

**Best LGBT Lawyers Under 40: Class of 2013
Nomination Form**

Nominee Information

Name: DANIEL S. POWELL Date of Birth: 6/8/78
Title: DEPUTY ATTORNEY GENERAL Firm/Organization: CA DEPT. OF JUSTICE
Mailing Address: 168 BLUXOME ST., #516 City, State Zip: SAN FRANCISCO, CA 94107
Phone Number: (415) 703-5830 Email Address: DANIEL.POWELL@DOJ.CA.GOV

Nominator Information

Name: PAUL MARCHEGIANI
Title: DIRECTOR, BUS. AFFAIRS Firm/Organization: NBCUNIVERSAL
Mailing Address: 3141 HOLLYRIDGE DR City, State Zip: L.A., CA 90068
Phone Number: (415) 794-8580 Email Address: Paul.marchegiani@nbcuni.com
Relationship to Nominee: FORMER BALIF CO-CHAIR

Optional: To your knowledge, does the nominee identify as any of the following?

☐ Racial or Ethnic Minority ☐ Female ☐ Transgender
☐ Person with Disability ☐ Other: N/A

The complete nomination package must be submitted via email to nominations@LGBTbar.org **no later than 5:00 pm EDT on June 3, 2013**. Please submit the following information:

- Nomination Form
- Statement of Support of Nominee (not to exceed 2 pages). Please include:
 - Details on achievements within their legal field
 - Details on their commitment to LGBT equality
- Current Resume of the Nominee
- Letters of Support

DANIEL J. POWELL

168 BLUXOME STREET, APARTMENT 516
SAN FRANCISCO, CALIFORNIA 94107

TEL: (415) 703-5830
DANIEL.POWELL@DOJ.CA.GOV

EXPERIENCE

CALIFORNIA DEPARTMENT OF JUSTICE

DEPUTY ATTORNEY GENERAL, GOVERNMENT LAW SECTION

SAN FRANCISCO, CALIFORNIA

FEBRUARY 2008 – PRESENT

- Represent California's Constitutional Officers in civil litigation, including the Governor, Controller, and Secretary of State on a range of topics, including election law, constitutional challenges, and public finance.
- Advise various state agencies on difficult and complex issues affecting state government.
- Notable cases include: *Haskell v. Brown*, 669 F.3d 1049, (9th Cir. 2012) (constitutionality of California's collection of DNA of felony arrestees); *Plata v. Schwarzenegger*, 560 F.3d 976 (9th Cir. 2009) (contempt motion by court-appointed receiver for \$8 billion); *Tomra Pacific v. Chiang*, 199 Cal. App.4th 463 (2011) (constitutional challenge to loan of monies from Recycling Fund to General Fund).
- Counsel of record for the State of California as amicus curiae in two cases before the United States Supreme Court: *National Federation of Independent Business, et al. v. Sebelius*, No. 11-393 (challenging the Affordable Care Act) and *Hollingsworth v. Perry*, No. 12-144 (challenging California's Proposition 8)

MUNGER, TOLLES & OLSON LLP

LITIGATION ASSOCIATE

SAN FRANCISCO, CALIFORNIA

SEPTEMBER 2005 – JANUARY 2008

- Represented major telecommunications company in numerous class action proceedings and before the California Public Utilities Commission; briefed issues including class certification, federal preemption, and abstention.
- Litigated on behalf of international law firm where underlying representation involved a transaction valued at over \$1 billion; briefed issues of legal ethics, corporate law, and bankruptcy.

JUSTICE JOHN PAUL STEVENS, UNITED STATES SUPREME COURT

JUDICIAL CLERK

WASHINGTON, DISTRICT OF COLUMBIA

JULY 2004 – JULY 2005

JUDGE WILLIAM A. FLETCHER, NINTH CIRCUIT COURT OF APPEALS

JUDICIAL CLERK

SAN FRANCISCO, CALIFORNIA

SEPTEMBER 2003 – JULY 2004

EDUCATION

UNIVERSITY OF CHICAGO LAW SCHOOL

Juris Doctor, *magna cum laude*

CHICAGO, ILLINOIS

JUNE 2003

Awards: Order of the Coif; The Ann Watson Barber Outstanding Service Award; Merck-Microsoft-Pfizer Student Fellowship, 2002-2003; Bell, Boyd, & Lloyd Award for Excellence in First Year Appellate Brief Writing

Activities: *University of Chicago Law Review*, Topics & Comments Editor

PRINCETON UNIVERSITY

B.A., *summa cum laude* in Bioethics (Independent Concentration)

PRINCETON, NEW JERSEY

JUNE 2000

Awards: Phi Beta Kappa; University Center for Human Values Senior Thesis Prize; Spirit of Princeton Award

PUBLICATIONS

- *Key Developments in the Law – 2006*, California Litigation Review, June 2007 (co-authored with Jeff Zinsmeister)
- *Supreme Court Today*, Tri-annual article appearing in the San Francisco and Oregon Bar Journals (co-authored with Jeffrey Bleich, Aimee Feinberg, and Michelle Friedland)
- *Using the False Claims Act as a Basis for Institutional Review Board Liability*, 69 U. Chi. L. Rev. 1399 (2002)

COMMUNITY ACTIVITIES AND INTERESTS

- Perform with the San Francisco Gay Men's Chorus (2005-present), Member of the Board of Directors (2011-present).
- Bay Area Lawyers for Individual Freedom (BALIF), Member of the Board of Directors (2008-2010).

Paul Marchegiani
3141 Hollyridge Drive
Los Angeles, CA 90068

May 29, 2013

RE: Daniel Powell / Best LGBT Lawyers Under 40 Nomination

Dear LGBT Bar Team:

I'm writing to nominate my good friend and former BALIF colleague Dan Powell to the Best LGBT Lawyers Under 40, Class of 2013.

Barely in his mid-thirties, Dan has already had a career that most 80-year old attorneys would dream of. He graduated at the top of his classes at Princeton and Chicago. He clerked for Justice Stevens on the Supreme Court. He briefed and argued landmark cases as a litigation attorney at Munger Tolles and Olsen, and is now Deputy Attorney General, Government Law Section, for the California DOJ.

But beyond his stunning academic credentials, Dan has devoted his personal and professional life to the LGBT community, and deserves recognition for it. While at Munger, he represented Equality California in *Strong v. State Board of Equalization*), and drafted the amicus brief for BALIF in the California Supreme Court in *In re Marriage Cases*. Since joining the AG's office, Dan has been instrumental in leading Jerry Brown and Kamala Harris's charge against Prop 8 (he was counsel of record for the AG's amicus brief in the U.S. Supreme Court) and DOMA (he helped draft the 9th Circuit amicus brief in *Golinski v. United States Office of Personnel Management*). In addition to Prop. 8 and DOMA, Dan is one of the DAGs litigating the challenge to the ban on Sexual Orientation Change Efforts for minors (*Pickup v. Brown*, *Welsh v. Brown*, both in E.D. Cal and currently pending in the 9th Circuit), and he represents the CA Secretary of State in *ProtectMarriage.com v. Bowen* (where NOM is challenging CA's campaign finance disclosure laws as applied to Prop 8).

On a personal level, Dan is bright, caring, and utterly devoted to his friends, family, and community. When I moved to LA in 2008, Dan filled in for me as Chair of the BALIF annual dinner committee, and led a team to put on a fantastic event. He then went on to serve on the

BALIF Board, and now sings and fundraises for the SF Gay Men's Chorus, and serves on their Board of Directors.

Dan's amazing career, kind spirit, and utter devotion to LGBT public service make him the perfect candidate for this Award. I strongly urge the National LGBT Bar Association to consider recognizing Dan for all he's done, and all he will continue to do.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Marchegiani", with a large, sweeping flourish extending to the right.

Paul Marchegiani