



WASHINGTON LEGAL
FOUNDATION

2025 Annual Report

**Keeping Free Enterprise Free
Since 1977**



Washington Legal Foundation is the nation's premier public-interest law firm and policy center. Our mission is to preserve and defend America's free-enterprise system by **litigating**, **educating**, and **advocating** for free-market principles, a limited and accountable government, individual and economic liberties, and the rule of law.



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Senior Leadership

Constance Claffey Larcher,
President and Chief Executive Officer

Glenn G. Lammi, Executive Director
and Vice President of Legal Studies

Cory L. Andrews, General Counsel
and Vice President of Litigation

Zac R. Morgan, Senior Litigation Counsel

Ali B. Young, Vice President of
Strategy and Development

Jennifer L. Shafer, Development Manager

Harrison L. Stewart, Director of Operations

“At a minimum, the rule of law demands fair notice of the law and equality in its application. The government must be bound by fixed rules announced in advance, people must be able to conform their conduct to these rules, and the government must be prevented from using retroactive or malleable rules to single out unpopular groups for disfavored treatment.”

A Republic, If You Can Keep It
Neil M. Gorsuch, U.S. Supreme Court
Associate Justice

To Our Friends and Supporters

The freedom to “establish commerce” is often overlooked among the many reasons that compelled the American colonists to “dissolve the political bands” of tyrannical Great Britain. The Declaration of Independence framed economic freedom as a fundamental aspect of political independence and individual liberty. The colonists understood that economic success required a government accountable to the people and to the rule of law.

Those same principles have driven Washington Legal Foundation’s public-interest mission for nearly five decades. This annual report highlights our 48th year of tireless work to *keep free enterprise free*. You will see that our strategic approach—a unique combination of **litigation**, **advocacy**, and **education**—remains consistent. We spotlight our ongoing focus on four core areas of law and policy, each critically important to the success of the American experiment. And we honor not only the dedication of our staff, but also those professionals who contribute their time and expertise, as well as the organizations with whom we collaborate.

You will also see a renewed commitment to expanding our reach and sharpening our impact—a responsibility we owe to our friends and supporters. We added two professionals to our team and six new members to our volunteer Legal Policy Advisory Board. We launched two new short-form video series aimed at making complex legal and regulatory issues

more accessible to a broader audience. Most significantly, we revamped our website and updated our look with a refined logo, color palette, typography, and digital experience.

As gridlock persists in America’s legislative bodies and the Executive Branch tests the bounds of its authority, legal disputes threatening economic growth and freedom fill our courts. The Nation’s job-creators and innovators don’t fight alone. WLF is there. We reach the judiciary, urging judges in our amicus briefs to embrace clear legal standards, require proof of actual harm, and protect constitutional rights. For decades, judges have been reading our insightful legal studies and watching our webinars. Lawyers and academics who later joined the bench, including future U.S. Supreme Court justices, have authored WLF briefs and publications and have spoken at our programs.

We trust that the generous individuals, businesses, and foundations whose charitable donations sustain our mission will share our pride in what follows. Although this year was a productive one for WLF, there are no permanent victories in the fight for economic freedom and a stable, predictable rule of law. In this semiquincentennial year, we will honor the courage and sacrifices of those who fought a war to win independence from an arbitrary and lawless ruler by defending, in our own time, the principles of economic freedom and the rule of law they secured.



A handwritten signature in black ink that reads "Glenn G. Lammi".

Glenn G. Lammi

Executive Director & Vice President of Legal Studies



A handwritten signature in black ink that reads "Cory L. Andrews".

Cory L. Andrews

General Counsel & Vice President of Litigation

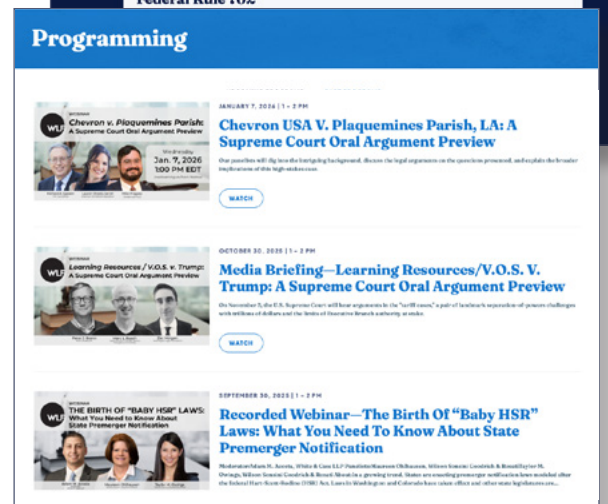
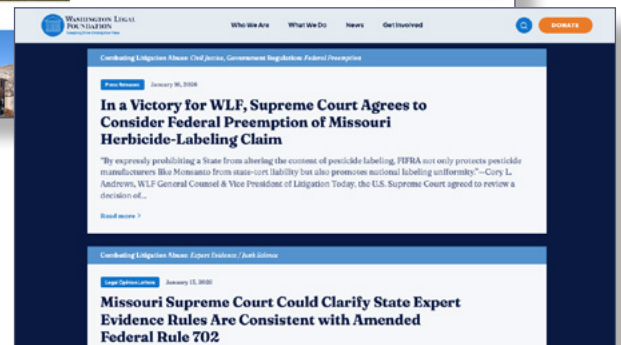
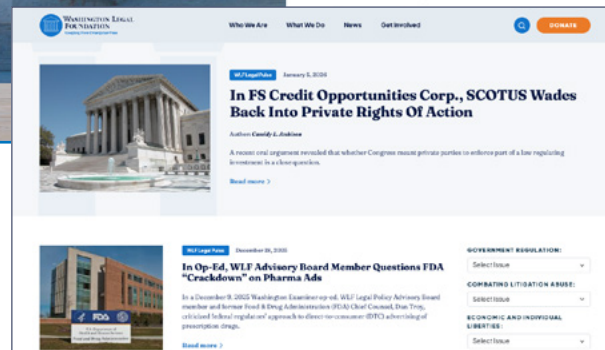
We Remodeled Refreshed Look— Same Reputable Work



In anticipation of our upcoming 50th anniversary, we revamped our website and updated our brand with a refined logo, typography, color palette, and digital experience.

The refreshed color palette of blues balances trust and authority with openness and accessibility. The updated logo draws from WLF’s history while reinforcing its core focus: the courts.

Together, these changes strengthen WLF’s ability to shape legal understanding and influence outcomes. By pairing rigorous analysis with clearer presentation and a more intuitive digital experience, WLF is better positioned to reach judges, policymakers, practitioners, and partners at moments when our ideas matter most.



WLF thanks the E.L. Wiegand Foundation, whose charitable grant supported our website refresh, rebrand, and the design of a logo for our 50th anniversary in 2027.

New Faces in 2025

We added six new members to our Legal Policy Advisory Board, including a current and a former corporate general counsel and a former Solicitor General of the United States.



Shannen W. Coffin
Partner, Steptoe LLP

“It is such a treat to follow in the footsteps of my professional mentor and friend, Richard Willard, a former chair of the WLF Advisory Board. WLF is driving the law in so many areas that affect our precious liberties as Americans. To be a part of that as a Board Member is a welcome honor and opportunity.”



Noel J. Francisco
Partner, Jones Day
Former Solicitor General of the United States

“WLF’s amicus briefs stand out from the crowd. Their Supreme Court filings signal that a case has major implications for business and broader constitutional principles. I am proud to serve as an advisory board member.”



Robert E. Johnston
Partner, Hollingsworth LLP

“I have long held an interest in ensuring that the legal system is just, balanced, and fair to all who come before courts. I am so pleased to have been given the opportunity to join some of the finest legal minds in our country on WLF’s advisory board and to advance those ideals through legal advocacy.”



Lee Mickus
Partner, Evans Fears Schuttert McNulty Mickus

“As a lawyer who deals with the grind of issues through the courts, I applaud WLF’s consistent focus on practical issues that make a real difference to litigants – things like the application of federal rules and the limits of constitutional standing. I am excited to play a larger role in WLF’s efforts.”



Keesha-Lu Mitra
Senior Vice President & General Counsel, State Farm

“I’m pleased to join WLF’s advisory board. The rule of law and the checks and balances in our constitutional system are foundational to supporting a robust free enterprise system, and their advocacy and educational work is wisely focused on the judiciary’s role.”



Roger Nober
Affiliated Scholar, George Washington University Regulatory Studies Center
Former Executive Vice President and Chief Legal Officer, BNSF Railway

“I am pleased to have joined the WLF Board this year after having worked with the organization for many years in my prior role. When I was CLO, WLF provided important support to our litigation efforts and I have the utmost respect for the organization and its esteemed Board. I appreciate being a part of this tremendous group of legal practitioners and scholars.”

Legal Policy Advisory Board

Chairman of the Board

Jay B. Stephens

Kirkland & Ellis LLP (Ret.)

Former Chairmen

Frank J. Fahrenkopf, Jr.

The Hon. Dick Thornburgh

Richard K. Willard

Board Members

Mark A. Behrens

Shook, Hardy & Bacon L.L.P.

Lisa S. Blatt

Williams & Connolly LLP

The Hon. Susan G. Braden

Chief Judge (Ret.)

U.S. Court of Federal Claims

Gregory A. Brower

Brownstein Hyatt Farber

Schreck LLP

Carol Elder Bruce

Law Office of Carol

Elder Bruce, PLLC

James H. Burnley, IV

Venable LLP

Ralph J. Caccia

Wiley

Michael A. Carvin

Jones Day (Ret.)

Drew Clark

Vice President and General Counsel

McKee Foods Corporation

Shannen W. Coffin

Steptoe LLP

Charles Cooper

Cooper & Kirk PLLC

Viet D. Dinh

Principal

Palanquin Advisors LLC

Noel J. Francisco

Jones Day

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President

Furchtgott-Roth Economic Enterprises

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Mayer Brown LLP

Eric Grannon

White & Case LLP

Allyson N. Ho

Gibson, Dunn & Crutcher LLP

Robert E. Johnston

Hollingsworth LLP

Coleen Klasmeier

Head of Legal, Regulatory, and Patient
Safety (US)
Roche Diagnostics

Jay P. Lefkowitz

Kirkland & Ellis LLP

Leah L. Lorber

Assistant General Counsel
Litigation, Investigations,
Digital & Privacy
GlaxoSmithKline

Arvin Maskin

Mayer Brown LLP

Rob McKenna

Orrick, Herrington & Sutcliffe LLP

Steve McManus

Program Director
The Conference Board
Chief Legal Officers Council

Lee Mickus

Evans Fears Schuttert
McNulty Mickus

Keesha-Lu Mitra

Senior Vice President & General Counsel
State Farm

Roger Nober

Affiliated Scholar
George Washington University
Regulatory Studies Center

Maureen Ohlhausen

Wilson Sonsini Goodrich & Rosati

R. Hewitt Pate

Vice President and General Counsel
Chevron Corporation

Carter G. Phillips

Sidley Austin LLP

Heather A. Pigman

Hollingsworth LLP

Charles F. (Rick) Rule

Rule Garza Howley LLP

George J. Terwilliger

Terwilliger Law PLLC

Prof. Larry D. Thompson

John A. Sibley Professor in Corporate
and Business Law
University of Georgia School of Law

Daniel E. Troy

Managing Director, Health Analytics
Berkeley Research Group, LLC

Drew Tulumello

Weil, Gotshal & Manges LLP

Thomas N. Vanderford, Jr.

Associate General Counsel and
Executive Director of Litigation
Hyundai Motor America

Joe D. Whitley

Womble Bond Dickinson (US) LLP

Pro Bono Network

Over the past 48 years, WLF has built and maintained an extensive pro bono network of lawyers. These relationships allow WLF to maximize its resources on delivering expert analysis to the right mix of decision makers and influencers at the right time.

We would like to recognize and thank the many dedicated attorneys from the following law firms who donated their time and expertise in 2025 as pro bono counsel for amicus briefs, authors of publications and *WLF Legal Pulse* commentaries, or as panelists for educational webinars. We could not achieve our goals in litigation, education, and advocacy without your support!

2025 Pro Bono Law Firms

A&O Shearman

Arnold & Porter

Baker Botts LLP

BakerHostetler

Boyden Gray PLLC

Braunn & Isaacson

Brownstein Hyatt Farber Schreck, LLP

Bryan Cave Leighton Paisner LLP

Davis Wright Tremaine LLP

Evans Fears Schuttert McNulty Mickus

Gentry Locke Attorneys

Gibson Dunn & Crutcher LLP

Hall Estill

Hogan Lovells

Hollingsworth LLP

Horvitz & Levy LLP

Hunton



“One of the best ways an attorney can sharpen their writing and reasoning skills, and influence broader legal doctrines, is volunteering to draft a WLF amicus brief. The WLF pro bono experience is collaborative, challenging, and requires you to meet the group’s very high standards. Those are good things!”

Lyle Roberts

Co-Head of U.S. Securities & Shareholder Litigation
A&O Shearman

Hyman, Phelps & McNamara P.C.

Jones Day

K&L Gates

Kasowitz LLP

Keller and Heckman

Kelley Drye & Warren LLP

Lehotsky Keller Cohn LLP

Little Mendelson

Mayer Brown LLP

Morgan, Lewis & Bockius LLP

Nelson Mullins

Orrick, Herrington & Sutcliffe LLP

Perkins Coie LLP

Quinn Emanuel Urquhart & Sullivan, LLP

Redgrave LLP

Reed Smith LLP

Shook, Hardy & Bacon L.L.P.

Sidley Austin LLP

Skadden Arps Slate Meagher & Flom LLP

Stone Hilton

Sullivan & Cromwell

Thompson Hine LLP

Weil, Gotshal & Manges LLP

White & Case LLP

Wiley Rein LLP

Williams & Connolly LLP

Wilmer Cutler Pickering Hale & Dorr LLP

Wilson Sonsini Goodrich & Rosati

Join Our Pro Bono Network

If you are interested in adding yourself, your firm, or a colleague to our pro bono network, please let us know.

This is a great opportunity to showcase exceptional talent and expertise while helping WLF keep free enterprise free.

A Year of Impact

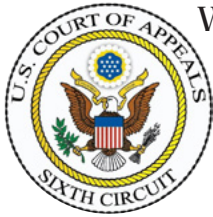
This 2025 timeline highlights notable filings, outcomes, publications, and newsworthy events that helped further our mission throughout the year — all made possible by our generous friends and supporters.

January

Sixth Circuit Sets Aside FCC’s Regulatory Power Grab over the Internet

In the Matter of Securing and Safeguarding the Open Internet

Litigation Victory



WLF successfully argued that a rule categorizing broadband as a “common carrier” service exceeded FCC’s authority.

February

U.S. Supreme Court Limits Damages in Trademark Cases to Profits Attributable to Party Defendants

Dewberry Group, Inc. v. Dewberry Engineers Inc.

Litigation Victory

WLF supported a unanimous decision that courts cannot consider the profits of a defendant’s non-party corporate affiliates when awarding damages under the Lanham Act.

March

WLF Urges 11th Circuit to Declare FCA’s Qui Tam Provision Unconstitutional

U.S. ex rel. Zafirov v. Florida Medical Associates

Litigation Filing

In this landmark separation-of-powers case, WLF’s brief argued that Congress unconstitutionally delegated law enforcement authority to private whistleblowers in the False Claims Act.

April

Debunking the Myth of AI Unregulation: The Need for a Balanced AI Action Plan

Webinar

This “Tech in the Courts” program featured three think-tank leaders who questioned the notion that artificial intelligence is unregulated



and advocated for a federal approach balancing safety and innovation.

May

FTC Consumer Protection Orders: The Case for a New Sunset Policy

Working Paper

In this paper that drew attention from FTC staff and congressional counsel, the authors make the case for altering FTC’s approach to consent-decree orders and the process for modifying or terminating them.



June

U.S. Supreme Court Clarifies Limits of Aiding-and-Abetting Liability

Smith & Wesson Brands, Inc. v. Estados Unidos Mexicanos

Litigation Victory

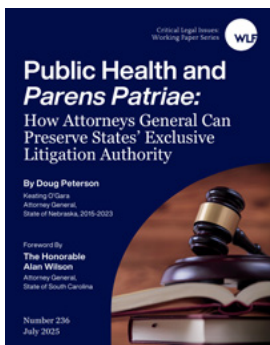
As WLF advocated in its amicus brief, Mexico could not sue the manufacturer of a lawful product for harms directly caused by criminals’ unlawful use of that product.

July

Public Health and *Parens Patriae*: How Attorneys General Can Preserve States' Exclusive Litigation Authority

Working Paper

Authored by Nebraska's former Attorney General and featuring a foreword by South Carolina's Attorney General, this paper explained the legal levers States' chief law



enforcers possess to deter or halt local governments' health or safety litigation.

August

Ninth Circuit Rejects Privacy Suit by Plaintiff Who Suffered No Cognizable Injury

Popa v. Microsoft Corporation

Litigation Victory

Joining three trade associations, WLF successfully argued that a website visitor lacked standing to claim that the defendant's browser tracking violated a California wiretapping law.

September

U.S. Supreme Court Agrees to Decide Limits of President's Authority to Impose Tariffs

Learning Resources v. Trump

Litigation Victory

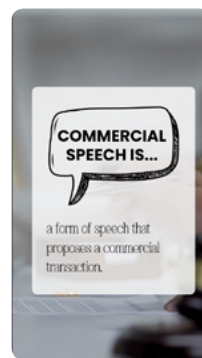
WLF was one of only two amici that backed a small business's request that the U.S. Supreme Court expedite its review of whether the International Emergency Economic Powers Act authorizes Executive Branch tariffs.

October

WLF Launches Video Shorts Series to Demystify Complex Legal Principles

Project Announcement

WLF announced two new educational video series—The Plain Meaning and Law Made Simple—to help make complex legal and regulatory issues more accessible to a broader audience.



November

WLF Asks Massachusetts High Court Not to Declare Publishing a Public Nuisance

Massachusetts v. Meta

Litigation Filing

In a case with national implications, WLF argued that a federal law and the First Amendment required the dismissal of a lawsuit against Meta for merely publishing others' speech.

December

Proscriptions for Prescription Drug Ads Can't Surmount First Amendment Hurdles

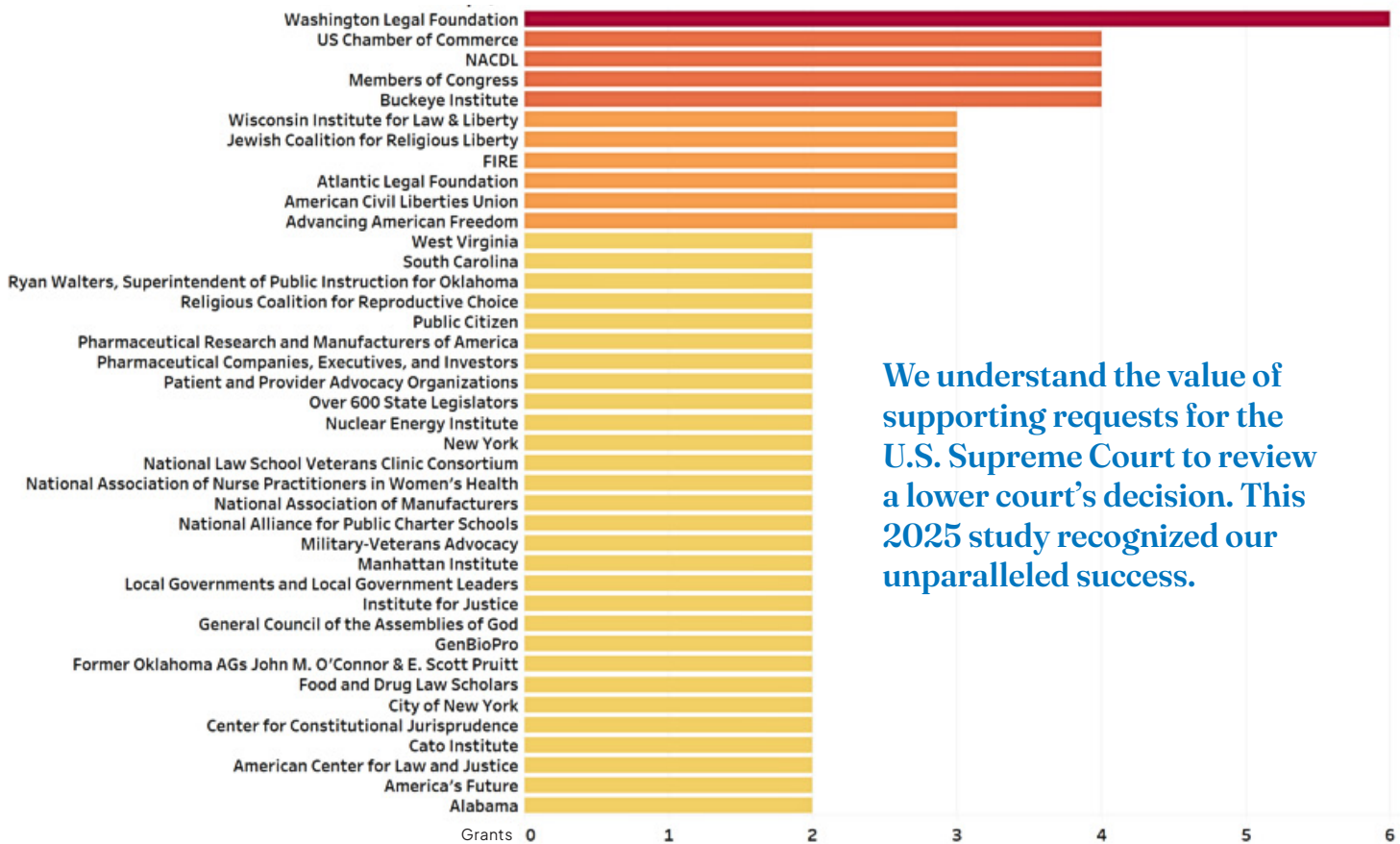
Legal Backgrounder

This paper by WLF in-house counsel argued that federal healthcare regulators' mission to disrupt and deter direct-to-consumer pharmaceutical advertising contravenes well-settled commercial-speech protections that safeguard both speakers' and listeners' rights.

A Public-Interest Law Firm & Policy Center

Nearly every significant battle jeopardizing economic freedom and the opportunities it generates for all Americans is fought in the courts or regulatory agencies. Because those arenas are where we conduct our public-interest work, WLF is perfectly positioned to influence outcomes in those battles. For nearly 50 years, we've helped keep free enterprise free through a unique combination of *litigation*, *education*, and *advocacy*. To carry out that strategy, WLF is both a law firm and a legal-policy think tank.

Most Cert Stage Amicus Briefs Associated With Grants



We understand the value of supporting requests for the U.S. Supreme Court to review a lower court's decision. This 2025 study recognized our unparalleled success.

Source: Dr. Adam Feldman, *The Power Players Behind Supreme Court Petitions: Who's Filing Amicus Briefs—and Who's Winning*, Legalytics Substack, Feb. 2025.

Litigation Division

Litigation is the backbone of WLF's public-interest mission. We are active at every level of the judiciary, from federal and state trial courts to the U.S. Supreme Court. WLF also participates in administrative proceedings. Our comments demand that agencies faithfully interpret and implement the underlying statute and respect the U.S. Constitution.

Litigants and appellate advocates routinely seek WLF's amicus participation because of our hard-earned reputation for independence and excellence. We tactically select cases that have the potential to set precedents. And because our mission consistently places us on the opposite side of cases from the plaintiffs' bar or the government, you'll always know where we stand.

2025 by the Numbers

- 61** amicus briefs
- 26** U.S. Supreme Court briefs
- 18** certiorari stage
- 8** merits stage
- 23** federal circuit court briefs
- 8** victories
- 6** administrative comments

Legal Studies Division

Since 1986, WLF's innovative think tank has strategically injected ideas into courts and influenced the legal community and

2025 by the Numbers

- 71** publications & *WLF Legal Pulse* posts
- 96** authors
- 51** first-time contributors
- 15** webinars
- 45** panelists
- 32** first-time participants

broader public debates about regulation and litigation. Like traditional think tanks, WLF's legal studies team conducts advocacy and education through formal publications, programming, a well-trafficked blog, social-media initiatives, and opinion writing. What sets WLF's approach apart is the involvement of thousands of private practitioners, corporate counsel, academics, and other legal professionals who write and speak on a pro bono basis. Their expertise accords our scholarship considerable credibility while freeing up charitable resources to expand the depth and breadth of our impact.

Programming & Videos

Programming

WLF’s programming helps advance our mission by making complex legal developments accessible, timely, and relevant to those who care about the rule of law and free enterprise. Through webinars, we provide practical insight into major court decisions, emerging legal-policy trends, and regulatory developments—helping our audience understand not just what is happening in the courts, but why it matters.

WLF Webinars remain a core part of this effort. These one-hour programs bring together leading legal experts to break down complex issues in a clear, engaging format, particularly for audiences who prefer video-based learning. Each webinar is archived on WLF’s YouTube channel, extending the reach of our educational work well beyond the live event. In 2025, expanded marketing and social media efforts significantly increased engagement, with live audiences growing and YouTube views rising by more than 200%.



U.S. Supreme Court Briefings

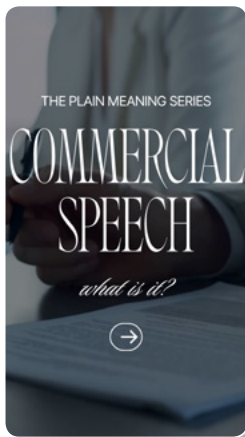
For more than 30 years, WLF’s U.S. Supreme Court previews, mid-Term reviews, and Term-end analyses have offered trusted insights from leading appellate advocates and Court scholars. These programs help audiences understand how the Court’s decisions shape constitutional interpretation, regulatory policy, and the broader free-enterprise landscape.

Video Shorts

To expand access to our educational mission, WLF launched two new short-form video series designed to make complex legal and regulatory issues more understandable to a broader audience. The initial focus centered on the First Amendment’s protection of commercial speech—an area where WLF has played a leading role for nearly five decades.



**Watch
Video Shorts**



The Plain Meaning —

One-minute videos that define key legal terms and concepts, helping viewers quickly understand the principles behind WLF’s advocacy.

Law Made Simple —

Two-to-three-minute videos that build on The Plain Meaning series, exploring major court cases, policy debates, and the evolution of important legal doctrines.



“I enjoyed watching the U.S. Supreme Court ‘Cases and Controversies’ session you hosted yesterday. I thought it was great – thanks for doing this every year. It is so informative for so many of us.”

Jessica L. Ellsworth

Co-Head, U.S. Supreme Court & Appellate Practices
Hogan Lovells

We Defend the Rule of Law

A free society depends on a simple but enduring principle:

The law governs, not the whims of those in power.

The Constitution implements that principle through defined rights and a deliberate separation of legislative, executive, and judicial authority. Laws must be publicly enacted, provide fair notice, be evenly enforced, and be adjudicated through transparent processes.

WLF defends the rule of law because constitutional structure is not abstract; it provides the predictable legal framework businesses rely on to plan, invest, and innovate.

Case Study: The Separation of Powers

The Constitution's separation of powers is one of its most important safeguards of individual and economic liberty. When one branch exceeds its authority, regulatory instability follows, often with consequences for entire industries. These disputes regularly end up in court, where WLF's mission is focused.

Opposing “Emergency” Tariff Authority

When the President asserted broad authority to impose tariffs, the result was higher prices and increased costs across supply chains. WLF supported the legal challenge in the appellate court and the U.S. Supreme Court, arguing that Congress never clearly delegated tariff authority.

- ***Learning Resources v. Trump***

WLF was one of only two amici supporting Learning Resources' successful U.S. Supreme Court petition.

- ***Webcast briefing*** prepared reporters and others for the oral arguments.



“It ‘strains credulity’ that Congress, well-aware of the importance of regulatory and taxation certainty to America’s business community, would have given the President unbridled whipsaw authority on such a major question.”

WLF amicus brief, *Learning Resources v. Trump*; *Trump v. V.O.S. Selections*

Checking the Administrative State

Rules insulating agency leaders from presidential removal have fueled the growth of an unaccountable administrative apparatus.

Restoring constitutional accountability within the Executive Branch has long been central to WLF's mission. Two 2025 cases provided opportunities to advance that goal.

- ***Trump v. Slaughter***

WLF urged the U.S. Supreme Court to reaffirm the President's authority to remove FTC commissioners at will.

- ***Space X v. NLRB***

The Fifth Circuit agreed that labor agency administrative judges were unconstitutionally protected from removal.

Ending Delegation of Fraud-Law Enforcement

Under Article II, only properly appointed officers may represent the United States in court. The False Claims Act instead delegates enforcement authority to private parties—driving an ever-expanding surge of litigation against contractors and regulated businesses.

WLF supported constitutional challenges in two federal courts of appeals, arguing that the law's qui tam provisions undermine executive accountability and the separation of powers.

- ***U.S. ex rel. Zafirov v. Florida Medical Associates***

(Eleventh Circuit)

- ***United States ex rel. Penelov v. Janssen Products***

(Third Circuit)

Why It Matters

Across every case, the principle is the same:

*“The very definition of a Republic is
‘an Empire of Laws, and not of men.’”*

Thoughts on Government
John Adams, April 1776

By defending the rule of law, WLF helps preserve the legal certainty businesses need to grow and the constitutional limits that protect liberty for all.

We Oppose Overregulation

Overregulation thrives when power concentrates, accountability fades, and rules lose their connection to the law that authorized them.

Businesses face a regulatory landscape plagued by vague and expansive rules, limited legislative or executive oversight, and a judiciary that is still too deferential to bureaucrats. States increasingly layer on additional—and sometimes conflicting—requirements, driving up compliance costs and distorting markets for businesses operating across state lines.

We oppose overregulation because economic growth and innovation depend on clear legal limits, democratic accountability, and regulatory restraint grounded in statute, not policy preference.

Case Study: Respecting the Supremacy Clause

The Constitution’s Supremacy Clause establishes that federal law is the “supreme Law of the Land.” From that principle flows the doctrine of federal preemption: an essential safeguard for a national economy.

Businesses depend on uniform rules. When states impose overlapping or conflicting regulatory regimes, compliance becomes inefficient, costly, and unpredictable. Our longstanding advocacy for robust preemption and our extensive expertise in this area make WLF uniquely effective in defending regulatory clarity.

Recent Preemption Cases

Amazon.com Services v. N.Y. State Public Employment Relations Bd.

New York’s law improperly usurps federal labor jurisdiction, creating uncertainty for interstate employers and undermining congressional intent.

McKee Foods v. BFP Inc.

Allowing States to override ERISA threatens uniform employee-benefit protections and risks harming the very workers Congress sought to protect.



Suncor Energy v. County of Boulder

State regulation-through-litigation of global climate policy threatens national economic stability and intrudes on federal authority.

Extending the Conversation Beyond the Courts

WLF also elevates overregulation issues through education and public engagement.

WLF Webinar

Judicial Regulation of Climate Change?: Latest Developments in State-Based Litigation

Our panelists discussed the mixed outcomes climate-change litigation has met in the courts and the States' efforts to counter the campaign because of the adverse impact lawsuits have on residents and the nation's energy security.



WLF Legal Pulse

Federal Preemption and AI Regulation: A Law and Economics Case for Strategic Forbearance

Kristian Stout of the International Center for Law and Economics examines why federal primacy is essential to effective AI governance.

Why It Matters

For businesses and individuals to thrive in a free market economy,
regulation must remain tethered to law.

By opposing overregulation, WLF works to preserve a legal environment where businesses can operate under clear, uniform rules—and where economic policy remains accountable to Congress and the Constitution.

We Combat Abusive Litigation

Civil litigation has become an industry unto itself—driving up prices, increasing insurance costs, and placing a hidden tax on innovation.

Lawsuits that claim to protect consumers often end up harming them instead, distorting markets and diverting resources away from growth, research, and development.

We combat abusive litigation because a fair civil-justice system must compensate real harm—not inflate damages, manufacture claims, or reward litigation without injury.

WLF demands that courts hold plaintiffs’ lawyers to the exacting standards that govern civil litigation, class actions, expert evidence, punitive damages, and personal jurisdiction.

Case Study: Curbing No-Injury Class Actions

The modern litigation industry has transformed the class-action device into a tool for large-scale abuse. Law.com’s *Corporate Counsel* found that corporations spent an estimated \$79 billion in 2025 settling class actions, many involving plaintiffs who suffered no concrete injury.

WLF is working to curb this practice by arguing in briefs and publications that uninjured plaintiffs lack standing to sue under Article III of the Constitution.

Other highlights:

Painters Fund v. Takeda Pharmaceutical Co. (filing) – The U.S. Supreme Court should rein in class actions for uninjured plaintiffs.

Drake v. Bayer Healthcare LLC (filing) – The Ninth Circuit must assess harm before certifying classes.

Popa v. Microsoft Corporation (victory) – The Ninth Circuit rejected a privacy lawsuit where the plaintiff suffered no tangible harm.

Labcorp v. Davis

WLF successfully supported Labcorp’s request for U.S. Supreme Court review. We also filed an amicus brief on the merits.

Our Legal Studies Division published a short paper on the case and held a virtual briefing previewing the oral argument.

Case Study: Gatekeeping Expert Evidence

Expert testimony plays a decisive role in modern litigation, especially in cases involving life-saving drugs, medical devices, and everyday consumer products.

Federal rules require judges—not juries—to evaluate the reliability and relevance of expert evidence. When courts fail to perform this gatekeeping function, consumers, investors, and shareholders bear the consequences.

In 2025, WLF placed a major emphasis on keeping unreliable “junk science” out of the courtroom.

Four key publications

Amended Rule 702 in 2025: Circuit Courts Embrace the Changed Standard

Lee Mickus, Evans Fears Schuttert McNulty Mickus

Delaware Supreme Court Embraces Federal Rule 702 Amendments, Emphasizes Trial Courts’ Evidence-Gatekeeping Role

Mark A. Behrens & Cary Silverman,
Shook, Hardy & Bacon L.L.P.

Federal Courts Draw the Line: Federal Circuit’s *EcoFactor* Joins Growing Push Against Unreliable Experts

Eric G. Lasker and Katherine E. Nolan, Hollingsworth LLP

The Tenth Circuit Imparts a Gatekeeping Lesson with Textbook Application of Rule 702

Stephen J. McConnell, Reed Smith LLP

Two notable amicus briefs

Ninth Inning, Inc. v. NFL

WLF asks Ninth Circuit to uphold judge’s decision to spike multi-billion-dollar “nonsensical” verdict against the NFL.

Lang v. Sig Sauer, Inc.

WLF urges Eleventh Circuit to vacate product liability verdict built on unreliable expert testimony.

Why It Matters

To achieve equitable civil justice,

***courts should remedy real harm not reward
manufactured claims or speculative theories.***

By combating abusive litigation, WLF helps protect consumers, preserve innovation, and defend the integrity of the American legal system.

We Protect Economic Liberties

*Economic liberty is not incidental to prosperity;
it is foundational to it.*

The fundamental freedoms America’s Founders guaranteed in the U.S. Constitution are essential engines of economic growth, entrepreneurship, and individual opportunity. Government regulators and special-interest activists, however, have little respect for basic rights such as property ownership, commercial speech, and the right to contract. WLF is a leading voice for these economic liberties, advocating in courts, regulatory agencies, and through public education.

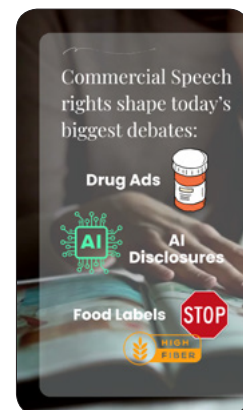
Case Study: Expanding Commercial Speech Rights

The freedom of businesses to speak, or not speak, about their products and services, and the ability of consumers to receive accurate information, are cornerstones of free enterprise. For decades, WLF has advanced a sustained campaign to protect commercial speech in the courts, before regulatory agencies, and in the public square.

Understanding Commercial Speech

With regulators increasingly targeting commercial speech as a backdoor way to restrict or discourage lawful products, Americans need clear answers to a basic question: **What is commercial speech, and why does the First Amendment protect it?**

To address that gap, we devoted the first two videos in our new educational series to explaining commercial-speech fundamentals.



Challenging Speech Restrictions

Laws and regulations can restrict speech directly or impose such burdensome requirements that businesses are effectively forced to self-censor.



Federal “Crackdown” on Pharmaceutical Advertising

Litigation response: A letter to FDA warned against unconstitutional overreach and reminded agency leadership of its duty to respect First Amendment limits.

Legal Studies response: “Proscriptions for Prescription Drug Ads Can’t Surmount First Amendment Hurdles” analyzed why the FDA’s actions fail constitutional scrutiny.

Opposing Compelled Speech Mandates

Governments increasingly require businesses to carry state-mandated messages (on labels, in advertisements, or through disclosures) designed to deter lawful conduct or advance policy agendas.

Amicus Advocacy

U.S. Chamber of Commerce v. Randolph

WLF urged the Ninth Circuit to block California’s climate-disclosure mandates, arguing that the laws violate the First Amendment by turning businesses into unwilling government mouthpieces.

DoorDash v. City of New York

WLF asked the Second Circuit to strike down a New York City law that forces delivery platforms to share customers’ personal information with competing restaurants.

Educating Policymakers and the Public

It’s Time to End Zauderer as Chevron for the First Amendment

Jeremy J. Broggi, Wiley Rein LLP

Federal courts too often defer to “reasonable” legislative judgments when reviewing compelled commercial speech mandates.

The Plain Meaning: Compelled Speech



Law Made Simple: Prop 65 and Commercial Speech



Why It Matters

Our Constitution clearly reflects this principle:

*robust protection of economic liberties is critical
to commercial success and financial security.*

By protecting economic liberties, WLF helps ensure that businesses and consumers alike can operate in a marketplace governed by law, not coercion.

Collaboration

In *Forces for Good: The Six Practices of High-Impact Nonprofits*, the book's authors counsel "great nonprofits collaborate rather than compete with their social sector peers." WLF's commitment to collaboration includes the following:

- Our lawyers attend coalition meetings, participate in other think tanks' briefings, and address trade association legal committees.
- We routinely invite legal-policy and business organizations to join our amicus briefs, and they return the favor with invitations to participate in their briefs.
- Our Tech in the Courts webinar series, co-hosted with Tech Freedom, continued in 2025 with four joint programs.



**Watch WLF
Webinars**

Amicus brief partnerships:

WLF represented or joined with these 22 national and state-based organizations on amicus briefs in 2025.

American Property Casualty Insurance Association

American Tort Reform Association

Associated Builders & Contractors

Associated General Contractors of New York State

Atlantic Legal Foundation

Buckeye Institute

Business Council of New York State

Coalition for a Democratic Workplace

Federation of Defense & Corporate Counsel

Institute for the American Worker

Insurance Federation of Pennsylvania

Interactive Advertising Bureau

Mackinac Center for Public Policy

**National Federation of Independent Business
Small Business Legal Center**

NetChoice LLC

Pennsylvania Chamber of Business and Industry

Pennsylvania Coalition for Civil Justice Reform

Pennsylvania Manufacturers' Association

Product Liability Advisory Council

Securities Industry and Financial Markets Association

TechFreedom

U.S. Chamber of Commerce

Collaboration spotlight:

A late October Federalist Society briefing on November 2025 U.S. Supreme Court arguments featured WLF Senior Litigation Counsel Zac Morgan. Zac discussed two cases in which WLF filed amicus briefs and answered several questions on the *Learning Resources v. Trump* tariff case.



Two examples of WLF briefs with organizational clients:

Sundaram v. Freshworks Inc.

The U.S. Chamber of Commerce and the Securities Industry and Financial Markets Association joined WLF's brief urging the Ninth Circuit to end a novel securities-fraud class action.

Ohio Telecom v. FCC

Representing the National Federation of Independent Business Small Business Legal Center and the Buckeye Institute, WLF asked the Sixth Circuit to review en banc a decision that guts the Congressional Review Act.

Tech in the Courts

For a second year, WLF drew on the expertise of TechFreedom's attorneys and policy experts, as well as its excellent reputation among technology businesses, reporters, regulators, and academics. The series' four 2025 webinars focused on regulation of artificial intelligence at the state and federal levels, one State's attempt to mandate "algorithmic choice," and a key antitrust court decision.

Example

Algorithmic Choice or Regulatory Overreach?: A Look at Missouri's Proposed Social Media Rule

Berin Szóka, TechFreedom
Daphne Keller, Stanford Law School Cyber Policy Center
Chris Marchese, NetChoice Litigation Center



WLF Expands Its Leadership Team

The WLF team grew with the addition of two senior staff members who combine significant experience with commitment to our mission.

Zac Morgan
Senior Litigation Counsel



Zac joined WLF from the Federal Election Commission, where he served as counsel to a commissioner. He also spent eight years litigating First Amendment cases as a staff attorney for the Institute for Free Speech.

Ali Young
Vice President of Strategy & Development



Ali brings a background in advertising, digital media, and sales leadership to WLF, where she leads strategy to strengthen how the Foundation positions its work and expands its reach among donors, partners, and new

audiences across the legal and policy communities.

WLF Internship Program

In 2025, we offered opportunities to four exceptional young women to work closely with WLF senior staff in our Litigation and Legal Studies divisions as well as our communications and marketing leaders. They gained valuable hands-on experience while contributing meaningfully to our mission.

Throughout its history, WLF has hosted college and law students from across the country for both summer internships and part-time work during the fall and spring semesters. Our interns have gone on to become managing partners in law firms, corporate counsel, law professors, and senior scholars at think tanks. WLF has had several former law clerks return to work in our Litigation Division and our current Executive Director served as a law clerk with our Legal Studies Division 35 years ago.

Marketing Interns

“As an intern, being heard and valued is rare, and that level of trust and collaboration pushed me to bring my best ideas forward.”



Saraí Escalona Zambrano
Catholic University of America

Saraí embraced creative ownership during her internship, helping manage WLF’s social media content and contributing to broader rebranding efforts, including logo development, website updates, and webinar amplification. Working closely with leadership, she gained insight into how legal policy connects to real-world impact and valued being part of a close-knit, mission-driven team.

“We bounced ideas off one another, and I felt encouraged to think boldly and contribute meaningfully to WLF’s digital strategy.”

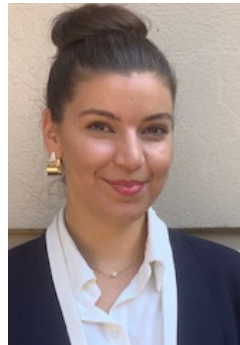


Abby Chung
University of Virginia

Abby worked across digital content, outreach, and data organization, gaining hands-on experience with the tools that support WLF’s communications and development efforts. She researched emerging AI tools, helped streamline outreach processes, contributed creative insight to WLF’s website redesign, and became a go-to resource for building and refining short-form educational videos. Abby especially valued participating in collaborative marketing discussions.

Litigation Intern

“The supportive and collegial atmosphere encouraged me to develop my analytical thinking, sharpen my writing, and engage deeply with cutting-edge legal issues.”



Lauren Farrugia, Juris Doctor candidate,
George Washington University School of Law

Lauren worked on substantive litigation and regulatory matters, including drafting a formal FDA comment, authoring blog posts, and conducting in-depth legal research. Before law school, Lauren moved from Australia to the U.S. to pursue a professional ballet career. She brings that same discipline and focus to her legal work. Her experience at WLF reinforced her interest in regulatory and constitutional law.

Legal Studies Intern

“I am deeply grateful for my time at WLF, as it has solidified my aspiration to pursue a legal career that combines legal analysis with meaningful policy impact.”



Brooklyn Boyce
Baylor University

Brooklyn supported WLF’s Legal Studies Division through legal research, drafting case memoranda, and authoring a *WLF Legal Pulse* blog post. Through close mentorship, she gained a deeper understanding of how litigation, regulation, and policy intersect and learned to think critically beyond surface-level analysis.

Resources and Support

As an independent, nonpartisan 501(c)(3) organization, WLF relies on annual charitable contributions from individuals, corporations, and foundations to carry out its singular mission. Though we do not disclose our donors, we remain humbled and grateful for their generosity and for making WLF's achievements possible. Contributions to our annual general-operating fund sustain our efforts through an array of well-established advocacy tools as carried out by our Litigation and Legal Studies Divisions, respectively.

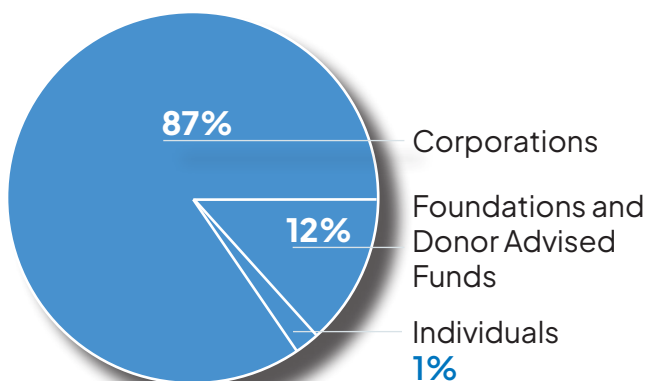
WLF operates on an annual budget of nearly \$3 million. We do not employ professional third-party fundraisers. WLF is fully eligible for matching-gift programs and all charitable contributions are tax-deductible to the full extent allowed by law. The Washington Legal Foundation Tax ID number is: 52-1071570.

Voluntary charitable gifts constitute all of WLF's operating revenue. In addition to cash contributions, WLF accepts fully tax-deductible donations in the form of:

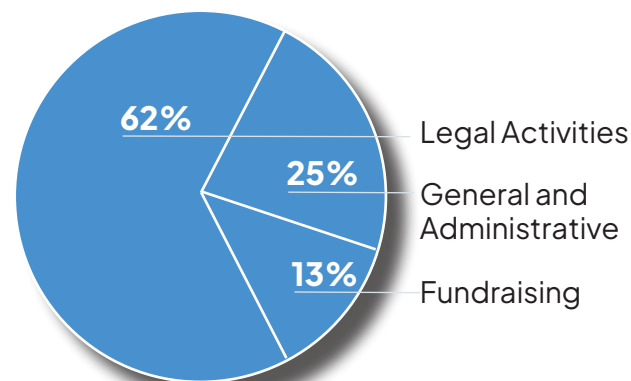
- **Wills, Trusts, Life Insurance Policies, Retirement Plans**
- **Charitable Gift Annuities, Deferred Gift Annuities**
- **Securities, IRAs, Personal Property, Real Estate**
- **Donor Advised Funds, Wire Transfers, Monthly Giving**

To make a contribution in support of WLF's mission, please visit www.wlf.org/donate.

2025 Support



2025 Expenses





“A headquarters befitting an established institution.”

In 1993, Washington Legal Foundation purchased the Alice Roosevelt Longworth House, a Beaux-Arts style townhouse built in 1881, to serve as its national headquarters. The unconventional daughter of President Theodore Roosevelt moved into the house in 1925 with her husband, Speaker of the House of Representatives Nicholas Longworth. For the next 60 years, Mrs. Longworth’s home was a salon from which she wielded influence over national politics, hosting presidents, cabinet secretaries, members of Congress, scientists, authors, captains of industry, and diplomats. As WLF’s founder, Daniel J. Popeo, routinely quipped to visitors, “If only these walls could talk.”

“The other Washington monument,” as some called Mrs. Longworth, lived at 2009 Massachusetts Avenue until her death in 1980 at age 96. The charm and intricate detail of her home remain alive at WLF’s headquarters, and the organization embodies the well-informed skepticism and strong-willed advocacy of the building’s seven-decade owner.

*“The execution of the laws
is more important than
the making of them.”*

Thomas Jefferson



WASHINGTON LEGAL
FOUNDATION

Keeping Free Enterprise Free