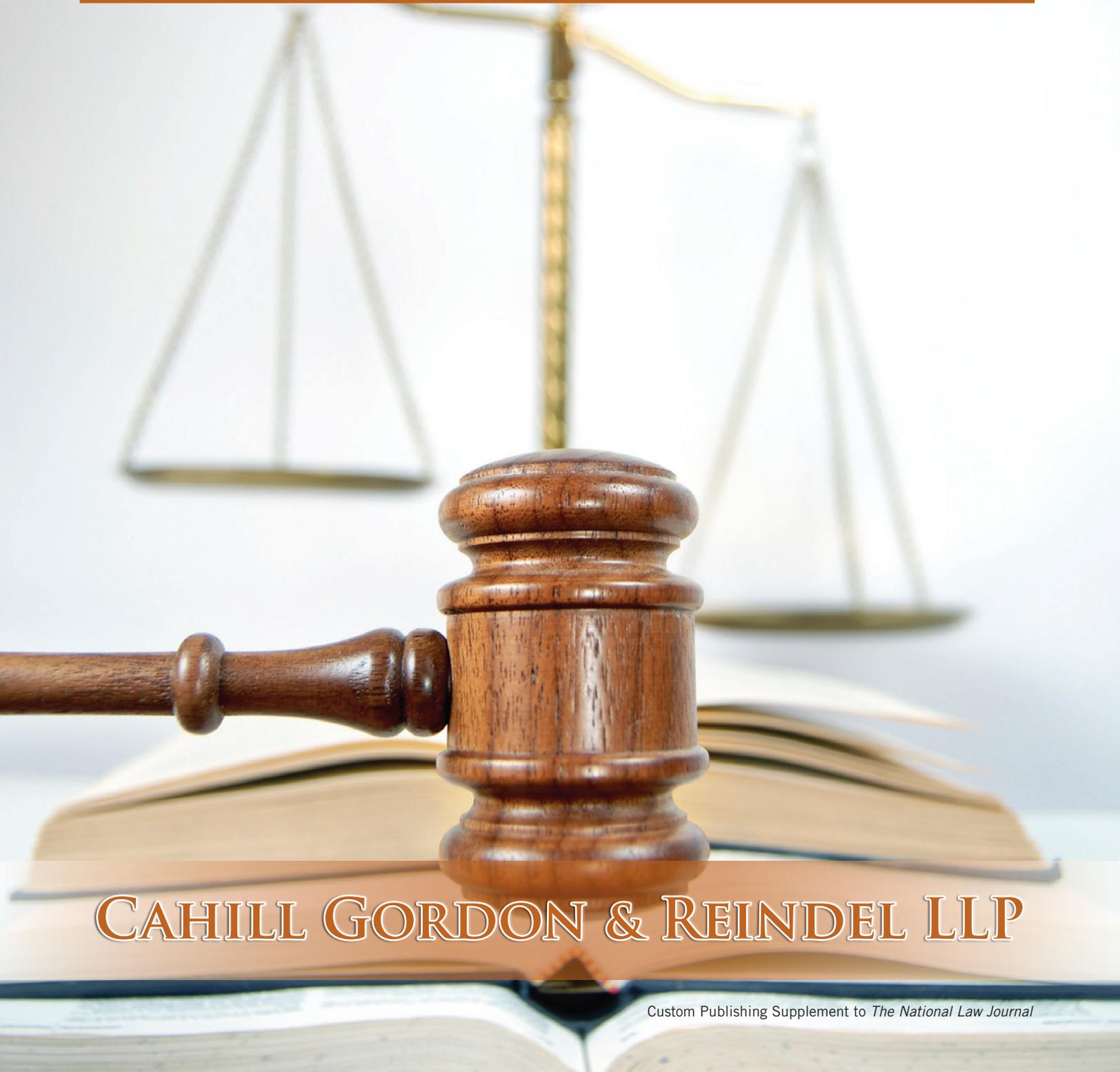


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THE NATIONAL LAW JOURNAL

# TRAILBLAZERS

LITIGATION



CAHILL GORDON & REINDEL LLP

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## LITIGATION

### JOEL KURTZBERG

CAHILL GORDON & REINDEL LLP



**PIONEER SPIRIT** Joel Kurtzberg has felt passionately about constitutional issues for a very long time. "What attracted me to First Amendment work is that the principles matter, and they have a real impact on the public."

**TRAILS BLAZED** Kurtzberg has been involved in several recent high profile First Amendment cases, including successfully defending *New York Times* reporter James Risen against efforts by the U.S. Department of Justice to compel him to name a source for his book *State of War*. "I worked to establish the principle of reporter's privilege that protects journalists from having to give up sources when subpoenaed in a criminal trial. This has a tremendous impact, not just on clients, but all journalists and the public." In *Amarin Pharma Inc. et al. v. United States Food and Drug Administration*, which was decided in August, Kurtzberg and his team prevailed in challenging the constitutionality of FDA restrictions on off-label promotions of prescription drugs. "No public good comes from withholding truthful and nonmisleading information when lives are at stake." Kurtzberg also overturned action against a public school therapist who was suspended for 30 days without pay on charges of "theft of services" after helping a student with cerebral palsy create a school-approved Kickstarter campaign. "We brought to light flaws in the system and made some reforms. I was a teacher myself through Teach For America. I have a real commitment to education law and issues."

**FUTURE EXPLORATIONS** The law on reporter's privilege is still unsettled and will remain so unless Congress provides clarity. "It is going to be a significant battleground. This is an area of law that is of incredible importance to the press and the public. Having some certainty really matters."