Theodore J. Boutrous Jr.

At the intersection of law and national policy

Boutrous joined Gibson Dunn in 1987, straight out of the University of San Diego School of Law where he'd graduated summa cum laude. He was assigned first to work with the firm's new appellate group in Washington, D.C., launched by Theodore B. Olson, the future solicitor general.

"Right from the start we had a Supreme Court case, to do with punitive damages," Boutrous recalled. The high court and Olson would both figure prominently in Boutrous' career.

Boutrous' first argument before the justices came in 2011 in the massive potential workers' rights class action known as Wal-Mart Stores Inc. v. Dukes, in which some 1.5 million female employees sued the giant retailer. Wal-Mart Stores Inc. v. Dukes, 10-277 (S.Ct., op. filed June 20, 2011).

"Both Wal-Mart and Prop. 8 were erupting at the same time," recalled Boutrous, who served as a lead lawyer and architect of the legal strategy that led to the landmark gay rights advance. "It was a very exciting time in the realm of civil liberties and civil rights, in part because at the time we filed over Prop. 8, some felt it was too early to go to federal court on the issue. That upped the pressure. We knew we had to win. We went forward because we felt that the stars were aligned both legally and with the issue's public dialogue component."

From the time of the 2016 presidential campaign, Boutrous has emerged as a prominent and consistent opponent to Trump and his supporters' attempts to use the courts to squelch foes. When Trump threatened to sue his sexual assault accusers, Boutrous tweeted, "I will represent pro bono anyone #Trump sues for exercising their free speech rights."

Since then he has successfully defended members of the media against revocation of their White House press passes; MSNBC news host Rachel Maddow, targeted in a defamation suit over on-air comments; and Mary Trump in a suit seeking to halt publication of a tell-all memoir about her uncle. CNN v. Trump, 1:18-cv-02610 (D. D.C., filed Nov. 13, 2018); Herring Networks Inc. v. Maddow, 19-cv-01713 (S.D. Cal., filed Sept. 9, 2019); Robert S. Trump v. Mary L. Trump, 2020-05027 (Dutchess Co. S.Ct. N.Y., filed June 26, 2020).

Boutrous pointed out that his earlier gay rights efforts and his free speech work, along with his current representation of Ashley Judd in her sexual harassment claims against Harvey Weinstein, have taken his career beyond legal victories.

"The last decade for me has been very meaningful in that it involved the intersection of the law and national policy," Boutrous said.

— John Roemer