

Deepak Gupta is the founder of Gupta Wessler, a law firm that acts as a counterweight to the corporate dominance of the Supreme Court and appellate bar. He is a veteran advocate before the U.S. Supreme Court and has handled cases in every federal circuit, several state supreme courts, and trial courts nationwide. In addition to his litigation practice, Deepak currently teaches as a lecturer at Harvard Law School, has previously taught at Georgetown and American universities, and has testified multiple times before the U.S. Senate and the U.S. House of Representatives.

Much of Deepak's two-decade legal career has focused on seeking access to justice for consumers, workers, and communities injured by corporate or governmental wrongdoing. He works with a range of clients and co-counsel, including leading plaintiffs' firms; national nonprofit advocacy groups; labor unions; state and local governments; and public officials at all levels. There are few public-interest litigators whose work routinely spans as wide a range of issues, including administrative law, constitutional law, class actions, consumers' and workers' rights, civil rights, environmental protection, the criminalization of poverty, gun violence, and public health.

Deepak is "known as a skilled appellate lawyer" (*New York Times*) and "an all-star progressive Supreme Court litigator" (*Washington Post*). He's been described as "one of the emerging giants of the appellate and the Supreme Court bar," a "heavy hitter," a "principled" and "incredibly talented lawyer" (*Law 360*), and "a progressive legal rock star." (*New York Law Journal*). *Chambers USA* cites his "impressive" and "highly rated appellate practice," describing him as "an incredible oral advocate" who "writes terrific briefs" and maintains a "vibrant appellate practice focused on public interest cases and plaintiff-side representations." *Washingtonian* consistently ranks Deepak as one of the "Best Lawyers" for Supreme Court cases; he is the only non-corporate lawyer on the list. Fastcase has honored Deepak as "one of the country's top litigators," noting that "what sets him apart" is his legal creativity. The *National Law Journal* has singled out Deepak's "calm, comfortable manner that conveys confidence" in oral advocacy. And *Empirical SCOTUS* cited one of Deepak's briefs as the single most readable in a recent U.S. Supreme Court term.

Deepak regularly argues before the U.S. Supreme Court. In March 2021, he prevailed in *Ford Motor Co. v. Montana Eighth Judicial District*, in which the Court unanimously ruled that people injured by mass-market products can sue where their injury occurred, bucking a trend of anti-plaintiff decisions stretching back four decades. In 2019, in *Smith v. Berryhill*, Deepak argued at the invitation of the Supreme Court in support of a judgment left undefended by the Solicitor General; he is the first Asian-American ever to be appointed to argue by the Court. In 2017, Deepak's firm was counsel for parties in three argued merits cases; he was lead counsel in two, prevailing in both. In *Hernández v. Mesa*, he represented the family of a Mexican teenager killed in a

cross-border shooting by a border patrol agent, successfully obtaining reversal of the Fifth Circuit's 15-0 en banc ruling that the officer was entitled to qualified immunity. In 2010, Deepak argued *AT&T Mobility v. Concepcion*, a watershed case on corporations' use of forced arbitration to prevent consumers and workers from banding together to seek justice.

As an appellate advocate, Deepak is frequently sought out by trial lawyers to defend their most consequential victories or resurrect worthy claims on appeal—often after years of hard-fought litigation. He also works with co-counsel to design class actions and legal challenges from the ground up. In one such case, *National Veterans Legal Services Program v. United States*, Deepak recently persuaded the Federal Circuit that the federal judiciary has been charging people millions of dollars in unlawful fees for online access to court records. In another one-of-a-kind class action, Deepak represented all of the nation's bankruptcy judges, recovering \$56 million in back pay for Congress's violation of the Judicial Compensation Clause. *The American Lawyer* observed: "it's hard to imagine a higher compliment than being hired to represent federal judges."

Deepak led several high-profile cases aimed at upholding the rule of law during the Trump Administration. In *Citizens for Responsibility and Ethics v. Trump*, he persuaded the Second Circuit that competitors of President Trump's hotels had standing to sue him for accepting payments from foreign and domestic governments in violation of the Constitution's Emoluments Clauses. Deepak also successfully represented environmental groups in a challenge to a midnight rule that would have crippled the EPA's ability to rely on science in setting public-health standards; obtained a ruling striking down an IRS decision to stop collecting donor information from dark-money campaign-finance groups; established that Trump's Acting Director of the Bureau of Land Management had been serving unlawfully for 424 days; and persuaded the D.C. Circuit to issue an emergency order halting the U.S. Agency for Global Media's attempted takeover of an internet-freedom nonprofit.

Before founding the firm in 2012, Deepak was Senior Counsel for Litigation and Senior Counsel for Enforcement Strategy at the Consumer Financial Protection Bureau. As the first appellate litigator hired under Elizabeth Warren, he launched the Bureau's amicus program, defended its regulations, and worked with the Solicitor General's office on Supreme Court cases. For seven years previously, he was an attorney at Public Citizen, where he founded the Consumer Justice Project and was the Supreme Court Assistance Project Fellow. Before that, Deepak clerked for Judge Lawrence K. Karlton of the U.S. District Court for the Eastern District of California and worked on voting rights at the U.S. Department of Justice, prisoners' rights at the ACLU, and religion cases at Americans United for the Separation of Church and State. He studied law at

Georgetown, Sanskrit at Oxford, and philosophy at Fordham, and competed in the World Universities Debating Championships in Manila, Philippines and Athens, Greece.

Deepak is an elected member of the American Law Institute and sits on the boards or advisory boards of the National Consumer Law Center; the Lawyers' Committee for Civil Rights Under Law; the Alliance for Justice; the Civil Justice Research Initiative of the University of California, Berkeley; the Biden Institute at the University of Delaware; the People's Parity Project; the Open Markets Institute; and the Institute for Consumer Antitrust Studies. His publications include *Arbitration as Wealth Transfer*, 5 Yale L. & Pol'y Rev. 499 (2017) (with Lina Khan); *Leveling the Playing Field on Appeal: The Case for a Plaintiff-Side Appellate Bar*, 54 Duq. L. Rev. 383 (2016); and *The Consumer Protection Bureau and the Constitution*, 65 Admin L. Rev. 945 (2013). He is a judge of the American Constitution Society's Annual Richard D. Cudahy Writing Competition on Regulatory and Administrative Law.