

# Jeremy J. Broggi

Partner

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Jeremy litigates constitutional, statutory, and regulatory issues before federal and state courts and administrative agencies. He has developed or presented successful legal arguments that have been adopted in decisions at all levels of the federal judicial system, including the U.S. Supreme Court.

In addition to private practice, Jeremy has worked in all three branches of the federal government. He is adept at leveraging his government experience to achieve favorable outcomes in matters involving federal administrative agencies, including rulemakings, enforcement matters, and challenges to agency action.

## Representative Matters

- Successfully argued a first of its kind administrative appeal involving arbitrary and capricious review of agency licensing decisions with national security implications.
- Represented a manufacturer and its trade association in obtaining a ruling that a federal firearms regulation violated the Administrative Procedure Act. *See Firearms Regulatory Accountability Coalition v. Garland*, 112 F.4th 507 (8th Cir. 2024).
- Represented television network affiliates associations in obtaining a ruling that enforced a deregulatory statute and vacated an FCC regulation which prohibited broadcasters from owning more than one top-four rated television station in any geographical market. *See Zimmer Radio of Mid-Missouri, Inc. v. FCC*, 145 F.4th 828 (8th Cir. 2025)

## Practice Areas

Issues and Appeals  
Litigation  
Election Law & First Amendment Litigation  
Telecom, Media & Technology  
Endangered Species  
Space and Satellite

## Credentials

**Education**  
J.D., *cum laude*, Harvard Law School  
B.S., *summa cum laude*, Liberty University

**Law Journals**  
Executive Editor, *Harvard Journal of Law and Public Policy*

**Clerkships**  
Law Clerk for the Honorable Gregory G. Katsas, U.S. Court of Appeals for the District of Columbia Circuit (2018)  
Law Clerk for the Honorable Richard J. Leon, U.S. District Court for the District of Columbia (2016-2017)

**Bar and Court Memberships**  
District of Columbia Bar  
Maryland Bar  
Supreme Court of the United States  
U.S. Courts of Appeals for the Second, Fourth, Fifth, Seventh, Eighth, Ninth, Tenth, Eleventh, District of Columbia, and Federal Circuits  
U.S. District Courts for the District of Columbia, District of Maryland, and District of North Dakota

- Represented a campaign committee in obtaining a preliminary injunction against enforcement of a state campaign finance regulation that violated the First Amendment. *See Perdue v. Kemp*, 584 F. Supp. 3d 1310 (N.D. Ga. 2022).
- Obtained a ruling from the D.C. Circuit holding, as a matter of first impression, that interstate compact entities are not federal agencies under the Administrative Procedure Act. *See Schindler Elevator Corp. v. WMATA*, 16 F.4th 294 (D.C. Cir. 2021).
- Negotiated to amend the EPA's rule that would have prohibited, within 60 days after publication, the sale of products containing any amount of phenol, isopropylated, phosphate (3:1), resulting in voluntary dismissal of challenge to the rule. *See Air-Conditioning, Heating, and Refrigeration Institute et al. v. EPA*, No. 21-1082 (D.C. Cir. Dec. 16, 2024).
- Successfully represented employer in obtaining from the Supreme Court a reinstatement of a stay of the Occupational Safety and Health Administration's private employer vaccine mandate, effectively prevailing on the merits. *See RNC v. OSHA*, No. 21A258 (S.Ct. Jan. 24, 2022).
- Contributed to successful petition for certiorari and merits briefing in *FCC v. Prometheus Radio Project*, 141 S. Ct. 1150 (2021), including through contributions to a statutory argument drawing a separate concurring opinion.
- Authored an *amicus* brief on behalf of a national political party that was cited favorably in the Supreme Court's majority opinion in *Chiafalo v. Washington*, 591 U.S. 578 (2020), affirming the constitutionality of state laws penalizing a presidential elector for faithlessly voting on the Electoral College ballot. The brief was also quoted favorably in *The Wall Street Journal's* editorial previewing oral argument.
- Authored an *amicus* brief on behalf of a national political party that was alluded to in the Supreme Court's majority opinion in *Lindke v. Freed*, 601 U.S. 187 (2024), where the Court recognized that a government official does not necessarily purport to exercise his authority simply by posting on social media about a matter within it but might post such information for any number of personal reasons, including "a desire ... to promot[e] his prospects for reelection."
- Authored an *amicus* brief referenced at oral argument in *United States Patent & Trademark Office v. Booking.com B.V.*, 140 S. Ct. 2298 (2020).
- Successfully represented numerous business associations and nonprofits seeking to vindicate important constitutional interests, including First Amendment rights and structural constitutional principles, through party and *amicus* briefs filed before federal appellate courts and the Supreme Court. *See, e.g., Americans for Prosperity Foundation v. Bonta*, 141 S. Ct. 2373 (2021); *Beverage Ass'n v. City & Cnty. of San Francisco*, 916 F.3d 749 (9th Cir. 2019).
- Regularly represents clients in federal regulatory proceedings, including rulemakings, licensing, enforcement, and other actions before the Federal Communications Commission, the Federal Election Commission, the Federal Trade Commission, the U.S. Department of Commerce, the U.S. Department of Homeland Security, the U.S. Environmental Protection Agency, the U.S. Department of Transportation, and the U.S. Department of Justice.

- Counsels on compliance with federal regulatory obligations.

## Professional Experience

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- Law Clerk, U.S. Department of Defense (Fort Meade), Office of the General Counsel (2012)
- Federal Strategist, ADG Creative (2009-2011)
- The White House:
  - Associate Director, Office of Intergovernmental Affairs (2008-2009)
  - Special Assistant, Domestic Policy, Office of the Vice President (2006-2008)
  - Intern, Office of Public Liaison (2004)
- Confidential Assistant to the Deputy Secretary, U.S. Department of Health and Human Services (2005-2006)
- Assistant Site Manager for Media Logistics and Planning, 55th Presidential Inaugural Committee (2004-2005)
- Deputy Events Director, Republican National Committee, Victory 2004 (2004)

## Affiliations

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- The Federalist Society

## Recognitions

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- Recognized as one of DC's "Rising Stars" for Appellate by *Super Lawyers* (2023-2025)
- Recognized by *The Legal 500 US* as a "Recommended Lawyer" in Appellate: Courts of Appeal (2021-2024)
- Included in *The Best Lawyers in America* directory of "Ones to Watch" for Commercial Litigation (2022-2025)
- Received 2016 Burton Award for Distinguished Legal Writing for "The FCC's Expanding Use of Delegated Authority and the Dilemma of Appellate Jurisdiction"