

THE AMERICAN LAWYER

An ALM Publication

americanlawyer.com

SEPTEMBER 2016

LIFETIME ACHIEVERS

Our 13th annual awards honor lawyers who have had an extraordinary impact on society and their profession.

LIFETIME ACHIEVERS 2016

Theodore Olson | GIBSON DUNN

AS HE APPROACHES HIS 76TH BIRTHDAY, THEODORE OLSON HAS begun to let younger colleagues take his place at the U.S. Supreme Court lectern—but not because he has lost any of his sharp-edged argument skills. Olson, who has argued 62 cases at the court at Gibson, Dunn & Crutcher and as U.S. solicitor general, says he is trying to help younger colleagues move into the spotlight. “Except where the client has insisted,” he says, “I have wanted other members of the team to develop their experience and credentials.”

Cutting back may give Olson a tad more time to reflect on a long legal career that began at Gibson Dunn more than 50 years ago. A key conservative legal tactician during the Reagan administration and the Clinton impeachment, Olson became a household name for his victory in *Bush v. Gore* for George W. Bush. In more recent years, to the surprise of many, he has emerged as a leading advocate for same-sex marriage.

Longtime friends point to a more personal legacy. “He is an inclusionary guy who loves people,” Time Warner Inc. general counsel Paul Cappuccio says, recalling how 30 years ago Olson opened his home to law students and young lawyers in the Federalist Society. Bancroft’s Paul Clement, Olson’s successor as solicitor general, says that after Olson’s wife, Barbara, died in the 9/11 attacks, “he not only dealt with that loss with bravery and grace, he also provided an example of how to celebrate life’s brighter moments.”

Before 9/11 came *Bush v. Gore*, in which Olson persuaded the high court to halt the recount of presidential election ballots in Florida, with the result of handing victory to Bush in 2000. It was an “unforgettable experience,” Olson says. “We had to do so much in such a short time, with the whole world examining everything we did.”

As solicitor general in the Bush administration, he argued high-profile cases on issues ranging from campaign finance reform to Guantánamo detainees. Back in private practice Olson won court victories for big-name clients including Microsoft Corp. and Chevron Corp. His Supreme Court win in *Citizens United v. Federal Election*



DIEGO M. RADZINSCHI

Commission altered American election financing by removing restrictions on political expenditures by corporations and unions.

This election year, Olson said, “I’m watching the presidential race from a distance.” The Republican Party platform runs counter to Olson’s views on same-sex marriage, but he says, “I hope to help persuade all members of the Republican Party that the position that we advocated, and still advocate, was the right principle and goal for America.”

After *Bush v. Gore*, Olson became friends with David Boies, his adversary in the case. Eventually they joined forces to litigate the California case known first as *Perry v. Schwarzenegger* in favor of same-sex marriage. Winning the case and advancing the cause turned out to be Olson’s proudest professional achievement, he says: “It is hugely gratifying to have had a role in changing so many lives for the better.”

—TONY MAURO

ADVICE TO YOUNG LAWYERS:

Take every opportunity to learn more about the law, and to learn everything possible from the exceedingly fine lawyers everywhere in our profession.