

## Lindsay Harrison

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She / Her

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### **Areas of Focus**

Specialized Litigation and  
Arbitration

Real Estate and Hospitality

Appellate and Supreme  
Court

Class Action

COVID-19



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### **Overview**

**Lindsay Harrison serves as Managing Partner in the Washington, DC, office and leads the Firm's Specialized Litigation and Arbitration Practice. A strategic and versatile litigator, Lindsay has tried dozens of cases and arbitrations, argued and won in the US Supreme Court and federal Courts of Appeals, and regularly leads highly complex litigation and regulatory matters.**

Lindsay's practice spans a range of industries and areas with a special focus on:

#### **Government-Facing Litigation**

Lindsay frequently leads high-stakes litigation against or otherwise involving federal and state governments. These matters often raise claims arising under the US Constitution and/or the Administrative Procedures Act, such as leading the team that won the landmark case preserving the DACA program and defending companies in litigation brought by state attorneys general under state consumer protection laws.

#### **Real Estate and Hospitality Litigation**

As Chair of Jenner's Real Estate and Hospitality litigation practice, Lindsay defends companies in commercial litigation, arbitrations, and class actions, including owner-operator disputes regarding hotel management agreements, eminent domain litigation regarding significant property interests, and consumer litigation over advertising practices. Lindsay is a member of the International Society of Hospitality Consultants and an Officer of the International Bar Association's Leisure Industries Section.

## Higher Education

Lindsay helps colleges and universities navigate matters with significant legal, political, and reputational risk, for example, securing dismissal of Title VII litigation, representing universities major litigation involving the federal government, leading the defense of class action litigation, and advising universities on compliance issues.

## Data Security and Cyber Litigation

Lindsay leads litigation and government investigation strategies for clients experiencing data security incidents, including quarterbacking the business strategy in response to such incidents and representing clients in consumer class action litigation arising from cyber incidents. Lindsay was named Litigator of the Week by The American Lawyer for securing a precedential Fourth Circuit ruling reversing class certification in a significant data breach MDL, establishing that courts must evaluate contractual class-action waivers before certifying a class.

## Leadership and Service

Clients turn to Lindsay for strategic guidance during periods of business and legal uncertainty—structuring deals during a pandemic, planning for changes to DEI programs in response to evolving legal and political landscapes, adapting corporate practices in the aftermath of the *Dobbs* decision, or supporting DACA recipients in the face of unpredictable policy changes. Her experience anticipating and navigating complex legal developments for clients makes her an essential advisor during transformative challenges.

Lindsay is a leader of the bar and her excellence is widely recognized within the legal profession. She has been inducted as a member of the American Academy of Appellate Lawyers and is rated by *Chambers* for both Litigation: General Commercial and for Leisure & Hospitality.

Currently serving a second consecutive term on the Standing Committee on Pro Bono Legal Services of the Judicial Conference of the District of Columbia Circuit, Lindsay maintains an active and influential pro bono practice and works with a variety of nonprofit organizations on a wide range of matters, including civil rights, religious freedom, LGBT rights, and immigration.



Clients often come to us with their most difficult challenges. My passion is devising a clear strategy that achieves our clients' goals, whether it's in real estate, hospitality, higher education, human rights, or other areas.”

## Areas of Focus

- Specialized Litigation and Arbitration
- Real Estate and Hospitality
- Appellate and Supreme Court

- Class Action
- COVID-19
- Data Privacy and Cybersecurity
- Education
- Human Rights and Global Strategy
- Critical and Emerging Technologies
- First Amendment and Content Moderation

## **Representative Matters**

### **Federal Government and Constitutional Litigation**

- Leading the team that won a major victory preserving the DACA program after the government attempted to rescind the program, with the firm's legal theory becoming the basis for the Chief Justice's majority opinion.
- Securing a unanimous Supreme Court victory in a landmark case concerning a Muslim-American placed on a post-9/11 FBI no-fly list.
- Securing dismissal of litigation against the former counterintelligence Chief of the Kingdom of Saudi Arabia based on the federal government's assertion of the state secrets privilege.
- Spearheading litigation for Idaho's largest private employer involving the Emergency Medical Treatment and Labor Act and Idaho's Defense of Life Act.
- Leading APA and constitutional litigation on behalf of associations and institutions of higher education relating to NIH guidance that would dramatically cut indirect cost rates.
- Leading APA litigation on behalf of the Union of Concerned Scientists successfully challenging EPA directive that would have limited the participation of academic scientists on science advisory committees.
- Leading FOIA litigation and reverse FOIA litigation for clients seeking either the disclosure of public records or to prevent the government from disclosing information, such as corporate trade secrets.
- Representing pro bono physician witnesses providing evidentiary support to the US Department of Justice litigation challenging state laws criminalizing reproductive freedom

### **Hospitality & Real Estate Litigation**

- Leading the litigation team which acquired for Amtrak the leasehold interest in Washington, DC's Union Station through groundbreaking eminent domain litigation.
- Preserving Marriott's acquisition of Starwood against legal challenge by a hotel owner in the New York Superior Court.
- Leading litigation with the Federal Trade Commission and a state Attorney General involving advertising practices in the rental housing industry.

- Managing the response of a major hospitality company to a data security incident, including the regulatory, political, business, and litigation responses to the incident.
- Leading insurance coverage litigation for a major hospitality company resulting in a \$100 million recovery against a group of property insurers.
- Representing a leading hospitality company in multiple antitrust class actions involving alleged industry pricing practices.
- Leading litigation with a state Attorney General regarding advertising practices in the hospitality industry.
- Securing an injunction against a hotel owner requiring the owner to specifically perform its obligation to fund working capital under the hotel management agreement.
- Securing an injunction against a hotel owner reversing a “midnight raid” attempt to replace the hotel management company, and then securing a substantial damages award on behalf of the management company.
- Representing hotel management companies in multiple lawsuits, arbitrations, and international arbitrations involving disputes between owners and operators regarding hotel management agreements.
- Defending multiple different hospitality companies in putative class actions involving data security, privacy, and consumer protection, including litigation over the display of resort and destination fees.

## **Higher Education**

- Securing the dismissal of a lawsuit by a formerly tenured faculty member alleging that his dismissal for misconduct resulted from discrimination, and securing affirmance of that dismissal on appeal.
- Representing a private university in putative class action litigation arising from a data breach at a third-party vendor.
- Representing a private university in threatened class action litigation relating to a graduate program.
- Guiding a private university through OCR investigations relating to Title IX and Title VI complaints.
- Advising universities on a variety of compliance issues, including those relating to immigration, Section 117 federal foreign gift and contract reporting requirements, and compliance with Executive Orders on a range of topics.
- Representing a private university in copyright and trade secrets litigation related to work by faculty and graduate students.

## **Data Security and Cyber Litigation**

- Representing Marriott in consumer class action litigation arising from the 2018 data security incident involving the Starwood reservations database, securing reversal of class certification following by a second interlocutory appeal of class certification.
- Securing dismissal of two consumer class actions arising from property system incidents involving customer loyalty databases.
- Representing a Blackbaud customer in multidistrict litigation arising from the Blackbaud data security incident.

- Representing a health care data company in litigation arising from a vendor's data security incident and securing an early settlement for less than the cost of litigation.
- Representing a client facing an investigation by the Senate Permanent Subcommittee on Investigations into a data security incident, successfully avoiding the issuance of any report or findings regarding the incident.

## **Credentials**

### **Admissions**

- District of Columbia, 2008
- California, 2004

### **Education**

- Harvard Law School, JD, *cum laude*; Best Oralist, Ames Moot Court Competition, 2003
- University of Southern California, BA, *summa cum laude*; with honors, 2000

### **Court Admissions**

- US Supreme Court, 2008
- US Court of Appeals, First Circuit, 2018
- US Court of Appeals, Second Circuit, 2014
- US Court of Appeals, Third Circuit, 2020
- US Court of Appeals, Fourth Circuit, 2008
- US Court of Appeals, Fifth Circuit, 2009
- US Court of Appeals, Sixth Circuit, 2009
- US Court of Appeals, Seventh Circuit, 2014
- US Court of Appeals, Eighth Circuit, 2012
- US Court of Appeals, Ninth Circuit, 2013
- US Court of Appeals, District of Columbia Circuit, 2017
- US District Court, Central District of California, 2020
- US District Court, District of Colorado, 2025
- US District Court, District of Columbia, 2012
- US District Court, District of Maryland, 2020

### **Clerkships**

- Hon. Rosemary Barkett, US Court of Appeals, Eleventh Circuit, 2006-2006
- Hon. Alan S. Gold, US District Court, Southern District of Florida, 2003-2005

## Service / Recognition

### Awards

- *The BTI Class Action Leaders*, 2026
- *The American Lawyer*, Litigator of the Week, 2025; Runner-Up, 2023; Shout-Out, 2026, 2024, 2021
- *The Best Lawyers in America*, Appellate, 2025-2026
- *Lawdragon 500 Leading Litigators in America*, 2024-2026
- *Chambers USA*, Leisure & Hospitality (Nationwide), 2015-2016, 2022-2025; Litigation: General Commercial, 2023-2025
- Capital Pro Bono Honor Roll, 2024-2025; High Honor Roll, 2022-2023
- *Legal 500*, Appellate: Courts of Appeal | Supreme Courts (States and Federal), 2021
- National Law Journal, DC Rising Star, 2014, Immigration Trailblazer, 2018
- *Law360*, Rising Star: Hospitality, 2014
- BTI Consulting Group, Client Service All-Star, 2013
- National LGBT Bar Association, Best LGBT Lawyers Under 40, 2012
- American Bar Association, Rosner & Rosner Young Lawyers Professionalism Award, 2010
- Cross-Examination Debate Association, Alumnus of the Year, 2009
- Albert E. Jenner Jr. Pro Bono Award, 2008

### Community

- National Association for Urban Debate Leagues, Young Professionals Leadership Board, 2009-2011
- Point Foundation, Mentor

### Service to the Bar

- International Bar Association, Leisure Industries Section, Membership Chair
- American Bar Association, Young Lawyers Division, Delegate
- Bar Association of the District of Columbia, ABA Young Lawyers Division, Delegate
- Edward Coke Appellate Inn of Court, Secretary
- Women's Bar Association of the District of Columbia, Amicus Committee, Chair

### Industry

- *Law360*, Editorial Board-Hospitality, 2017

