



Tensions in Daubert: Perspectives from the Bench and Bar

An Academic Symposium cosponsored by

National Civil Justice Institute

Bar Association of the District of Columbia

American University Washington College of Law

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Faculty Biographies



The Honorable Anita Josey-Herring is Chief Judge of the District of Columbia Superior Court. Judge Josey-Herring was appointed to the bench in November 1997 by President William Clinton. She served in the Family, Civil and Criminal Divisions of the court. In 2000, Judge Josey-Herring was appointed by the Chief Judge to serve as the Deputy Presiding Judge of the Family Court and later served as the Presiding Judge of the Family Court from 2006 through 2008. Judge Josey-Herring is a 1987 graduate of Georgetown University Law Center. While attending Georgetown as an evening division student, she was a member of the Legal Ethics Law Journal and was employed full time in various legal support positions. Chief Judge Josey-Herring obtained a judicial clerkship position with the Honorable Herbert B. Dixon, Jr. in

Superior Court of the District of Columbia. As a judicial clerk, she worked on a variety of civil law issues including family law, contract disputes, and landlord and tenant issues. In 1988, Chief Judge Josey-Herring joined the District of Columbia Public Defender Service as a staff attorney. While in the trial division, she handled a heavy caseload and litigated juvenile, misdemeanor and felony cases in the Superior Court and supervised staff attorneys. She also served in the Public Defender Service's appellate division arguing cases before the District of Columbia Court of Appeals. In 1994, while handling serious felonies and homicide cases, Chief Judge Josey-Herring was appointed by the Board of Trustees of the Public Defender Service to the position of Deputy Director of the agency. As Deputy Director, Chief Judge Josey-Herring assisted the Director in all aspects of management and administration, including budgetary decision-making and supervision of agency staff. She also directly supervised the Investigations Divisions, the Prisoner Rights Program, and the Criminal Justice Act Office that is responsible for coordinating the appointment of counsel in all criminal cases in the District of Columbia. In addition, she administered the agency's grant funded programs and coordinated

the attorney and law clerk hiring programs. She also monitored the agency's personnel policies for compliance with personnel law and handled personnel matters along with the Director. In addition, she testified before the District of Columbia City Council on proposed criminal law legislation and other matters.



The Honorable Anthony C. Epstein currently has a Felony 1 calendar in the Criminal Division. He became a judge of the Superior Court in August 2008. He also served in the Criminal Division in 2008-2011 and 2017. He was in the Civil Division in 2012-2013 and 2018-2022, and in the Family Court in 2014-2016. He served as the presiding judge of the Civil Division in 2021-2022 and as deputy presiding judge in 2019-2020. Judge Epstein is a member of the Advisory Committee on Judicial Conduct for the District of Columbia Courts. He also serves on the Committee on Superior Court Rules, the Advisory Committee on Criminal Rules, the Committee on Jury Instructions, and the Committee on Criminal Justice Act Vouchers. Judge Epstein received his undergraduate

degree from Yale College in 1974 and his law degree from Yale Law School in 1977. After graduation from law school, Judge Epstein clerked for Charles B. Renfrew, United States District Judge for the Northern District of California. He then came to Washington and served in the U.S. Department of Justice from 1978-1981. Judge Epstein entered private practice in 1981 and represented a wide range of clients in a wide range of civil and criminal litigation in state and federal courts around the country and before federal agencies. From 1999 until his appointment to the bench, Judge Epstein was a partner with the law firm of Steptoe & Johnson LLP. Judge Epstein practiced with Jenner & Block LLP from 1983-1999 and Leva, Hawes, Symington, Martin & Oppenheimer from 1981-1983. Throughout his career, he made a substantial commitment to pro bono work, including serving as a volunteer in the Family Court's Self-Help Center. Judge Epstein served on the D.C. Court of Appeals' Committee on Unauthorized Practice of Law from 1998 to 2008, including the last eight years as chair. He was involved in a variety of D.C. Bar activities, including serving as vice chair of the D.C. Bar Rules of Professional Conduct Review Committee when it recommended a comprehensive revision of the D.C. Rules of Professional Conduct.



The Honorable Frederick H. Weisberg was appointed to the Superior Court of the District of Columbia in 1977 by President Jimmy Carter, was reappointed to a second fifteen-year term in 1992 by President George H.W. Bush and was appointed to serve a third fifteen-year term in 2007 by President George W. Bush. Judge Weisberg graduated from Cornell University with honors in 1965, and he received his law degree, cum laude, in 1968 from the University of Michigan, where he was Notes and Comments Editor of the Michigan Law Review. Following graduation from law school, Judge Weisberg entered an Office of Economic Opportunity lawyers' program, sponsored jointly by VISTA and the New York University Law School. In connection with that program, Judge Weisberg represented

indigent residents of Brooklyn, New York in a variety of civil matters and concurrently earned an LL.M. degree in Urban Law from NYU Law School. In 1970, Judge Weisberg came to Washington, DC as a staff attorney for the Public Defender Service (PDS). During his first three years at PDS, he was on the trial staff, representing juveniles and indigent criminal defendants in both the Superior Court and the United States District Court. In 1973, Judge Weisberg joined the appellate staff of PDS, becoming the Chief of the Appellate Division in 1974. As Chief, he

supervised all of the appeals handled by PDS attorneys in the District of Columbia Court of Appeals and the United States Court of Appeals and, at the same time, litigated his own cases in both Courts as well as in the United States Supreme Court. Judge Weisberg served as the Presiding Judge of the Criminal Division from 1989 to 1995. He was a member of the Sentencing Guidelines Commission and served as its Chairman from 1987 until it was dissolved in 1992. He served as the Chairman of the District of Columbia Sentencing Commission from 1999 until he retired and became a Senior Judge in 2018. During his tenure on the Superior Court, Judge Weisberg has served in every Division of the Court other than Tax and Probate.



Callyson T. Grove is a partner in the DC office of national law firm Wilson Elser Moskowitz Edelman and Dicker LLP. Callyson is a skilled litigator with ample experience taking and defending depositions, arguing motions, and mediating and trying cases. Her major practice area is the defense of medical malpractice claims, but she has diverse experience in a wide range of other litigation matters, including legal malpractice, product liability, employment claims, and commercial litigation. Callyson litigates and settles cases throughout the country on behalf of national clients and regularly handles matters in a variety of venues throughout the District of Columbia and Maryland, such as trial and appellate cases before state and federal courts as well as administrative agencies.



Matthew A. Nace is Partner at the firm of Paulson & Nace, PLLC in Washington, D.C., where he focuses on medical malpractice, personal injury, trucking litigation, wrongful death, and other negligence cases. He is President of the Bar Association of the District of Columbia. He's a graduate of Dickinson College and the Pennsylvania State University Dickinson School of Law. He is admitted to practice in District of Columbia, Maryland, and West Virginia; the United States District Courts of Maryland, the District of Columbia, and both the Northern and Southern Districts of West Virginia; and the Fourth Circuit Court of Appeals and the Supreme Court of the United States. He is a board member of the Trial Lawyers Association of Metropolitan Washington, D.C., and a member of the Maryland Association for Justice, the American Association for Justice, and the National Civil Justice Institute.



Gale D. Pearson is President of the National Civil Justice Institute. She is a Partner with the law firm of Nachawati Law Group in Minneapolis and Dallas. Her practice concentrates on complex litigation, ranging from environmental law to pharmaceutical and medical device litigation to Qui Tam prosecution. She received her bachelor's degree from California State University at Northridge with a major in Laboratory Medicine, Physics and Chemistry, and her law degree from Loyola Law School in Los Angeles. She is a nationally recognized clinical laboratory scientist. She has played pivotal roles in MDL litigations, serving on science committees, or, in the case of a class action against a tobacco company, as lead counsel. In 2003, U.S. Supreme Court Justice Stephen Breyer presented her the Outstanding Pro Bono Service Award for her work with Trial Lawyers Care,

which provided free legal assistance for applicants to the September 11th Victim Compensation Fund. Gale is a member of the Minnesota and American Associations for Justice and the American Bar Association, and is a board member for Public Justice. She has served as a speaker for Minnesota's "We the Jury" project, and is a frequent lecturer on topics in science and law.



Andrew F. Popper teaches torts, administrative law, government litigation, and advanced administrative law. He has served as Associate Dean for Academic Affairs and for nearly two decades has chaired the law school admissions committee. He is the director of the law school's Integrated Curriculum Program and faculty advisor to the *ADMINISTRATIVE LAW REVIEW*. He has served as chair of the Administrative Law Section of the Federal Bar Association and has been a site visitor for the ABA and AALS, participating in the accreditation review of twelve other law schools, chairing four of those visits. Professor Popper is the author of more than 100 published books, law review articles, papers, and public documents. He is lead author of the West casebook (now in its 3rd edition), *Administrative Law: A Contemporary Approach* (2016) and *West's Materials on Tort Reform* (2010). His recent articles are in law school journals at Harvard, Northwestern, Marquette, DePaul, and many other schools. In addition, since 2009, he has published three legally-themed novels, *Sunrise at the American Market* (2015), *Rediscovering Lone Pine* (2010), and *Bordering on Madness: An American Land Use Tale* (2009). He has served as a consumer rights advocate and pro bono counsel for the Consumers Union of America, testified before more than 40 state and federal congressional committees, and authored amicus curiae briefs before the United States Supreme Court. Before his teaching career, Professor Popper enlisted in the United States Marine Corps. After his Honorable Discharge, he transitioned to an intelligence unit where he had multiple combat deployments during the course of the war in Vietnam.



Rudie R. Soileau, Jr. is a Partner at the law firm of Lundy LLP in Lake Charles, LA. His practice focuses on personal injury, wrongful death, general civil litigation, pharmaceutical and medical device litigation, and maritime accidents. He is a graduate of Louisiana State University and of Louisiana State University Law Center. He is a member of the Louisiana State Bar Association and the American Association for Justice.



John Vail is the founder of John Vail Law PLLC. He has practiced law across the United States and in Europe. He served as Vice President and Senior Litigation Counsel at the Center for Constitutional Litigation in Washington, D.C., a law firm dedicated to preserving the right of access to courts and the right to trial by jury. Subjects addressed in his work include mandatory arbitration, civil procedure, federal jurisdiction, state and federal constitutional law, complex civil litigation, and public interest law. He has appeared before Congress as an expert in federal procedural law. John regularly advocates before the Advisory Committee for the Federal Rules of Civil Procedure, and serves on an advisory committee on civil procedure for the NAACP Legal Defense Fund.