Jessica L. Wagner

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Jessica L. Wagner is a partner in the Washington, D.C. office of Gibson Dunn. She practices in the firm's Litigation Department where she is a member of the Appellate and Constitutional Law, and Administrative Law and Regulatory Practice Groups.

Jessica specializes in helping clients navigate complex, high-stakes litigation. Much of Jessica 's work focuses on briefing and arguing cases in federal and state courts of appeals, but she has developed significant experience advising clients in the technology, telecommunications, and transportation industries at all stages of litigation—from potential claims to the U.S. Supreme Court. Jessica has special expertise in cases involving preemption, Section 230, the First Amendment, sanctions, terrorism, judgment enforcement, and foreign sovereign immunity. She also routinely advises clients on regulatory and administrative law matters, challenging agency action before agencies and in court.

Representative matters include:

- Secured unanimous Supreme Court decision holding that social media companies are not liable under the Anti-Terrorism Act for providing routine, arms-length services.
- Secured dismissal and affirmance before Fourth Circuit of claims against social media service arising out of offline, third-party shooting on Section 230 grounds.
- Secured dismissal and Seventh Circuit affirmance of claims by municipality to impose local fees on major streaming service.
- Defending a major airline from a putative class action challenging emissions from ordinary aircraft operations.
- Secured Fifth Circuit victory for major railroad challenging agency denial of waiver to implement new track inspection technology.
- Secured dismissal and Second Circuit affirmance of putative class action brought by consumers challenging beverage labeling.
- Represented telecommunications industry group in "net neutrality" litigation before U.S. Supreme Court.
- Representing victims of terrorism pursuing Iranian assets involved in the largest crypto heist in history.
- Secured $5 billion judgment for victims of terrorism against the Taliban.
- Secured D.C. Circuit victory for victims of terrorism pursuing blocked Iranian assets under the Terrorism Risk Insurance Act.

Jessica served as a law clerk to Justice Samuel A. Alito on the Supreme Court of the United States, Judge Diarmuid F. O'Scannlain on the United States Court of Appeals for

Capabilities

Appellate and Constitutional Law
Administrative Law and Regulatory Practice
Judgment and Arbitral Award Enforcement
Litigation

Credentials

Education

University of Virginia - 2015 Juris Doctor
Patrick Henry College - 2010 Bachelor of Arts

Admissions

District of Columbia Bar

Clerkships

US Supreme Court, Hon. Samuel Alito, 2019 - 2020
US Court of Appeals, 9th Circuit, Hon. Diarmuid F. O'Scannlain, 2016 - 2017
US Court of Appeals, 5th Circuit, Hon. Jerry E. Smith, 2015 - 2016

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the Ninth Circuit, and Judge Jerry E. Smith on the United States Court of Appeals for the Fifth Circuit. Jessica earned her J.D. from the University of Virginia School of Law where she received the Thomas Marshall Miller Prize and served as a Notes Editor for the *Virginia Law Review*. She graduated *summa cum laude* with a B.A. in government from Patrick Henry College, where she received the Trustees' Academic Excellence Award for finishing first in her class.

Jessica is admitted to practice in the District of Columbia, Montana, the United States Supreme Court, the United States Courts of Appeals for the Second, Fourth, Fifth, Seventh, Ninth, Eleventh, and D.C. Circuits, and the United States District Court for the District of Columbia.

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