Lucas C. Townsend

Partner

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Washington, D.C.



Lucas Townsend is a litigation partner in the Washington, D.C. office, and a member of the firm's Appellate and Constitutional Law, Administrative Law, and Class Actions Practice Groups.

Lucas focuses his practice on appellate, administrative law, labor and employment, and complex litigation matters.

He regularly litigates constitutional and statutory issues in the Supreme Court of the United States and courts of appeals around the country; represents clients in challenging and defending regulatory action by administrative agencies under the Administrative Procedure Act; and defends clients in high-stakes commercial disputes.

Lucas's extensive experience includes representing an online retailer in ligation matters concerning COVID-19 safety, arbitration, and employment issues; overturning a major FTC rule on judicial review; representing educational institutions in litigation involving the U.S. Department of Education; representing the holder of a $1.2 billion judgment against the Republic of Venezuela in proceedings before the Supreme Court, D.C. Circuit, Third Circuit, and District of Delaware; representing a bondholder and a bond insurer before the Supreme Court in constitutional litigation arising from Puerto Rico's bankruptcy; drafting successful briefing in significant patent appeals; and representing a national hospital network in litigation resulting in a $60 million reduction in a jury's punitive damages award.

Lucas's representative matters include:

- Representing a freight broker in federal preemption case before the U.S. Supreme Court. *Montgomery v. Caribe Transport II, LLC*, 146 S. Ct. 1199 (2026).
- Representing pharmacy benefits manager in successfully defending summary judgment on appeal. *Lakeview Pharmacy of Racine v. Catamaran Corp.*, 2026 WL 661902 (3d Cir. Mar. 9, 2026).
- Representing ocean carrier in securing dismissal of rare constitutional challenge to Jones Act. *Koloa Rum Co. v. Noem*, 822 F. Supp. 3d 8 (D.D.C. 2026).
- Representing lead creditor in judgment enforcement litigation against Venezuela culminating in judicial auction. *Crystallex International Corp. v. Bolivarian Republic of Venezuela*, 2025 WL 3281353 (D. Del. Nov. 25, 2025).
- Representing industry coalition in successfully overturning FTC's click-to-cancel rule, and in obtaining rare mandamus relief against agency. *Custom Communications, Inc. v. FTC*, 142 F.4th 1060 (8th Cir. 2025); *In re Electronic Security Association*, No. 24-60570 (5th Cir. Nov. 19, 2024).
- Successfully representing Amazon in certified employment law question to Maryland Supreme Court. *Martinez v. Amazon.com Services LLC*, 491 Md. 38 (2025).

Capabilities

Appellate and Constitutional Law

Administrative Law and Regulatory Practice

Class Actions

Intellectual Property

Credentials

Education

Seton Hall University - 2004 Juris Doctor

Cornell University - 1999 Bachelor of Arts

Admissions

New York Bar

New Jersey Bar

District of Columbia Bar

Clerkships

US Supreme Court, Hon. Samuel Anthony Alito Jr., 2009 - 2010

US Court of Appeals, 3rd Circuit, Hon. Maryanne Trump Barry, 2006 - 2007

USDC, New Jersey, Hon. Harold A. Ackerman, 2004 - 2006

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- Representing ocean carrier in administrative litigation against the Maritime Administration. *Matson Navigation Co. v. U.S. Department of Transportation*, 77 F. 4th 1151 (D.C. Cir. 2023), *remand from*, 770 F. Supp. 3d 44 (D.D.C. 2025).
- Successfully representing an automobile manufacturer in a regulatory appeal before the Eleventh Circuit. *Environmental Protection Commission of Hillsborough County, Fla. v. Mercedes Benz USA, LLC*, 2023 WL 4678978 (11th Cir. July 21, 2023).
- Successfully representing utilities and merchant transmission facilities before the D.C. Circuit in litigation concerning cost allocations for $1.3 billion in upgrades to the northern New Jersey electricity grid. *Consolidated Edison Co. of New York, Inc. v. FERC*, 45 F.4th 265 (D.C. Cir. 2022).
- Successfully representing pharmacy benefits manager in a mass-action arbitration appeal to the Third Circuit. *Robert D. Mabe, Inc. v. OptumRX*, 43 F.4th 307 (3d Cir. 2022).
- Successfully representing an online retailer in litigation concerning COVID-19 safety. *People v. Amazon.com*, 205 A.D.3d 485 (N.Y. Sup. Ct. App. Div. 1st Dep't 2022).
- Author of successful briefing in high-profile arbitration appeal relating to Amazon Flex drivers. *Harper v. Amazon*, 12 F.4th 287 (3d Cir. 2021).
- Representing world's largest provider of leveraged and inverse ETFs and mutual funds in comments to the Securities and Exchange Commission in derivatives rulemaking that resulted in withdrawal of proposed rule.
- Successfully representing an automobile manufacturer in an arbitration appeal before the Third Circuit. *In re Mercedes-Benz Emissions Litig.*, 797 F. App'x 695 (3d Cir. 2020).
- Successfully arguing a constitutional challenge to a territorial law that restricted voting in an election on the basis of race. *Davis v. Guam*, 932 F.3d 822 (9th Cir. 2019), *cert. denied*, No. 19-827 (U.S. 2020).
- Persuading the U.S. Solicitor General to confess error before the U.S. Supreme Court in an EEOC enforcement action. *BNSF Ry. Co. v. EEOC*, No. 18-1139 (U.S. 2019).
- Successfully representing a major health insurer in an administrative-law appeal to the Kentucky Supreme Court that resulted in a landmark precedent on constitutional standing. *Commonwealth of Kentucky v. Sexton*, 566 S.W.3d 185 (Ky. 2018), *cert. denied*, No. 18-1446 (U.S. 2019).
- Successfully representing an American Indian tribe and its instrumentalities in a challenge to a Department of Housing and Urban Development mortgagee letter that resulted in the grant of a preliminary injunction and a withdrawal of the mortgagee letter by HUD. *Cedar Band of Paiutes v. U.S. Dep't of Housing and Urban Development*, 2019 WL 3305919 (D. Utah July 23, 2019).
- Representing a mortgage lender in a groundbreaking constitutional and administrative law challenge to a Consumer Financial Protection Bureau enforcement action, in which we ultimately overturned a $109 million penalty against our client on administrative law grounds. *PHH Corp. v. CFPB*, 881 F.3d 75 (D.C. Cir. 2018) (en banc).

Before joining the firm, Lucas served as a law clerk to the Honorable Samuel A. Alito, Jr. of the Supreme Court of the United States, the Honorable Maryanne Trump Barry of the United States Court of Appeals for the Third Circuit, and the Honorable Harold A. Ackerman of the United States District Court for the District of New Jersey. Lucas also served as an Attorney Adviser in the United States Department of Justice, National Security Division, from 2007 to 2009.

Lucas was named a "Future Star" by Benchmark Litigation, and was named an AmLaw Litigator of the Week for his work in overturning the FTC's click-to-cancel rule.

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Lucas graduated *magna cum laude* from the Seton Hall University School of Law. He received an undergraduate degree in biochemistry from Cornell University.

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