Very interesting case. Before we went into the case, you were discussing your migration out of the Falk firm and the reasons why. Tell us where you landed after that.

MR. CAUSEY: After I told Jim that I wasn't really happy and that I wanted to go do something else, and that something else was clearly going back to doing a lot of litigation. A few years earlier when I was with Montedonico, I had a case and I met a lawyer in the case by the name of Tom Jackson with a firm called Jackson & Campbell that was started by his father Thomas Searing Jackson and Earl Campbell, another lion of the bar. Tom Jackson and I got along very well. I don't remember what the issue in the case was, or how it got resolved – we must have settled because it did not go to trial. But I remember we got along well, and we later became good friends and members of the Charles Fahy American Inn of Court.

By the time I was looking for a firm to resume trial work, Tom had been appointed to the federal bench. We had lunch one day and I told him

that I was not happy with what I was doing and that I wanted to go back to doing mostly litigation. He said why don't you join Jackson & Campbell. He recommended me to the people at Jackson & Campbell. We hit it off well, so I then joined Jackson & Campbell. At the time it was a well respected litigation firm.

I think it was a happy parting for Jim and me because I think he realized that he didn't really want to get his firm into litigation work. I didn't want to be doing the stuff that Jim and his sons were doing, so it was an amicable parting. I went to Jackson & Campbell and was there for a number of years.

MR. GOLDMAN: While at that firm, from the materials I've been reviewing, it looks like you developed a niche practice, touching on art and related issues. And in fact, you had one case involving the very famous Georgia O'Keeffe. Could you tell us about that case?

MR. CAUSEY: This case was interesting for many reasons. By that time I had been representing a lot of doctors and medical groups at Donahue, Ehrmantraut & Montedonico and Jackson & Campbell. A group of doctors in Northern Virginia come to me and said they bought some lithographs from James Stieglitz, who was I think the nephew or grandnephew of Georgia O'Keeffe, I don't remember which, and that they were told by Stieglitz that the lithographs were signed by Georgia O'Keeffe. They paid a lot of money for them, but they now had questions about whether the signatures were authentic. Of course, O'Keeffe at one point was married to Alfred

Stieglitz, so there was some possible legitimacy to Stieglitz's claim that O'Keeffe signed the lithographs. The doctors wanted their money back.

I first contacted Stieglitz, and I was surprised that he didn't refer me to his lawyer. That was a very early signal to me that something was suspicious about all this. Stieglitz said I'm not going to pay them anything. They're legitimate, so sue me. So that's what the doctors decided to do. We filed suit against Stieglitz.

I knew I had to show that O'Keeffe did not sign the lithographs to prove fraud against Stieglitz. There was only one way to do that, and that would be to take her deposition. So, I made an overture to O'Keeffe through her corporate organization and explained the situation and that I needed to talk with her lawyer. I was a little surprised that I got a phone call rather soon from a lawyer in New York who was very polite and professional. He was with one of the larger New York firms; it may have been Sullivan & Cromwell, I don't remember now. He said he represented O'Keeffe. I explained the case. He listened very quietly, and I said I want to take her deposition. He said we're not going to do that. She lives in New Mexico. She's old. She's not doing well. He said send me a list of questions you have, and I'll get you the answers. I explained why that was not going to work unless Stieglitz agreed and would settle the case. He said he could not speak for Stieglitz. I repeated my concern that a signed statement was not going to work because I could not prove my case with any statement from her that was not under oath and subject to cross

examination. He said I'll get you an affidavit. I said I don't think I can use an affidavit either because it wouldn't be subject to cross examination. I said I don't think an affidavit is going to help me, although if you want to get me one, I'll certainly try to get in in the trial record. By this time, I was concerned about what would happen if O'Keeffe died. He got back to me a few days later and said I'll let you take her deposition, but you only get ten questions. No more than a half an hour. And no video, although that was still rather rare to do back then. So, I went out to Albuquerque and met the lawyer there. He was very patrician, older than I thought he would be, maybe 60 or so, with thinning gray hair with a white shirt and vested blue pin stripe suit. He had a car and a driver waiting for us at the airport and we drove to her place at Ghost Ranch about two hours north of Albuquerque. We did not talk about the case during the drive, other than I remember he did seem interested in how I got the case. I got the sense that he was not a trial lawyer. We discussed books, the beautiful scenery, and New York City. I kept thinking it was a long way to go for ten questions.

MR. GOLDMAN: You wrote down in advance the ten questions?

MR. CAUSEY: No. I did not give anybody my ten questions. When we arrived at her place, which looked like an old adobe hut and not very clean, there was the lawyer already there who was of record defending her in the case in Virginia. I remember on the court papers that he had an address in Northern Virginia, but I had never met him. He was not very communicative, and he drove back to the airport by himself. Except for a

few questions he asked during the deposition, he said very little the whole time.

MR. GOLDMAN: You had them in your pocket?

MR. CAUSEY: I had the ten questions on my legal pad. They were very easy and methodical. Did you paint these paintings? Did they get converted to lithographs? Did you authorize them? Did you ever sign any of them? Let me show you this one picture of one of the lithographs, did you sign this one? She seemed to be very frail and very old and sat in a chair and her hand was held the whole time by her companion, a very young man named Juan Hamilton. But she answered no to the question on whether she signed the lithographs, which was critical to my case. I recall asking one question about her decision to create the lithographs, and the New York lawyer objected and said that she would not answer any questions about any of her business organizations or business decisions. And then the lawyer who represented her in the lawsuit, who was also there but got there somehow on his own, asked her a few questions, such as we heard you say you didn't sign these, but you know you're up there in years and do you clearly remember these lithographs, and things like that. Could it be that your memory is not that good? The kinds of questions one would expect in cross examination in this situation. Anyway, I had my ten questions and got the answers I wanted, and the New York lawyer and I drove back to Albuquerque in his car. I don't think I ever spoke to the other lawyer again. It was all a very strange experience.

A couple of days after I got back to Washington, I'm at my desk and the phone rings. There's a voice on the other end that says, Mr. Causey, this is Agent So and So of the FBI. You're handling a case involving some lithographs sold by James Stieglitz. Is that right? Yes. Why are you calling me? I'll get to that in a minute. What do you intend to do in this case? I said I don't think I'm going to disclose that to you because I'm not really sure what my clients want to do, but we're probably going to file a motion for summary judgment and then make a demand. The FBI agent said, well, frankly, I'm calling to tell you your case is over. I said what do you mean. He said the government is going to settle the case with your clients. Here's the amount we're going to pay. It was an amount that was well above what we were then demanding. I said why are you doing this, and he said I can't tell you that now, but take this to your clients and see what they want to do and get back to me. Here is my phone number. I noticed it was a New York area code, which I thought was odd.

Well, of course I called my clients, and they said absolutely, we will take the money. It was a sizable amount. They said we don't care who pays the money. We want the money and get rid of the lithographs. I called the agent back, and I said my clients would accept the money. I asked the agent again why he was involved in this in the first place, but by now I was beginning to figure it out.

After the case was over, I learned that the FBI was doing a sting operation using Stieglitz to try and catch people involved in large art fraud

in New York. They were looking for really big ticket art fraud, and they were using Stieglitz as the sting. Our little four doctors got in the way and were mucking up Stieglitz's cover. To this day, I do not know if the FBI knew what Stieglitz was doing selling these lithographs to my clients. He may have been doing that on his own without telling the government. I don't know. I am sure when the FBI found out about our case involving the O'Keeffe lithographs, it said let's get rid of this case, otherwise, it's going to mess up our fraud operation in New York.

MR. GOLDMAN: How were they getting in the way?

MR. CAUSEY: There'd be a public record with the lawsuit involving Stieglitz, and maybe even a trial. Stieglitz would probably have to testify at trial under oath. I was going to ask all about his relationships, and they didn't want a public record of Stieglitz testifying about that stuff. So that's why they stepped in and said we're going to stop this case.

MR. GOLDMAN: Who cut the checks?

MR. CAUSEY: I am pretty sure it was the US Treasury, I don't know remember now.

MR. GOLDMAN: So you never dreamed that the government would be involved, and at the end of the day, it was the government that paid your clients.

MR. CAUSEY: Yes, funny things sometimes happen in litigation.

MR. GOLDMAN: Your perseverance to pursue the O'Keeffe deposition, you got what you needed from her. You were off to the races.

MR. CAUSEY: Yes. I remember another interesting art case involving a gallery here in Washington if I can discuss that for a few minutes. There was a legal

dispute over the sale of a painting by the famous artist Albert Bierstadt. The gallery had sold a sketch of a boat that Bierstadt painted when he was in Alaska and turned out that there was a significant amount of restoration work on the sketch, what some in the art world call overpainting. The purchaser claimed that there was more than 50 percent overpainting, and that that made the painting no longer a Bierstadt, and that the gallery engaged in fraud in selling the painting as a Bierstadt. The purchaser filed suit and the question was to what amount of overpainting rendered the painting as no longer attributable to Bierstadt.

In defending the case, I retained Linda Ferber, who at the time was the leading Bierstadt expert in the country. She had written the definitive book on Bierstadt. We had to reach an elaborate agreement with the owner on how Ferber could do testing on the painting to enable her to have an opinion on the overpainting. Ferber eventually examined the sketch, used all kinds of testing available at the time, and concluded that there was about 40 percent overpainting, but it was her opinion that one could still refer to the sketch as a Bierstadt. It was questionable whether she would be able to state that last part for purposes of trial, because that court might say that was an issue for the jury to decide. But it was Ferber's view that the painting was a Bierstadt originally and that there was only about 35 or 40 percent of overpainting and that the sketch was still a Bierstadt.

MR. GOLDMAN: Who does the overpainting?

MR. CAUSEY: Restorers, museums, people like that. Maybe whoever the painting passed to after Bierstadt's death wanted to clean it up, touch it up a little bit. Sometimes when they clean it up, they sometimes mess it up, and it has to be repainted or restored in that spot. You never know.

MR. GOLDMAN: Very interesting.

MR. CAUSEY: So, we settled that case not long after Ferber issued her opinion. Ferber's opinion on issues involving Bierstadt were well respected in the art world. And the lesson for trial lawyers here is that having the right expert is very important to preparing and presenting your case. Anyway, nobody in the art world at the time wanted this case to be tried. There had never been a case about when an artist's work no longer remains the artist's work due to subsequent work on the painting. No gallery or museum wanted to have a case about that issue to be decided by a jury as a matter of public record because it would upset the entire art world of painting. A museum might not be able to say that its Picasso was still a Picasso, or its Thomas Cole is still a Thomas Cole.

MR. GOLDMAN: Right. Usually the core issue is whether it's a fake or if it's real.

MR. CAUSEY: Not that it is a fake, but that the content of the picture had been changed so much that one can no longer claim it was painted by the original artist. That's a very different issue from the painting being a fake. Everyone eventually agreed that the painting was originally painted by Bierstadt – there was a dispute early in the case that the sketch was not a Bierstadt at all because Bierstadt never went to Alaska. But Linda Ferber put an end to

that argument by showing that Bierstadt indeed went to Alaska for a brief period of time. But there was a lot of pressure to settle the case, and we did, and everybody, I think, was happy that we did not have to go to verdict on this significant are issue.

MR. GOLDMAN: You're coming along at Jackson & Campbell, and at some point, you parted ways. How come?

MR. CAUSEY: I was there a number of years, but at some point a noticeable number of partners, particularly younger partners, and, I thought very good, aggressive partners, were unhappy with the senior managers who had been running the firm for many years. I would never get a clear answer from any of them as to why so many younger lawyers were leaving, and I didn't want to press the point. If they wanted me to know, they would tell me, and one did. I was also becoming concerned myself about the fact that some of the senior partners were, in my opinion, preventing the growth of the firm because they didn't want to let go, and that's probably why some of the younger lawyers left. They were very conservative in their approach to law practice and litigation. I didn't think the firm was doing the level of litigation that it could do. I did a lot of medical malpractice litigation. I didn't like the way it was dealing with a lot of expert witnesses, and I got into a serious dispute with some partners, not all partners, about how I handled an expert in a case. I thought their position was rather silly and not at all in accord with the facts, but it was an unpleasant disagreement. I mentioned it to Judge Tom Jackson and he agreed with me and asked me

why I wanted to stay at the firm. I thought it was interesting that the person who urged me to join Jackson & Campbell now suggested I leave the firm. There were other partners at the firm that asked me privately why would you want to stay at this firm.

So, I thought that was good advice and I decided that I just didn't want to stay there, and I joined another established firm in Washington called Peabody & Brown, a smaller firm. I knew many of the partners there. Chuck Edson who is still a good friend – was a partner who was well known for his work on affordable housing. It had a good litigation practice. Somebody at the firm had mentioned to me why don't you think about coming with us because we know you're not happy with Jackson & Campbell and you have a good reputation among the court and lawyers. So, I joined Peabody & Brown.

I was with Peabody & Brown about a year when the firm merged with Nixon Hargrave of New York, and we became Nixon Peabody, which is now an international firm.

MR. GOLDMAN: Another big firm experience. So you weren't that interested in merger politics in the aftermath. So, you move. You moved on to the Red Cross, your next step?

MR. CAUSEY: Well, yes, but let me mention a few things about Nixon. I remember vividly the morning our managing partner came in and told me we're going to merge with Nixon Hargrave. My immediate reaction was oh my goodness, I don't want another big law firm and mergers. I had done a lot

of work representing lawyers and law firm merger issues. Not acquisition issues, but law firm divorce issues. In one case, I represented a group of lawyers who were in the Washington office of a big New York firm, and they want to break off and be on their own in DC. It was rather messy. So I knew something about law firm mergers and divorces, and I knew law firm mergers usually never worked out well. When I was told that Peabody & Brown was merging with a big New York firm, I wasn't real happy about that.

But the merger went forward. It turned out after about a year or so, I was right. The merger was not working well. Virtually everybody from Peabody & Brown was unhappy about it.

Another thing that happened around this time was that I had been serving on the DC Bar Board of Governors for a three year term that was expiring in 2000. Many people suggested I run for DC Bar President. DC Bar politics is a strange environment. Although I was well known in the Bar, having served on the Board and on as Chair of the Board's Litigation Section, and because my three year term as a member of the Board of Governors was expiring, I had to decide whether to stop being involved in Bar politics or run for President of the Bar. That was the year that John Nields also was running for President of the Bar, and he had more public notoriety among less active members of the Bar because of his service as Chief Counsel of the Iran Contra congressional investigation. John won

that election and went on to serve a distinguished year as Bar President. But I decided that my Bar career was over.

So, I decided it was time to do something completely different. I was still a partner at Nixon Peabody, but I applied to be a judge on the D.C. Superior Court. I submitted my application and went through the process. This was in 2001. I remember I was in Providence, Rhode Island for a deposition. I was in my hotel room, and I got a call that night from the head of the Judicial Nominating Committee saying that the Committee was going to recommend me to the White House for a seat on the Superior Court. Although I was pleasantly surprised, I figured that I could leave the active practice of law and the increasingly unpleasant world of law firms and go on the court and still be involved with litigation every day.

The Commission referred my name to the White House. It was the Bush White House at the time. I received a call from counsel at the White House saying the President was going to nominate me for the Superior Court. I thought my career was now going to play out on the bench. What is the phrase I said earlier, that timing is everything? I was now going to learn that the hard way.

What I didn't realize was, unlike the Clinton White House, which did background checks on all the people that the Judicial Nomination Committee referred to the White House for judicial appointments on the District of Columbia courts, and then White House selected a nominee after looking at all the background checks, the Bush administration, I

guess for economic reasons, decided to make their pick for the bench and only then have the FBI do the background check on the person selected. I didn't think much about that at the time.

While I was still at Nixon, 9/11 happened. I remember watching the plane hit the second tower on the television in the Nixon law library. At the time I had begun my FBI background interviews for the Superior Court. I had two or three of them when 9/11 happened. I remember my next interview. The agents said we've got a problem. We're pulling most of our agents who do background checks to do 9/11 terrorist work, and we don't think we're going to complete your background check in time. The reason that was important was because the White House had to submit my name for confirmation within 90 days of my selection by the Judicial Nominations Committee for me to be appointed to Superior Court. I wouldn't have a background check, and the White House was not going to go through with the process of nominating someone without completing the background check. So essentially, that was a huge problem.

As I said, I was at Nixon Peabody when this was occurring, and word started to get out that I was going to go on the bench, and my clientele started to evaporate. Clients started to go elsewhere else because I wasn't going to be at the firm much longer. I told the firm that it looks like I'm not going to get the background check, and the White House said we're going to have to renominate you. That likely was going to take possibly another year. The firm asked what are you going to do here at the

firm during that period? I now had few clients because they were all leaving because they thought I was going on the bench. And besides, Nixon was not the best firm for sharing litigation among its partners. There were too many lawyers and too few cases, certainly in the Washington office. But the clients were all very nice – many would call me and say that we are happy about you going on the bench, but we need assurance that the lawyer we use for our work will be there when needed. A hard lesson about don't count your chickens.

MR. GOLDMAN: I'm just trying to think about a client's mentality. Wouldn't they be inclined to stay with you? It's an upside that you'd eventually be a judge in their view.

MR. CAUSEY: That is not what I felt was happening. Because the word was spreading of my possibly going on the bench, some of my effectiveness as a trial lawyer was going to be limited with opposing counsel and with the courts. So, I finally said to Nixon Peabody, look, this is not really working out, and the firm agreed. Nixon was a very bottom-line firm, and it already was top heavy with lawyers, particularly in litigation. They did not want to keep a partner in litigation whose client base was declining, even if the appeared that that person would soon be a judge.

MR. GOLDMAN: When did they fill the seat on the court?

MR. CAUSEY: I think it was probably the next year. It's interesting you ask that question because I don't even know who took that seat.

But it's funny how things work out. While all this was going on, one day I got a phone call from Mary Elcano, a good friend and a partner at Sidley Austin. She had just been named General Counsel at the American Red Cross. It's really kind of funny how things happen. Timing is everything. Mary didn't know about my situation at Nixon. She said look, I've just become general counsel at the Red Cross, and I can't believe how much litigation this organization has. We have over a thousand active cases. I said that can't be. You're the Red Cross. She said I didn't realize it until I got here either, but the Red Cross is a big business. We're a huge corporation. She said we have over 30,000 employees, we have about 50 chapters around the country, we have a huge budget, we own over a thousand vehicles, we have a large blood collection and distribution operation, we are intertwined with the federal government, and there were a thousand active lawsuits on going, big and small. She said, I don't have anybody here who knows anything about litigation, will you come and be assistant general counsel for litigation. Litigation was the magic word, and I said yes.

MR. GOLDMAN: Yes. Talk about the company and the types of cases. There's one in particular that gained my interest, and that was the case against Johnson & Johnson. We can talk about Katrina after that or before because it's chronologically that way.

MR. CAUSEY: Let's talk about the Johnson and Johnson case first, because it turned out to be one of the largest and most significant cases I handled during my

career as a trial lawyer. As I am sure everyone knows, Johnson & Johnson sells their Band-Aids and medical products with a red cross on the product, and it never occurred to me before I got to the Red Cross why Johnson & Johnson had a red cross on their products; I thought it was just a recognized medical symbol. The story of the case began with Clara Barton, who started the Red Cross. She was living by herself in her early 90s in a little house in Glen Echo, Maryland. The house is still there as a National Historic Site. She got a knock on her door one day from a young lawyer. He said he wanted to buy the rights to use the red cross. She signed a piece of paper for this lawyer that "sold" to Johnson & Johnson for $300 the right to use the red cross on its new products. The lawyer was former Solicitor General and Watergate Special Prosecutor Archibald Cox's father.

During the past two decades the Red Cross would get a letter just about every year from J&J telling the Red Cross to cease and desist using the red cross because they owned the rights to the red cross. We, of course, thought that claim to be ridiculous and basically ignored the letter every year. Who are they kidding. Johnson & Johnson telling the American Red Cross that the American Red Cross could not use the red cross. One might say it was a bit of corporate overreach.

Then Katrina struck the Gulf Coast area in August 2005. As a result of that, there was a sharp increase in demand for emergency kits. The Red Cross had been selling emergency kits for years, and they

became very much in demand after the 9/11 attacks. Johnson & Johnson also sold an emergency kit, largely through stores like Walmart, Home Depot, and CVS. In 2007, we received J&J's letter saying we had to stop using the red cross on our emergency kits because we were infringing the exclusive rights of J&J to put the red cross on its kits, thus allegedly causing confusion among consumers in the marketplace. We decided it was time to push back over this issue of who owned the red cross. We reminded J&J that the American Red Cross is chartered by Congress and that we got our rights to own and use the symbol of the red cross through that charter. We told J&J that you may have an agreement scribbled by Clara Barton – which we thought was subject to challenge anyway – but we've got a charter from Congress, so the Red Cross is going to keep using the red cross.

So essentially we had Johnson & Johnson telling the American Red Cross that it could not put the red cross on its emergency kits. We wrote J&J back and said that the American Red Cross would continue to use the red cross on all products we sell, including emergency kits.

In August 2007, J&J filed suit against the American Red Cross in the Southern District of New York. We hired Hogan & Hartson to represent us, and we went through a long period of discovery with J&J. I think we produced over a million pages of documents in those early days of computer review and production of documents, so it was quite an effort.

We had a large team at the Red Cross working on this. And we learned a lot about the early days of the Red Cross.

The case was assigned to Judge Jed Rakoff in New York, which we thought was a good thing. Jonathan Abram at Hogan was the lead counsel working with us. After the close of discovery, we decided to file a motion for summary judgment. That surprised Johnson & Johnson because this was truly a bet the company case and they thought we were going to settle the case to avoid an adverse judicial ruling on this huge question of red cross use. Johnson & Johnson then filed a cross motion.

MR. GOLDMAN: Was their position that the Red Cross couldn't use the red cross at all?

MR. CAUSEY: By the time we got to this stage of the case, that had become their argument. I think they were hoping that making that broader claim would encourage us to settle. Judge Rakoff scheduled oral argument for I think on January 2 – it was certainly some time in very early January. We all thought that he figured we would all be in New York anyway because of New Year's Eve. Or maybe it was just what had become my experience that judges would sometimes schedule argument on inconvenient days – early January or around holidays – to encourage the parties to settle. I don't think that was the case with Judge Rakoff. I believe he did not want the Red Cross to settle because he, like the Red Cross, thought J&J's claim was extremely weak and he did not want to see the American Red Cross give up its use of the red cross in this way.

Anyway, we all go up there to the Southern District of New York on January 2. Judge Rakoff comes out. He brings all his law clerks and office staff out. There's a large crowd in the courtroom for an argument on a motion for summary judgment. We could tell from Rakoff's questions and comments that he was looking favorably on our position. He heard about three hours of argument and then took the case under advisement. Within a week or two he ruled in our favor in what I recall was about a 30page opinion and we continued to sell our emergency kits. I later heard that Johnson & Johnson soon stopped selling their emergency kits. But it was truly a bet the company case.

MR. GOLDMAN: At the time of Rakoff's opinion, there's so much at stake for Johnson & Johnson. What was your thinking? Did you have any idea why they would not take a shot and appeal to the Second Circuit?

MR. CAUSEY: Well thanks to Hogan, we had done some reconnaissance work on Johnson & Johnson, and we learned even back then, this was almost twenty years ago, that Johnson & Johnson was in a very precarious financial position. They were having severe financial problems. Even in this past year, Johnson & Johnson has stopped basically all its philanthropic giving because it doesn't have the money anymore.

MR. GOLDMAN: Why not spend the money for a first rate appellate firm and get a brief into the Second Circuit?

MR. CAUSEY: Judge Rakoff's opinion was very strong for the Red Cross. I guess that J&J thought it did not have a strong appellate argument. And the case had

received a lot of press and I don't think the public looked favorably on what it was doing.

MR. GOLDMAN: I assume Judge Rakoff wrote a bulletproof type of opinion.

MR. CAUSEY: He did. He wrote an airtight opinion.

MR. GOLDMAN: Let's talk about the events during and following Hurricane Katrina. All the firms in town know of the tremendous work the Red Cross performed during that disaster, but it also involved some litigation that you were part of. Could you tell us about that?

MR. CAUSEY: Sure. When Katrina happened, I think it struck New Orleans on August 28, 2005, it was a Category 5 hurricane. Everybody knows the story of Katrina and New Orleans. I was not directly involved with the disaster relief operations at the Red Cross, which were enormous, unless there was some litigation issue that came up in connection with our relief efforts. And that happened during Katrina.

Mary Elcano, the General Counsel, told me a couple of days after Katrina that I was going to have to go to Louisiana. She said we've got some litigation problems.

As a result of the storm, the Red Cross set up hundreds of shelters in the Louisiana, Alabama, and Mississippi areas. What was happening after Katrina was that local law enforcement, mostly Louisiana State Police, local police, and to some extent in Alabama and Mississippi, were going into all of the American Red Cross shelters we had set up. As I said, we had hundreds of shelters throughout Louisiana and the area that would

feed and house, provide cots, provide clothing for people, who were now homeless. Thousands of people were in these shelters. The local police were coming into the shelters and they simply started asking people to see their identification. We later learned that there were a lot of undocumented people that had sought shelter, and we were told by the people running the shelters that they were being intimidated and harassed by the police. People started to leave the shelters. Our people who were running the shelters told Red Cross managers in Washington that this was a huge problem. How should we deal with this?

So, Mary sends me down there, and we wind up filing lots and lots of motions in the federal and state courts for injunctive relief saying that, in addition to the legal arguments, this action was preventing people from seeking shelter, and despite their status, given the results of the storm, they needed shelter as human beings no matter who they were or their immigration status. We would have a hearing one day and get an order later that day or the next day. The courts consistently ruled in our favor. Of course, it really upset the local police and made relationships between the police and the shelters that much more difficult. But we did the right thing.

I remember every time I presented this argument, I always used the first opening line. I was the moving party, so the court would say, "Mr. Causey, we'll hear from you," and my line was, "Thank you, Your Honor. If you don't grant the relief the American Red Cross is seeking

here, many people will not go to shelters, and many people will die." That would always get the judges to sort of sit up and look at me and say, "Mr. Causey, that's very persuasive. Tell me more." I would then explain how the shelters worked and why they were important and why they saved lives. We won every one of those motions.

So that was my litigation work at the Red Cross during Katrina. Nothing was ever appealed. Everything got resolved, and law enforcement did not move people out of the shelters. I remember the Sunday after I came back and I was in our Disaster Center at our headquarters in Washington, and about 10 am, President George W. Bush showed up unannounced and toured the Center and shook everyone's hand. That was the third president's hand I had the pleasure of shaking, Carter, Clinton, and Bush.

MR. GOLDMAN: A great organization. I know firsthand that you had a strong inhouse team in litigation. Tell us about the steps that led to moving on from the Red Cross.

MR. CAUSEY: Well, one of the things – this is a predicate to that story. One of the things that I got when I went to work for the Red Cross was a security clearance because we had to do a lot of work with DOD and FEMA that involved national security issues. So, I now had a security clearance. A very good friend of mine, who at the time was working in the Office of Professional Responsibility at DOJ, told me they were conducting some serious investigations and that she needed someone who's got strong litigation

experience. OPR would investigate allegations of ethical misconduct of Department of Justice lawyers about their handling of certain litigation matters. She asked me if I would consider leaving the Red Cross and coming to DOJ. The job required a security clearance, and I already had one from the Red Cross.

So, it was another chance for me to do something different and unique and challenging.

MR. GOLDMAN: What was the conversation like with Mary?

MR. CAUSEY: I don't have a strong recollection of that now. I'm sure I went to Mary and said look, I've got an offer from DOJ. She may very well have said you better take it because it would be a great opportunity for you. I'm pretty sure she wanted me to stay at the Red Cross because she also had me rewriting a lot of the administrative policies of the Red Cross and doing a lot of the administrative legal work. But I know I had a great opportunity to do something else, and with a security clearance, I could easily go to the Department of Justice. The Red Cross was a great organization, great people, but I was a little burned out after Katrina and wanted to do something different.

MR. GOLDMAN: Were you heavily involved in providing blood and testing blood, the blood servicing side of the organization?

MR. CAUSEY: No. Not in the taking of blood, which was a big part of the business side of the Red Cross. It was a big part of our operation, but occasionally we would get lawsuits involving the taking of blood or other related issues.

Every now and then, I would get a blood related case. But it was a big part of the business side of the Red Cross. You donated your blood to the Red Cross. Hospitals that were starting to collect blood would pay people to sell their blood. People were donating their blood to the Red Cross, not selling it. That became, and I suppose still is, a major issue in the blood donation world.

MR. GOLDMAN: Would you test the blood before letting others use it?

MR. CAUSEY: We would test it. That was a very involved process that I was occasionally involved with because there were some litigation issues that came up about the testing. The blood collection was nationwide, so the procedure for handling blood was not as standardized as it should have been. We had standards, but we found out that if blood was taken in California, it was done a little bit differently than if it was taken in New York, and that created some issues.

And let me add now that we are talking about it regarding the Red Cross search for synthetic blood. The Red Cross spent a lot of money to develop synthetic blood. For some scientific reason that I never fully understood, developing synthetic blood was impossible to do. Labs all over the world were working on it. But the Red Cross spent a great deal of time on this, and I know that the lawyers in our business departments devoted a lot of work on this. Someday somebody will break the secret of synthetic blood. That may be a byproduct of AI, and hundreds of millions of lives around the world will be saved.

MR. GOLDMAN: Did you take a break between the Red Cross and the Department of Justice?

MR. CAUSEY: I think I went right to DOJ. One of the great things about OPR was we worked in the Main Justice building. It was both the same and yet very different work for litigating cases in court. You needed to know and apply the rules of professional responsibility and how to conduct discovery, how to ask questions like in a deposition or at trial, and how to write reports that were like judicial opinions.

There were about 20 or 25 of us in the office. An ethical issue would be raised, and we would begin an initial process to decide whether the complaint was worthy of a full investigation, and if it warranted a full investigation, two lawyers were assigned to do the investigation work. We would travel all over the country quite a bit. There was a lot of traveling with the job. I had investigations in Alabama, Chicago, Miami, Denver, Los Vegas, among other places. We would go to the sites where the cases were and interview people and eventually write a report and we would either recommend some kind of discipline or find no grounds for recommending discipline. Depending on the matter, sometimes it went up to the deputy attorney general for review, and sometimes it got to the desk of the attorney general. Of course, I cannot talk about the specifics of these investigations, but each one raised a different ethical question or issue.

It was very interesting work, a lot of interesting legal and professional responsibility issues. While I was at OPR I had been teaching as an adjunct professor at Georgetown Law Center for many years and because of my work at OPR, Georgetown asked me to teach one of the professional responsibility courses. And I did that for many years at Georgetown.

So, I really enjoyed my work at Justice. But let me tell you one thing that happened while I was at Justice. It's not litigation related or anything like that, but an interesting story none the less. I was in the Main Justice Department building in August 2011 when the earthquake occurred in DC. As you may know, inside the Main Justice building there are long corridors. At the end of each corridor, there are big metal doors that are always open during the day and night. But if there's anything that shakes the building, the security system in the building immediately closes those doors, and when those doors close, they slam shut with a loud bang. I remember when that earthquake happened, I was walking down the hall going to somebody's office and the doors suddenly banged shut. Everybody thought there's a terrorist attack on the Justice Department, so we had our procedures for such an event. We all did what we were supposed to do, and we were later told that there'd been an earthquake and that's why the doors shut. Other than some very interesting investigations, that's probably going to be my strongest memory of being at the Department of Justice.

MR. GOLDMAN: Was the work of OPR confined to ethical issues associated with DOJ attorneys? Did you have other offshoots from Justice personnel that would come under the purview of your investigations?

MR. CAUSEY: We had jurisdiction over ethical issues involving attorneys with the FBI, DEA, ATF, the agencies within the Department of Justice.

MR. GOLDMAN: You had issues involving people at all those places?

MR. CAUSEY: Yes.

MR. GOLDMAN: When you uncovered problems, what were the options for how it would be resolved? Disciplinary dismissal? Referral? What was the end result of your investigations?

MR. CAUSEY: Well, if we decided to investigate a complaint, the two lawyers assigned to the investigation by the head of OPR go out into the field and interview the person who was the subject of the complaint and all other relevant witnesses to compile an investigative record. We would always conduct the interviews as a team – one lawyer would ask the questions and the other would take notes and observe. From that record, the team of two lawyers would draft a report that explained the findings and conclusions. If we decided that there was no ethical violation, we would just make a very short one page recommendation to the head of OPR that there was no factual basis for a recommendation of an ethical violation, and the matter would be closed. If we thought there were facts supporting an ethical violation by the subject of the investigation, the team of two lawyers we would write a report that would get vetted through the office, including

other lawyers who were not directly involved in the investigation, who would review the report, and a final report would be submitted to the head of OPR for review. If we thought there was merit to a finding of unethical conduct, we would recommend disciplinary action based on a range of discipline from findings of severe misconduct to less severe misconduct. The investigating lawyers could not impose any discipline on the subject of the investigation. That would be a recommendation from the head of OPR. Then based on that finding, there was a list of various sanctions that could be imposed based on the findings of the investigation.

MR. GOLDMAN: It was an elaborate process. What were the types of sources that led to investigations in the first place? I assume you received tips, whistleblower type communications come in?

MR. CAUSEY: Suggestions of ethical violations came from many sources. Opposing counsel would occasionally say we think the government overstepped here. A lot of complaints from opposing counsel. Some were very carefully crafted, almost briefs, submitted to us saying here's why there's been a serious violation and you should investigate it. When lawyers got involved like that, to some extent they were negotiating for their clients with DOJ. Our focus was very limited – we investigate and make factual findings, look at what the ethical rules provide, including the Rules of Professional Responsibility and the DOJ manuals, and then make a recommendation of a violation. It was very methodical but interesting work.

I learned a lot about the organization and operation of the various U.S. Attorneys' Offices, and the way lawyers at FBI, DEA, and ATF operated within the Department of Justice.

After I was there for three years, I decided it was time to retire. By this time I was in my early sixties, and I had had a full and fascinating career. But I still had one more thing to do. I retired to work on a book I was writing. But then I happened to answer another phone call. A lawyer by the name of Irv Nathan called me. Irv had just been appointed Attorney General for the District of Columbia. He had been counsel to Nancy Pelosi at the Speaker's office in the US House of Representatives for a number of years and had an illustrious legal career before that. Like me, Irv also was from Baltimore. We had known each other a long time. We were huge baseball fans, always talked about the Orioles.

But Irv called me one day. I remember I was walking down the street and my cell phone rings. Irv says, Bill, how are you doing. I thought he was calling to schedule a lunch or something. I said fine. He said I want you to come work for me. I said Irv, I just retired, and I am writing a book. He said oh well, I still want you to come to work for me. He had just become DC Attorney General. He realized that he had a couple of really big exposure lawsuits that were filed against the District of Columbia that he had to resolve. Because they involved significant money issues that would affect the DC budget, he had to get these cases resolved. He knew my experience with litigation and some of the bigger cases we've talked

about and many other things I had done. He said I want you to come and help me get rid of a couple of these big cases.

MR. GOLDMAN: The District did not elect its attorney general then, right?

MR. CAUSEY: Right. We now have an elected attorney general. Irv was the last appointed AG.

MR. GOLDMAN: Did he succeed Nichols?

MR. CAUSEY: Yes, I believe so.

MR. GOLDMAN: So that may explain some of the big cases that were still on the docket.

MR. CAUSEY: Perhaps. But I told Irv I had just retired to write my book. He said look, give me about a year to 18 months. I think I have three or four big cases. I finally said okay. I wound up being at the DC Attorney General's office for about six years.

But we did get all the big cases resolved, including the really big case that he was most worried about. There's an interesting story about that case. In 2001, there was a huge demonstration at Pershing Park on Pennsylvania Avenue across from the Willard Hotel. Thousands of people were down there demonstrating, and there was a large police presence. The DC Police called in police from all neighboring jurisdictions. Federal law enforcement was there. To make a long story short, when the demonstration got a little out of hand, the police told everybody to disperse. The demonstrators did not disperse, and the police then encircled the crowd, the entire block. A lot of people got arrested. Five students at GW Law School filed suit. The lead plaintiff's last name was Chang, so

the case was called *Chang v. United States*. That was because they listed the federal law enforcement groups first on the complaint and then DC and everybody else. Everybody in the case knew that DC was going to be the lead defendant because it was DC MPD that made all the arrests. So, it was a huge case. The case had been assigned to US District Judge Emmet Sullivan. The five plaintiffs were represented by Jonathan Turley.

MR. GOLDMAN: Were they students of his?

MR. CAUSEY: I don't know if they were students of his. We later learned that he basically solicited the five plaintiffs by putting up a notice on the bulletin board at GW that said if anybody got arrested at Pershing Park and wants a lawyer to call him. Turley, of course, has become television commentator, mostly on FOX News.

Irv asked me to look into the case and try to get it settled. The depositions of all the parties had been taken. It was pretty clear it was a serious case with a lot of exposure for the District. There was a serious issue about whether MPD did what was called trap and arrest, so we took the case very seriously. I said to Irv, the District is probably going to have to pay some significant money to get this case settled. He said I want to get it over with, but I don't want to pay a lot of money, so do what you can.

So, I put a team together at OAG to work on this case. We worked on it for about a year. We interviewed again a lot of the police who were involved. We had a status conference before Judge Sullivan. I said, "Your

Honor, to move this case along a little bit, we need to get it before a mediator." He sat up and said good idea. Who do you recommend? I said obviously I'll talk to Mr. Turley about it and see if we can reach an agreement, and if not, perhaps the court can assign it to one of the organizations in town that does professional mediation.

Turley did not want to have anything to do with mediation. I think it made him realize that this case was getting near a conclusion, He then surprised everyone by saying that he wanted to take a whole new bunch of depositions. Of course, he did not need any new discovery, but he wanted to keep the case going. Judge Sullivan did not want Turley to turn the case into a show, so he assigned the case to US Magistrate Judge John Facciola to conduct any additional discovery. Judge Facciola knew by reputation that Turley was intimidating and sort of a bully type, and the judge wanted to have some control over Turley's behavior. I was not happy with the additional discovery but pleased that Judge Facciola was going to preside over any additional discovery in open court. That would put some controls on Turley.

So, we started doing depositions in front of Judge Facciola that added nothing to the case. But this time, Turley had to be more professional and to a large extent he was. We got all his new and unnecessary discovery done. In fact, I think what Turley did actually strengthened the District's case, and I think Judge Facciola thought so too. When Turley's new deposition diversion was over, I went back before

Judge Sullivan and suggested again it was time to get the case before a mediator. Judge Sullivan agreed. He assigned it to a mediator who was a recently retired federal judge.

MR. GOLDMAN: Who did he assign it to?

MR. CAUSEY: Jim Robertson. He was a retired federal district court judge in DC, and he was a former president of the DC Bar.

MR. GOLDMAN: How do you do that? Unless he had Turley's consent?

MR. CAUSEY: I think by this time Turley realized he had exhausted his churning of the case in front of Magistrate Facciola, and I think he was afraid Magistrate Judge Facciola was going to write a report to Judge Sullivan that was not very favorable to his case. It may be that Turley agreed with Judge Robertson, I just don't specifically recall.

Anyhow, we start mediation before Jim Robertson, who, as you probably know, was a terrific mediator. I had him as a mediator in a number of cases, and he was always very good. Well, I could tell after our first mediation session that Robertson was seeing right through Turley. Robertson knew why this case was not settling. So that enabled me to make a recommendation to Irv Nathan. I said to Irv, "I've got a proposal on how to resolve the *Chang* case. I said we ought to pay a sizable amount of money, but let's make sure that Turley doesn't get most of the money, which is why he has kept this case going. Let's get most of the significant money directly to the plaintiffs." I knew the plaintiffs were recently graduated from law school, probably were carrying large school loan

debts, and had just started new jobs. So I suggested to Irv that if we offer a lot of money directly to the plaintiffs, they might well accept the offers, and Turley will have nothing to say about it. He can't keep his clients from wanting to settle the case. He can hem and haw and argue with them and tell them why they shouldn't settle, but I doubt that Turley had talked with them for months. In the end, I strongly believed each of the five plaintiffs would take the money.

MR. GOLDMAN: Unless they have an agreement with counsel on a contingency basis.

MR. CAUSEY: That's possible, but that is their private issue to fight over.

MR. GOLDMAN: That's right.

MR. CAUSEY: We had a small amount in our offer for Turley's fee, and we knew he would balk at it. But if the plaintiffs wanted to pay Turley any more money, they could take any amount out of their award and pay it as an additional fee for Turley. I was confident the plaintiffs would not do that. So, Irv asked what I thought was the amount we should pay. I gave him a number. Irv thought the number was too much. I told Irv you are not going to settle this case and get rid of it unless the District pays a significant amount, and this is the best moment that you will ever have to settle this case. So Irv approved it, and it eventually was approved by the Mayor.

We went back before Robertson, and I laid the proposal in front of him. He didn't think there was anything wrong with what we were offering the plaintiffs, but Robertson said that he thought the amount for attorneys' fees was too low. We did not have a lot of money specifically

designated for attorney's fees in the settlement offer. I said that that is between the plaintiffs and Turley. If they want the District to pay Turley a higher fee, they can reject the offer and we are back to square one, or they can pay him more out of their portion of the settlement. But I felt the plaintiffs were eager to settle the case. Robertson said alright, I'm going to let you put your offer before the plaintiffs and they can decide.

By this time, the plaintiffs were all over the country starting their young legal careers. I made a private suggestion to Robertson that he, and not Turley, convey the offer to the plaintiffs. If you let Turley do that, I said, Turley will not convey the offer correctly. It won't get conveyed fully or properly. Robertson agreed with my suggestion, and he conveyed the offer to the plaintiffs.

As expected, Turley hemmed and hawed about it, but Robertson had also figured this case out by this time. Robertson put the offer to the plaintiffs, and they accepted. Turley was quite upset.

But the case settled, and I think Irv was very pleased that the case was over. I don't think he was happy with what we had to pay because he had to account for that to the mayor, but he was happy that the case finally got resolved. I think MPD also was pleased the case was over. There's no doubt about it that the case had not settled before this because of Turley, and I don't think anything inappropriate or unethical was done by the District. Everything was done with the court's knowledge and the mediator's approval. It was just Turley who was unhappy that he wasn't

going to get a big fee check from DC unless his clients gave him something from their settlement amounts. That was their business, and they may have done that. I don't know, and I don't need or want to know.

So, we got rid of the *Chang* case. I had a couple of other cases I was working on that finally got resolved before Irv left office. One involved a significant lawsuit over the food service program in the DC Public Schools. Then Irv's term ended, and Karl Racine was elected AG. I was thinking that now I can finally retire and write my book, but Karl asked me to stay on. I agreed to do that and continued to work at OAG for two more years. I finally retired in December 2016 for the second time. I spent the next two years writing my book.

MR. GOLDMAN: You taught trial practice at another school, didn't you?

MR. CAUSEY: Yes. Before I taught at Georgetown, I taught at American University with Tony Morella, who I had mentioned earlier. Tony and I taught together for about three years, then I moved to Georgetown.

MR. GOLDMAN: There's a room named after Mr. Morella at the law school at American, right?

MR. CAUSEY: Yes. There is a room named after him at the law school. He was a big force at AU law school. He was general counsel to the University. He helped me get on the Board of Trustees at American University for two years. Gene, I think I was on the board when you were there at AU.

MR. GOLDMAN: The room is a practice courtroom at the law school or something like that.

MR. CAUSEY: Right. He was a big influence in the law school. So, before I talk about the book, let me just if I can take a few minutes to talk about my teaching experience at Georgetown.

I taught at Georgetown University Law Center for 34 years. As we just noted, I started teaching as an adjunct at The Washington College of Law at American University for several years with Tony Morella and then I moved to Georgetown in 1983. I taught a wide range of courses in addition to professional responsibility, which I have talked about. As I mentioned before, I mostly taught in my early years at Georgetown a trial practice course. I remember at one point, Dean Judy Areen came to me and said we really think the trial practice course would be more relevant for our students if you taught it with a woman. More and more women were becoming law students. I think now at Georgetown more than five percent of law students are women. I said that was a great idea. I have a recommendation. I recommended Sally Gere, my wife, who ran the civil litigation training at the Department of Justice for a while, called the Attorney General's Advocacy Institute. So, Sally and I taught trial practice together for a couple of years. One year we both received the award for being the top adjunct professors at Georgetown. We had a wonderful awards lunch that was well attended by students and other faculty and by Assistant Dean Carol O'Neill, who gave us the awards. Dean O'Neill was a strong force at Georgetown. Sadly, she died of cancer a few years later.

Dean Areen also came to me with two other ideas during my teaching career at Georgetown. One time she told me that Georgetown had a lot of students who become law clerks for federal judges, and Georgetown was getting some feedback from the judges that our students did not have a full understanding of federal criminal procedure. She asked me if I could develop a small seminar just for students who were going to be law clerks. I developed a course and taught it for four or five years. It was a small seminar of about eight to twelve people each year. It was a fun course to teach. The students were very engaging and very smart. I think those students really liked the course. There's a great textbook available that I used that tracked a fictitious drug case from the law enforcement investigation and arrest to the filing of an appeal, beginning to end, and for the entire semester we talked about that case and how that case was handled by the defense and by the prosecution. For the last class of the semester, I had top prosecutors and defense attorneys come in and talk to and answer questions from the students. For several years the head of the Federal Public Defender Office, A.J. Kramer, came to that last class. It was a very effective course. I later learned that Georgetown got really good feedback from some of the judges of the students that I had taught in that course.

Georgetown also had a problem involving graduating students. The law school said it had a number of students who need two or three credits to graduate, and we can't let them dangle for another semester. I was

asked if I would create a quick summer course of two credits that they can take in June and then let them finish in the summer and graduate before the fall. I said sure as long as I can pick the topic for the course. So, I developed a course on law and literature. One of the reasons I was interested in literature was that at the time I was a member of the Board of Directors of PEN/Faulkner and I would meet and get to know many authors who talked to me a lot about the writing process and literature. One of the novels I used in that seminar was *Snow Falling on Cedars*, which includes a great trial scene. David Gutterson was the author who I got to know through PEN Faulkner. I taught this six week seminar for several years each summer. The students were supposed to be only the students who needed the credits, but after a while, students who didn't need the credits wanted to take the course. So in the last few years I taught that seminar I wound up with about fifteen students in the class.

I spent my last several years at Georgetown teaching the evening course on evidence. I very much enjoyed that course. But unlike my several smaller seminar courses, my evidence lecture class had about 70 to 80 students. The students seemed to like the course. I still have the evidence casebook and materials that I used for that class.

So, I really enjoyed my teaching experience at Georgetown at night while I was working on cases during the day. I had a complete and full legal career involving many different clients, law firms, organizations, and getting to know and teach many students at Georgetown over 34 yeas,

some of whom I still keep in touch with today. I would not change a thing. Funny that I mentioned at the beginning of this oral history how I wanted to be a teacher when I was much younger. And I basically ended my career as a teacher.

MR. GOLDMAN: So, I want to focus in our remaining time not just on the book, but your historical interest in the space program in general and then homing in on Mr. Houbolt with the resulting book that you wrote and was published. We can wrap it up today by talking about your interest in the space program, the technicalities of what led to the moon landing, and the person responsible.

MR. CAUSEY: Let me do that. And then before we close, I also want to quickly mention a couple of the organizations that I've been involved with.

The book I mentioned earlier was a book about a man named John Houbolt. I've been a docent at the Air and Space Museum for about twenty years. I've had the good fortune to meet a lot of the astronauts and engineers during these last twenty years at the Air and Space Museum who worked in the Apollo program. Houbolt was the engineer who basically figured out and then convinced NASA how to send astronauts to the moon and back. Not much was known about Houbolt when I first started reading about him in the mid1990s. I was encouraged by a professor named James Hansen, who knew Houbolt, to write a book about Houbolt and his experiences. When I was at the point where I started to think about a publisher, Hansen, who had written many books on the space

program and was working at the time with Purdue University, encouraged me to submit my manuscript to Purdue. I submitted my finished manuscript to Purdue and its publishing arm accepted it and published the book. Purdue did a nice job of putting together the book. I found writing my book on John Houbolt was far more difficult than writing a legal brief or memo. I was conscious of writing for a much larger audience. There is now an exhibit at the Air and Space Museum on the Mall on John Houbolt, which I talk about when I give my tours. Occasionally somebody on the tour will say you know so much about Houbolt, why don't you write a book about him, and I say I already have, and in fact, if you're interested, it's in our bookstore here. Occasionally, they'll find me an hour later and they would ask me to sign the book.

So, the book was a fun and different experience. It was completely separate from practicing law and teaching, completely different, although giving tours is really another form of teaching and storytelling, but then again, so is presenting a case or writing a brief. And I think being a docent at the Air and Space Museum helped me fill out my career.

Finally, let me mention some of the organizations I have been affiliated with during my career. As I mentioned earlier, I was on the Board of Trustees of American University for two years, after I graduated in 1971, and one of the board members I served with was a leading Supreme Court lawyer named Barrett Prettyman who was at Hogan & Hartson. The Federal Courthouse is named after Barrett's father, Judge

Prettyman, who was Chief Judge of the DC Circuit. Barrett was big influence in my life and was a wonderful mentor for me in the law.

I have served on the board of the DC Circuit Historical Society, for which we're now doing this oral history. I was on that board for many years, and I did five oral histories for the Historical Society, including Judge Aubrey Robinson and Dan Gribbon, I took the oral history of Judge George Revercomb, who was a district court judge. I took that oral history at Sibley Hospital about a week before Judge Revercomb died of cancer. I also took Ed Campbell's oral history, who started Jackson & Campbell with Tom Jackson's father. And I took the oral history of Earl Silbert, who was the chief Watergate prosecutor and a great member of the DC Bar. That was a fun oral history. we devoted an entire session out of four sessions to talking about Watergate. And this was before Mark Felt was revealed to be Deep Throat. Earl later told me that the revelation of Felt as Deep Throat even surprised him.

As I mentioned, I've also served one term on the DC Bar Board of Governors, which was a great experience. Sally, my wife, later served two terms on the Board of Governors, and now I'm thankful that I didn't win the DC bar presidency in 2000 because I now realized what a chunk of time it would have taken to do job well.

Very early in my career I was on the Rules Advisory Committee for the US Court of Appeals for the Armed Services. I had met in the early 1980s Chief Judge Robinson Everett, and he had asked me to be on the

rules committee. I served on that for a couple of years. That was fascinating to learn about the procedures of the Court of Military Appeals, now known as the United States Court of Appeals for the Armed Forces, and to learn that system of justice as compared to the procedures used in federal and state courts for civil and criminal cases.

I also was on the board of the Council for Court Excellence for a number of years. And I was in the Charles Fahy American Inn of Court, which was only the sixth one created in the country. There are now, I think, hundreds of them around the country.

So, I was involved in a lot of very interesting things that were law related. I met a lot of very fascinating people who were very helpful and influential in my career. I think I've had an interesting, fulfilling, varied career. I had a chance to try some important cases, meet a lot of fine and excellent lawyers, and some not so fine or excellent, and serve on some boards that had significant impact on people in the District. One of them was the Fred Abramson Scholarship Foundation, which gives scholarships to DC public high school students. I had my very first job interview with Fred Abramson when I began looking at private law firms. Fred was a great mentor to many people. He and I developed a good relationship before he tragically died at a very early age.

MR. GOLDMAN: I think that's a lesson from everything you're saying is not only the professional interactions with the friendships that grew out of them, which you savor today.

MR. CAUSEY: Yes. Absolutely. I've enjoyed my eclectic career. It has been a lot of fun. I learned a lot, tried some interesting cases, taught hundreds of law students. and met many fascinating people. I don't think there was much I would do over again or do differently. There are ups and downs in any career. I had my ups and downs, but all in all, I found it to be a very fulfilling experience, and I'm happy to share it with you.

So, Gene, I want to thank you and I really appreciate the time you've devoted to doing this.

MR. GOLDMAN: My pleasure.

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William F. Causey, Esq.
Biographical Sketch

William F. Causey has a career that spans law, teaching, and public service for over 45 years. Bill's work has ranged from being the general counsel of a subcommittee in the U.S. House of Representatives, to work as Assistant General Counsel for the American Red Cross, to serving in the Office of Professional Responsibility in the U.S. Department of Justice. Bill also worked in private practice with an international law firm, and with the Office of the Attorney General for the District of Columbia before retiring in 2017.

Bill taught for 34 years as an adjunct professor at the Georgetown University Law Center, teaching courses in evidence, professional responsibility, trial practice, federal criminal procedure, and a popular seminar on law and literature. Bill also has served on numerous nonprofit and governmental boards, including the D.C. Bar, the PEN/Faulkner Foundation, the Abramson Scholarship Foundation, the Historical Society for the District of Columbia Circuit, the Adult Congenital Heart Association, and American University.

Bill has served as a docent at the National Air and Space Museum for the past 20 years. His book *John Houbolt: The Unsung Hero of the Apollo Moon Landings*, was published by Purdue University Press in 2020 to critical acclaim. Bill and his wife Sally live in Washington, D.C.

Eugene I. Goldman, Esq.

Biographical Sketch

Eugene Goldman is a senior member of McDermott, Will & Emery's White Collar and Securities Defense Practice. He represents domestic and international clients before the Securities and Exchange Commission in financial fraud, auditor misconduct, insider trading and other securities enforcement proceedings. Eugene also advises registered broker-dealers and investment advisers on compliance, change of control and related regulatory issues. He has testified before Congress on securities law issues and is the lead author of *The PCAOB Mission: Improving Audit Quality via Enforcement, Standards & Inspections*, 287 Securities Practice Portfolio Series (BNA 2014).

Eugene served as Senior Counsel at the SEC's Division of Enforcement and law clerk to the Honorable Stanley Sporkin of the U.S. District Court for the District of Columbia. He has served as a Presiding Judge at Georgetown Law Center's Greenhalgh Trial Advocacy Tournaments and at the Law Center's White Collar Crime Mock Trial Invitational.

Upon his appointment by the Governor of Virginia, Eugene served a four-year term on the Board for Professional and Occupational Regulation, Commonwealth of Virginia.

Eugene received his JD from the Columbus School of Law at the Catholic University (Law Review) and his BA from the American University (Recipient of the Kinsman-Hurst Award presented "to the senior who made the greatest contribution to the University in a four-year period.").