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At Gibson Dunn, Gregg Costa's Former Clerks Are Now Colleagues. They Still Call Him Judge.

By Ross Todd

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Federal judges are known to be fond of getting their so-called “clerk families” together for group reunions.

Former Fifth Circuit Judge **Gregg Costa**, who joined **Gibson, Dunn & Crutcher** in 2022, need only look around the firm to get a good start on his invitation list.

Today, five of Costa's former law clerks practice at the firm alongside him. Two—of counsel **Matthew Aiken** and associate **Daniel Rubin**—were already there when Costa arrived. Three more—**Arjun Ogale**, **Janae Staicer** and **Blake Ellison**—have since joined the firm.

I spoke with Ogale and Staicer alongside Costa late last month, and Rubin separately earlier this month. I think I can safely say that the judge-clerk relationship has had a staying power for all parties involved despite the transition from chambers to Big Law. And regardless of Costa's efforts to strike a down-to-earth tone with his new colleagues at the firm, his clerks have had a hard time calling him anything but “Judge.”

“I call him ‘Judge,’ and I always feel kind of silly because everybody else on our cases calls him ‘Gregg,’” Rubin told me. “It’s a hard habit to break.”



Courtesy photo

Former Fifth Circuit Judge Gregg Costa (center in the blue jacket) with his clerk family. Now a partner at Gibson, Dunn & Crutcher, Costa practices alongside former clerks Matthew Aiken, Daniel Rubin, Janae Staicer, Arjun Ogale (fifth, sixth, seventh and eighth from the left) and Blake Ellison (sixth to the right of the judge in the back row in glasses).

The clerk-turned-associate, who clerked for Costa in 2017-18 and beat him to the firm by nearly four years, searched for an analogy.

“It’s kind of like if somebody became friends with their former teacher or something. Calling them ‘Mr. Whatever’ or ‘Miss Whatever’—it’d be a hard habit to break,” he said. “He’s very casual, so I’m sure that he would be fine with me calling him Gregg. But I don’t know, it’s kind of weird on my end to do that.”

Courtesy photo



Costa, center, after his last sitting as a judge on the Fifth Circuit with then-clerks Arjun Ogale, now an associate Gibson, Dunn & Crutcher, and Freya Jamison, now counsel at the Lawyers' Committee for Civil Rights Under Law.

Ogale, who followed Costa to Gibson in 2023 after a fellowship in Washington, D.C., has been wrestling with the issue for years.

"I had this question in the first month that I started at the firm," Ogale said. "I went to Judge. I was like, 'Judge, back during the clerkship, you said anyone after your tenure on the bench would be able to call you Gregg, except former clerks. What should I do?'"

Costa's answer was not especially clarifying.

"Use your judgment," Ogale recalled. "And so, I have been trying to use my judgment for the three years since."

The former judge acknowledges he may have had a hand in creating the Judge/Gregg conundrum.

"When I first got to the firm four years ago ... I made a big point of saying, 'Call me Gregg,'" Costa said. "I'm part of the firm now."

But, he added, "I can tell [with] the clerks I sort of left them in limbo, as Arjun says, on what to do."

The naming dilemma is really just a symptom of a deeper relationship. Costa's mentorship of his clerks did not end when they left the courthouse, and the same goes for

since he left the bench himself. But those relationships have evolved, he said. He said he has particularly enjoyed working shoulder-to-shoulder at the firm with folks who spent a year with him in chambers, who now have a few more years as practicing lawyers under their belts.

"The two best things about being a federal judge are no billable hours and the relationship with your law clerks. There's nothing I can do about the first part, right? We're stuck with the billable hour, at least for the foreseeable future."

"Working with these five former clerks at the firm has really ... that concern I had about leaving the bench and no longer having those relationships [with clerks], it hasn't borne out," Costa said. "I've been able to work still with five people who I really respect, really enjoy, know their significant others and see them develop."

"It's been one of the best parts of being back in practice that I hadn't really anticipated. So, it's been a blessing."

Costa's former clerks describe a relationship that remains remarkably similar to the one they experienced in chambers.

Rubin said Costa "has always been someone who is very collaborative with the people on his team."

"He treats everybody as equals, really respects their opinions," Rubin said. "It's the same sort of general ethos."

Ogale said the biggest difference is that what was once a two-person working relationship now occurs within larger litigation teams.

"There are a few things that have stayed the same, though," Ogale said. "One of them is just the enthusiasm about the law and the work."

Costa still maintains some of the particular writing habits his clerks learned years ago in chambers.

“He has a lot of idiosyncrasies,” Rubin said, laughingly recalling one of their first collaborations after Costa joined the firm. Costa reviewed a brief and informed him that “some bad habits had crept in.”

Costa freely admits it.

“I can’t stand the defined terms in a brief,” he said. “I’m like, ‘Daniel, this is terrible. You’ve forgotten everything I taught you.’ And we laughed about that.”

But Costa conceded he has softened a bit as a “grader” when it comes to writing.

“When I was writing an opinion as a judge, it was my name on it,” Costa said. “A brief has my name on it, but it’s more of a joint project. There’s multiple lawyers at the firm. Importantly, there’s a client.”

The mentoring relationship may be the most notable aspect of Costa’s post-bench career. Ogale and Staicer cited Costa’s presence at Gibson as a major reason they joined.

For Ogale, “it was an easy choice.”

“It was the one firm I applied to,” he said. “Having Judge in the Houston office and having an in-built mentor at the firm on whom I could rely and go to for work ... made it an easy choice.”

Staicer, who joined the firm’s Los Angeles office in late 2024 after practicing in D.C. at **Williams & Connolly**, offered a similar account.

“I found that, especially since I was new to the L.A. market, going to a firm where I already had someone who I trusted in their decision to go to a new place from the bench ... was definitely very instructive in me making my decision as well.”

And as the former clerks advance in their careers at Gibson, they have become unofficial coaches for younger lawyers who never clerked for Costa.

“A lot of them were really intimidated by getting on calls with him,” Staicer said.

Her advice?

“Yes, [he’s a] former federal judge, but, you know, [he’s] a person at the end of the day.”

Ogale has been handing out similar guidance.

“My general advice is typically like: ‘You should feel open to share your legal thinking,’” he said. “Judge is big on mentorship and investing in young lawyers and hearing them out.”

Will Costa’s growing collection of former clerks at Gibson stop at five?

“It’d be great to grow it,” he said. “Now with five, it’s bigger than a chamber, right?”

Some things have changed. Costa is practicing law now instead of deciding cases. His clerks are becoming long-term colleagues at the firm instead of one-year staff—albeit an intensive year—in chambers.

At this rate, maybe one day they’ll even call him Gregg.