

## Seth Waxman Named Litigator of the Week for Another US Supreme Court Victory

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Partner [Seth Waxman](#) has been named Litigator of the Week by *Litigation Daily* for yet another US Supreme Court victory. His leading role in representing Pom Wonderful was declared a success when the court ruled on Thursday, June 12, that Coca-Cola indeed falsely advertised a drink as "pomegranate blueberry juice."

Coca-Cola argued that false advertising claims brought under the Lanham Act through private lawsuits like Pom's are precluded because the US Food and Drug Administration already protects consumers by regulating food and drink labels under the Food, Drug and Cosmetic Act (FDCA). Reversing the US Court of Appeals for the Ninth Circuit, the high court wrote that "nothing in the text, history or structure of the FDCA or the Lanham Act shows the congressional purpose or design to forbid these suits. Quite to the contrary, the FDCA and the Lanham Act complement each other in the federal regulation of misleading food and beverage labels."

Just two weeks ago, Waxman successfully defended a mentally disabled pro bono client, Freddie Lee Hall, on death row. Hall was sentenced to death after scoring a 71 on his IQ test since a Florida rule states that individuals who score over 70 can be given the death penalty. Siding with Waxman, US Supreme Court Justice Kennedy wrote on behalf of the high court that "intellectual disability is a condition, not a number."

When reflecting back on the last few weeks and his wide-ranging practice overall Waxman shared with *Litigation Daily* that it is "certainly a labor-intensive way to organize your professional life, but the rewards are enormous. I found a way to live my professional life where I'm always alternating between learning and teaching."