

Rising Star: Gibson Dunn's Amir Tayrani

By **Maria Chutchian**

Law360, New York (April 05, 2012) -- Gibson Dunn & Crutcher LLP's Amir Tayrani has been a major player in some of the nation's recent, most high-profile lawsuits, from 2010's Citizens United campaign finance case to the battle in California over Proposition 8, making him one of Law360's top five appellate partners under 40.

Tayrani, 34, is a partner at Gibson Dunn's Washington office and a member of the firm's appellate and constitutional law practice group. He joined the firm right after graduating from law school in 2003, but left after a year to clerk for Judge Diarmuid F. O'Scannlain of the Ninth Circuit. He returned to the firm after his clerkship and was promoted to partner last year.

The Yale Law School graduate, who was born in England and had moved to Connecticut by age 7, said he was attracted to appellate litigation early in his career.

"That's what I knew what I wanted to do because I love to write and research, and that's really the bread and butter of an appellate lawyer's practice," he said.

Tayrani put those skills to use drafting two rounds of merit briefs in the landmark campaign finance case, *Citizens United v. Federal Elections Commission*, where he and the Gibson Dunn team helped overturn provisions of the McCain-Feingold Act that restricted corporate expenditures on political campaigns. Theodore Olson, head of the Gibson Dunn appellate practice, named *Citizens United* as one of the cases that exemplified Tayrani's value to the firm.

"Many lawyers just go out and do the routine that might be expected of them. Amir always comes up with something special," Olson said.

Tayrani's own pick for a case that stands out in his career is *Caperton v. A.T. Massey Coal Co.*, which addressed the question of whether a West Virginia judge was obligated to recuse himself from trials that involved a litigant from whom he had received \$3 million in support for his judicial campaign. The case is considered a major shaper in constitutional landscape.

Caperton reached the U.S. Supreme Court in 2009, where Tayrani was the chief brief writer for the plaintiffs. They argued that the judge, who cast the deciding vote in favor of the litigant that financially supported his campaign, should have recused himself from the appeal of a \$50 million jury vote. The Supreme Court agreed, saying the litigant's influence over the judge created a serious risk of bias.

"[That is] something that is the most exciting part of my job, having a hand in shaping the law and persuading the court to issue decisions that in many respects change the legal and political landscape," Tayrani said.

Another notable case on Tayrani's resume is *Perry v. Brown*, which famously addresses the constitutionality of California's same-sex marriage ban, Prop. 8. Gibson Dunn has been involved since its inception, and most recently convinced the Ninth Circuit to affirm the Northern District of California's ruling that the ban is unconstitutional. The case is expected to eventually make its way to the Supreme Court. Tayrani worked closely with Olson on that case in framing the complaint and drafting briefs.

"That's one of those cases that [offers] the opportunity to work on an issue that changes the way people live their lives. I often ask myself, 'How do I top this? Where do I go from here, after working on a case like that?'" he said.

Tayrani also helped convince the Supreme Court last year to decertify the largest class action in history in *Wal-Mart Stores Inc. v. Dukes* and led the briefing in *Cigna Corp. v. Amara*, in which the high court vacated an \$80 million judgment against the insurer.

Despite his successful work on many notable cases, Tayrani admits that there are both advantages and disadvantages to being one of the younger partners in his field. While he has opportunities to learn from top-notch appellate lawyers, he said, it's difficult for any young partner to step out from the older generation's shadow.

"There are sometimes cases where I would like to do the oral arguments or be the lead attorney on the matter, but for obvious reasons, the client would want someone with 30 years more experience than I have to be the lead person on the case," he said. "But all in due time, that will change."

--Editing by Elizabeth Bowen.