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Professors in Action, "The Exhibit", Golden Gate University School of Law Litigation Center featuring Louie Castoria, Esq.

Professors in Action, Summer 2021, The Exhibit

Very few cases make it all the way to the Supreme Court of the United States (SCOTUS). In fact, SCOTUS only heard 64 cases during its last term. Professor Louie Castoria's case was the 64th case the Court decided to hear… and he won!

Article by Clodagh Mauchline

Pondering what it would be like to argue before the Supreme Court of the United States is a scenario that has crossed the minds of law students and attorneys alike.

However, this scenario is usually – perhaps too often – written off as nothing more than a fantastical daydream. Even Professor Louie Castoria remembers a time, years ago, when he turned to an associate and mentioned that he could foresee the case he was working on, which arose from his representation of the Thomas More Law Center, going all the way up to the Supreme Court. He also remembers both himself and the associate laughing after he made that remark. Despite how fanciful that sentiment may have seemed at the time, he was on to something. Six years later, following a tremendous legal battle that was ultimately decided by the Supreme Court of the United States, Professor Castoria helped secure a victory for his firm's client, in the case of Thomas More v. Bonta…

"You never know what groundbreaking case may walk through your door." - Louie Castoria

I began preparing to speak with Professor Castoria. The first thing I needed to know was how in the world he became involved with the case. Professor Castoria has over forty years of litigation experience, but the subject matter of *Thomas More seemed so different to many of the cases he had handled in the past. The initial dispute giving rise to the legal battle was prompted when the California Attorney General (AG) began enforcing, after not doing so for many years, the requirement that each 501(c)(3) charitable organization must turn over its list of major donors. Organizations who had not been doing so – without facing repercussions – were suddenly receiving threatening letters demanding the information. The Thomas More Law Center, along with many organizations, did not believe they should be compelled to reveal this information due to the chilling effect it could have on donations. The Center went to its insurance broker with the demand letter in hand. The insurance broker looked at the Center's insurance policy and determined that the policy was a basic, professional liability insurance policy and that, since the Center was not representing the AG in the matter, this policy at first glance did not seem to provide coverage for the situation at hand. But all was not lost. Included in the policy was coverage for subpoena responses and, although the letters from the AG were not written on subpoena forms, the letters were demands for documents from a government agency, which is the equivalent of a subpoena. This prompted the insurance company to decide that this was covered by the policy. Once that decision was made, a call came in to the New York City office of Kaufman, Dolowich & Voluck (KD) asking for who they knew in California that had federal court experience. This is how Professor Castoria, a partner in KD's San Francisco office, became introduced to the case. Read on for full article.*

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