

**Laurel Pyke Malson**

Partner
lmalson@crowell.com

Washington

1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2595
Phone: 202.624.2576
Fax: 202.628.5116

Practice Areas

- Administrative & Regulatory
- Appellate
- Litigation
- International Business
- International Dispute Resolution
- International Litigation
- University Practice

Laurel Pyke Malson is a partner in Crowell & Moring's DC-based Litigation Group, specializing in international and governmental litigation, alternative dispute resolution, and complex commercial and administrative litigation.

She routinely counsels foreign and domestic clients regarding litigation risk management in the U.S. federal and state courts; and has litigated extensively under the Foreign Sovereign Immunities Act, Federal Tort Claims Act, the International Claims Settlement Act, and other "public law" provisions where foreign and U.S. government, and related entities, are involved. She also has litigated numerous class-actions under, *e.g.*, the Equal Educational Opportunities Act, the Individuals with Disabilities in Education Act, state consumer fraud provisions, and other matters involving academic misconduct allegations, in addition to a broad range of business and individual torts, including civil rights and constitutional violations. In addition, Ms. Malson has counseled and litigated on behalf of a variety of public and private entities, including public school systems and universities, academic medical centers and other health care providers, and professional and trade associations. She also serves as a mediator and arbitrator in a wide range of disputes, with a focus on commercial and employment matters.

Recent representations include: advocating for victims of Libyan State-sponsored terrorism before the Foreign Claims Settlement Commission of the United States; defending a large urban public school system in class action and US enforcement action involving English Language Learners under Title VI and the Equal Educational Opportunities Act; defending the District of Columbia Public Schools in a major class action under the Individuals with Disabilities in Education Act; defending the American Psychiatric Association in the Ritalin and ECT class action litigations in multiple state and federal jurisdictions; and actions on behalf of thousands of African American farmers against the U.S. Department of Agriculture to redress claims of discrimination in credit transactions. She also is a key member of the team that secured a \$6 billion judgment on behalf of the estates and family members of seven U.S. nationals that perished, and the U.S. owner of the aircraft that was

destroyed, in the 1989 bombing of UTA Flight 772 over the Sahara Desert. (*Pugh v. Libya*, Case No. 02-2026 (D.D.C.))

Ms. Malson is a Mediator for the U.S. District Court for the District of Columbia, and she chaired the Committee on Grievances for the U.S. District Court for the District of Columbia from 2001 to 2004. She currently serves on the National Panel of Distinguished Neutrals for the International Institute for Conflict Prevention and Resolution ("CPR"), as well as CPR's HealthCare and Life Sciences Panel.

Before entering private practice in 1985, Ms. Malson served in the Office of Legal Counsel of the U.S. Department of Justice for four years, where she was responsible for a broad range of constitutional and federal statutory matters.

She served as a member of the DC Circuit Advisory Committee on Procedures from 1986 to 1991. Ms. Malson clerked for the Honorable Harry T. Edwards on the United States Court of Appeals for the DC Circuit (1980-1981) and the Hon. Damon J. Keith on the United States Court of Appeals for the Sixth Circuit (1979-1980). She received her JD from Harvard Law School in 1979, and her BA from Wesleyan University in 1976.

Professional Activities and Memberships

International Institute for Conflict Prevention and Resolution ("CPR") -- Executive Advisory Committee (CPR)

National Panel of Distinguished Neutrals (CPR)

HealthCare and Life Sciences Panel (CPR)

Winner, 2010 CPR's Award for Outstanding Contribution to Diversity

Co-Chair, National Task Force on Diversity (CPR)

U.S. District Court, District of Columbia -- Panel of Mediators

U.S. District Court for the District of Columbia Committee on Grievances, Chair, 2001-2004

District of Columbia Appleseed Center for Law and Justice, Board of Directors, 1994-1998

DC Circuit Advisory Committee on Procedures, 1986-1991

American Bar Association -- International Law Section; Litigation Section

International Bar Association -- Litigation Section

Recent Representations

- *Claim of Donna Marlowe, Foreign Claims Settlement Commission of the U.S., Libya Program* (\$3 million award).
- *In re Black Farmers Discrimination Litigation*, No. 08-mc-511 (D.D.C.) (Class action discrimination in USDA farm loan program resulting in \$1.25 billion settlement)
- *Pugh v. Socialist People's Libyan Arab Jamahiriya, et al.* (D.D.C.) (awarded \$6.1 billion judgment, January 24, 2008); *Pugh v. Socialist People's Libyan Arab Jamahiriya, et al.*, No. 02-2026 (D.D.C. Sept. 3,

2006) *aff'd*, No. 06-7167 (DC Cir. April 8, 2007) (unpublished order granting summary affirmance)

- *Smith v. Hope Village, Inc.*, 481 F.Supp. 172 (D.D.C. 2007) (wrongful death action against U.S. Bureau of Prisons and contracting halfway house)
- *Petties v. District of Columbia*, (1:95-CV-00148) (class action under IDEA for educational and related services)
- *Fair-Gray v. United States, Case No. 03-01372* (D.D.C.) (FTCA wrongful death claim arising from automobile accident with USAID employee in Kenya)

Education

- Wesleyan University, B.A. (1976)
- Harvard Law School, J.D. (1979)

Affiliations

Admitted to practice: District of Columbia; U.S. Supreme Court; U.S. Court of Appeals for the District of Columbia Circuit; U.S. District Court for the District of Columbia

Publications

- The Foreign Sovereign Immunities Act: 2010 Year In Review (2011). Co-Authors and Editors: Laurel Pyke Malson, Katherine Nesbitt, Aryeh S. Portnoy, Lisa Savitt, Birgit Kurtz, David Bell, Arash Jahanian, Jonathan Anastasia, Elizabeth Carter, Melanie Natasha Henry, Nicholas Fromherz, Julia Franklin, and Dalal Hasan.
- The Foreign Sovereign Immunities Act: 2009 Year in Review (2010). Co-Authors and Editors: Laurel Pyke Malson, Katherine J. Nesbitt, Aryeh S. Portnoy, Birgit Kurtz, John Murino, Joshua Dermott, Beth Goldman, Arash Jahanian, Marguerite Walter, Howard Yuan, Lisa Savitt and David Bell.
- The Foreign Sovereign Immunities Act: 2008 Year in Review, (2009). (Published in *Law and Business Review of the Americas* (Spring 2010)). Co-Authors and Editors: Aryeh S. Portnoy, Katherine J. Nesbitt, Laurel Pyke Malson, Birgit Kurtz, Joshua Dermott, Beth Goldman and Marguerite Walter.
- The ABCs of Cross-Border Litigation in the United States, (February 2008). Co-Author and Editor: Laurel Pyke Malson.

Alerts & Newsletters

- "Federal Funding Opportunity: Challenge Grant Announcement Solicits Proposals Totaling \$1 Billion to Promote Health Care Innovation," *Health Law 'In The News'* (December 1, 2011). Contacts: Florence W. Prioleau, Laurel Pyke Malson.
- "Supreme Court Hears Arguments on Expanding U.S. Jurisdictional Reach over Foreign Manufacturers," *International Trade Bulletin* (January 26, 2011). Contacts: Lisa J. Savitt, Laurel Pyke Malson, Clifford J. Zatz.
- "Second Circuit Decision in *Frontera v. SOCAR* Holds that Foreign Sovereigns and their Agents Are Not Entitled to Due Process Protections under the U.S. Constitution," *International Dispute Resolution Alert* (October 1, 2009). Contacts: Alan W. H. Gourley, Laurel Pyke Malson.
- "Changes To HIPAA Privacy Rule Proposed By HHS Secretary - Public Comments Due By April 26, 2002," *Health Law 'In The News'* (March 28, 2002). Contacts: Laurel Pyke Malson, Barbara H. Ryland.

Speaking Engagements

- "Have U.S. Courts Become The Courtroom for the World?" ABA Section of Litigation, New York City (April 2010). Speaker: Laurel Pyke Malson.
- Recipient of CPR's 2009 Award for Outstanding Contribution to Diversity in Alternative Dispute Resolution (January 2010).
- APEC Workshop On International Investment Agreements, Washington, DC (November 2008). Mock Arbitration Faculty Member: Laurel Pyke Malson.
- "Mediation Advocacy: Advanced Techniques and New Developments," ABA Section of Litigation (April 2008). Speaker: Laurel Pyke Malson.
- "Challenges in Negotiation and Settlements," ABA Section of Litigation, National Conference for the Minority Lawyer (June 2007). Speaker: Laurel Pyke Malson.
- "ADR in Bloom," ABA Section of Dispute Resolution (April 2007). Speaker: Laurel Pyke Malson.