



## The Mystery Traveling Companion of Antonin Scalia

February 26, 2016

News of Supreme Court Justice Antonin Scalia and his final hours at the high-profile Cibolo Ranch are now raising more questions than answers.

It was revealed by the Washington Post on Thursday that at least several of the visitors to the ranch at the time of Scalia's death were actually part of a 'secret hunting society', The International Order of St. Hubertus. This included not only ranch owner John Poindexter, but also the the mysterious traveling companion of Scalia to the ranch, prominent Washington lawyer, C. Allen Foster.

The Washington Post is quoted:

Despite having a famous friend, Foster has mostly stayed out of the news. Over the years, his eclectic group of clients has included the Republican Party, the libertarian Cato Institute, plaintiffs enslaved by Japanese corporations during World War II, and the former Blackwater Security Consulting, which was involved in a series of questionable incidents, including a 2007 shootout in Iraq that killed 17 Iraqis.

TRUNews has been closely following developments in the Scalia story, including publishing a timeline of confirmed events.

### Who Is C. Allen Foster?

C. Allen Foster was a 1963 graduate of Princeton University, graduating summa cum laude. He then took his first steps to a legal career by attending Harvard Law School, finishing his law degree in 1967. Named a Fulbright Scholar, he then attended the elite Oxford University, graduating with a Masters of Arts in 1971.

Foster has profile on LinkedIn, where it describes himself as owner of Mazatlan Duck and Dove Hunting Club. He is also listed as a lecturer at Georgetown University in their school of continuing studies.

Foster is an experienced trial lawyer, having tried cases in 15 states and numerous federal courts. He is the principal author of the leading construction law treatise, Construction and Design Law, and was a senior lecturer in law at Duke Law School for ten years, teaching trial practice, construction law and commercial arbitration. Allen served as the U.S. government representative to the International Agency Dispute Resolution Center in Paris, was special litigation counsel to the Republican Party and has served as a commissioner to the National Commission on Uniform State Laws.

### Significant Representations

- Represented Cato as amicus in U.S. Supreme Court
- United States ex rel. MJ Research, Inc. Represented interest of the government in qui tam litigation concerning DNA sequencing machine
- In re World War II Era Japanese Forced Labor Litigation. Represented plaintiffs who were enslaved by Japanese corporations during World War II
- Perkin Elmer Corp. v MJ Research, Inc. Represented defendant in infringement case concerning patents on equipment for molecular biology research
- American Medical Centers, Inc. v PepsiCo, Inc. Represented plaintiff in first case tried before Russian Antimonopoly Commission in Moscow
- Fordham v OneSoft Corporation. Represented plaintiff whose software inventions were misappropriated
- Coyne Boehm, Inc. v US FDA. Represented advertising agencies in tobacco advertising ban litigation
- Johnson v DeGrandy. Represented Hispanic republicans in Florida redistricting Voting Rights Act case in U.S. Supreme Court
- Gingles v Thornburg. Represented African-American republicans in North Carolina redistricting Voting Rights Act case in U.S. Supreme Court
- Lea v Cone Mills Corporation. Represented defendant in first Civil Rights Act case filed
- Robinson v Lorillard Corporation. Represented defendant in seniority rights case under Civil Rights Act
- US v Dowdy. Represented Congressman Dowdy in separation of powers case
- Suarez Corporation Industries v Attorney General of West Virginia. Obtained dismissal of the defamation action brought against client by public official
- Liggett Group, Inc. v Brown & Williamson Tobacco Co. Obtained \$148 million trial court judgment in predatory pricing case
- Biederman v Republic of Kazakhstan. Counseled \$650 million arbitration over confiscation of interest in oil field
- United Technologies, Inc. v Breed Automotive. Obtained \$50 million award in breach of patent licensing dispute
- OUR Scientific, Inc. v Electra Instruments, Inc. Represented patent validity case involving gamma ray technology for non-intrusive brain surgery
- Roach v. Blossman Gas. Obtained defense verdict in gas explosion case

- *Lea Co. v North Carolina Department of Transportation*. Obtained largest inverse condemnation award in North Carolina. Declared statutory interest provision unconstitutional
- *Cajun Electric Power Cooperative v Riley Stoker Corp.* Defended boiler manufacturer from \$760 million in claims by power company
- *Rector v Carrington, Coleman*. Represented attorney and insurer in subrogation claim for legal malpractice arising out of *FDIC v. Rector*
- *FDIC v Boggs, et al.* Represented Washington National Bank director in claims by FDIC after bank failure
- *FDIC v Inhofe*. Represented Senator Inhofe in claims by FDIC on personal guaranty of insurance company loan
- Counseled over 500 labor and commercial arbitrations

### **Noteworthy Experience**

- United States Government Representative, International Energy Agency Dispute Resolution Centre, Paris, France, 1983-Present
- Fellow, American College of Construction Lawyers, 1990
- Advisor, Governor's Task Force on Passenger Rail Transportation, 1988-1989
- Commissioner, National Commission on Uniform State Laws, 1985-1987
- Republican Candidate, Attorney General of North Carolina, 1984
- President, American College of Construction Arbitrators, 1983-1984
- Public Member, North Carolina Tax Review Board, 1975-1979
- Special Litigation Counsel to the Republican Party, achieving the Party's goal for more than 130 years, to abolish the statewide election of judges in North Carolina
- Arbitrator – Commercial arbitration experience includes construction, intellectual property, textile, commercial and international commercial cases involving questions of arbitrability, pre-hearing discovery, quality of goods or work, allocation of supplies or product, patent and trademarks and licenses, investment disputes under BIT's and international law, extra work, scheduling (particularly CPM), extensions of time, delay damages and claims for extended overhead and profit, adequacy of supervision, retainage disputes, act-of-God clauses and amendment of claims. Labor arbitration work includes discipline and discharge, contract interpretation, jurisdictional disputes, employment discrimination, seniority systems, layoff and recall, supervisors, holiday and vacation pay, overtime hours and pay and work assignment disputes in the basic metals, textile, furniture, oil and gas, electronics, forest and home products, utility (electric, gas and telephone), tobacco, chemical and trucking industries.

## **Professional Admissions**

- Member, American Bar Association, Forum Committee on the Construction Industry
  - Sections of Litigation, Arbitration Committee, Labor and Employment Discrimination Law (neutral member), Committee on Labor Arbitration and the Law of Collective Bargaining
- Member, North Carolina Bar Association
  - Member, Council of the Section on Constitutional Rights and Responsibilities, Council of the Section of Labor and Employment Law; member, Construction Law Section

## **Community Activities**

- President and, now, Chairman, St. George's Chapel (Windsor Castle) Foundation (2005-)
- President, Brasenose College (Oxford) Charitable Foundation, Inc. (2005-)
- Secretary, International Order of St. Hubertus (Knight Grand Officer) (2014-)
- Chancellor, IOSH-USA, Inc. (2014-)
- Companion, Order of St. John of Jerusalem (2011-)
- Co-founder, Secretary and Director of The Greensboro Day School (1970-80)
- Director, Greensboro Opera Company (1980-83)
- Attorney for and Director of the Young Women's Christian Association (1968-73)
- Alumni Council and Executive Committee of the Princeton University Alumni Association (1978-79)
- President, Princeton University Alumni Association of Middle North Carolina (1968-80)
- Executive Committee, Harvard Law School Association of North Carolina (1979-)
- Group Chairman, United Fund Drive (1979)

## **Public Offices and Appointments**

- United States Government Representative to the International Energy Agency Dispute Resolution Centre, Paris, France (1983-)
- Commissioner to the National Commission on Uniform State Laws (1985-87)
- Member, Legislative Study Commission on the Selection of Judges (1988-89)
- Advisor to Governor's Task Force on Passenger Rail Transportation 1988-89

- Member, American Law Institute [Restatement of the Law (Third) (1994-) Suretyship; Restatement of the Law (Third) Governing Lawyers
- President, American College of Construction Arbitrators (1983-84)
- Fellow, American College of Construction Lawyers (1990-)
- Public Member, North Carolina Tax Review Board (1975-79)
- Republican candidate for Attorney General of North Carolina (1984)
- Special Litigation Counsel to the North Carolina Republican Party (1987-)
- Member, Board of Directors of the American Arbitration Association (1980-83)
- Member, National Panels of Labor, Construction and International Commercial Arbitrators of the American Arbitration Association (1975-)
- Chairman, North Carolina Regional Advisory Council of the American Arbitration Association (1979-83)
- Member, Permanent Panel of Arbitrators, Union Carbide Corporation (Oak Ridge, Tennessee) and Atomic Trades and Labor Council) (1983-)
- Member, Permanent Panel of Arbitrators for Expedited Arbitration in the Carolinas established by the United Steelworkers of America and National Can Corporation (1981-)
- Member, Permanent Panel of Arbitrators for Southern Bell Telephone Co. and Communication Workers of America (1983-)
- Member, Permanent Panel of Arbitrators for Georgia Pacific Corporation (1986-)

#### **Articles, Lectures & Publications**

- Author, “The Law and Practice of Commercial Arbitration,” Private Adjudication Center, Inc., Duke Law School, 1986
- Author, Construction and Design Law in the United States, 1984 (5 vols.)
- Author, “The Construction Law Adviser,” Callaghan & Co. Monthly Newsletter, 1983

#### **Awards & Recognition**

- Listed in *Best Lawyers in America* , Litigation – Construction, 2003 – present
- Listed, Super Lawyers magazine, Washington, D.C. Super Lawyers, 2007 – 2013
- Team Member, a Law360 “Product Liability Practice Group of the Year,” 2011
- Team Member, a Law360 “Appellate Practice Group of the Year,” 2010
- Listed, Washingtonian Magazine, “Top Lawyers in Washington,” December 2004

- Selected, Legal Times, “Top 20 Leading Litigators in Washington,” 2003
- Rated, AV Preeminent® 5.0 out of 5