

BRIAN LEA

UNFIT & UNQUALIFIED

Nominated to the U.S. District Court for the Western District of Tennessee, Lea has spent his career siding with powerful corporations and far-right Christian nationalist causes over rights and protections for everyday people. Lea spent years shielding Big Tobacco from accountability for hiding the truth about their deadly products. He helped religious organizations evade health insurance regulations and defended the Trump-led NIH when it cut federal funding for science grants. Lea also defended Senator Graham (R-SC) when he was subpoenaed by a Georgia jury for calls made to the Georgia Secretary of State after the 2020 election.

Lea's many ties to both the Trump administration and his demonstrated commitment to aggressively pushing corporate power at the expense of people's rights and health risks a lifetime judge who will serve corporations and the oligarchy instead of the public.

DEFENDING BIG TOBACCO

Lea represented R.J. Reynolds in numerous cases and worked to reduce jury awards, damages, and attorney's fees for people hurt and killed when the company hid the dangers and addictive nature of smoking *for decades*. With nearly unlimited resources, Lea followed the Big Law industry playbook, delaying and challenging verdicts through multiple court proceedings and working to reduce and even eliminate awards.

Represented R.J. Reynolds when it tried to deny damages to a smoker's same sex widower based on a discriminatory anti-LGBTQ+ legal theory. Bryan Rintoul's longtime partner and eventual husband Edward Caprio was diagnosed with smoking-caused lung disease in 1996. Caprio died in 2018. Under Florida state law, damages for loss of consortium and pain and suffering are only available to a spouse if they had been married at the time of diagnosis—but Florida law also didn't allow same-sex couples to marry in 1996 (when Caprio was diagnosed). Applying such laws would have denied Rintoul a legal right of marriage in violation of *Obergefell v. Hodges*.

R.J. Reynolds argued that Florida law didn't violate *Obergefell* because Rintoul and Caprio never actually applied for a license and never experienced an unconstitutional rejection before Caprio's 1996 diagnosis. This argument flies in the face of *Obergefell* and punishes same-sex couples for the discrimination they faced before that landmark case. *Rintoul v. Philip Morris USA, Inc.*, 2024 WL 3735894 (Fla. 2024); *Philip Morris USA, Inc. v. Rintoul*, 395 So. 2d 184 (Fla. 4th DCA 2024); *Philip Morris USA Inc. v. Rintoul*, 342 So. 3d 656 (Fla. 4th DCA 2022) (2020 – 2024)

Helped R.J. Reynolds seek immunity for tobacco harms. In an appeal to the Virgin Islands Supreme Court, Lea helped R.J. Reynolds reverse consolidated product liability actions, resulting in a vacatur of judgments totaling \$135 million (including interest). The jury had previously awarded a combined total of \$160 million for harm caused by R.J. Reynolds. *R.J. Reynolds Tobacco Company v. Gerald*, 76 V.I. 656 (V.I. 2022); *Gerald v. R.J. Reynolds Tobacco Company*, No. 631/2010 (V.I. Superior Court); *Brown v. R.J. Reynolds Tobacco Company*, No. 692/2010 (Virgin Islands Superior Court) (Judges Michael Dunston and Sigrid Tejo) (2019-2023)

Representing Election Deniers

Lea represented Senator Graham (R-SC) as he challenged a subpoena order before an Atlanta grand jury investigating Trump's attempts to overturn the 2020 election. In Lea's Senate Judiciary Questionnaire, he notes "I had the honor of representing Senator Graham in seeking a stay and injunction pending appeal of the denial of a motion to quash a witness subpoena issued by the Fulton County Special Purpose Grand Jury." The subpoena was issued to get more insight about phone calls Senator Graham made to Georgia Secretary of State Brad Raffensberger following the 2020 election. *Senator Lindsey Graham v. Fulton County Special Purpose Grand Jury*, No. 22A337 (Oct. 21, 2022).

Blocking Contraception Coverage

Lea supported efforts by religious employers to block contraception coverage. Lea represented religious employers, including the Roman Catholic Archdiocese of Atlanta, and the Archbishop of Atlanta, who challenged regulations mandating contraceptive coverage in employee health insurance plans. The district court granted an injunction of the regulation, which was reversed by an Eleventh Circuit panel. *Eternal Word Television Network, Inc. v. Secy, US. Dep't of Health & Human Services*, 818 F.3d 1122 (11th Cir. 2016); *Roman Catholic Archdiocese of Atlanta v. Sebelius*, 2014 WL 2441742 (N.D. Ga. 2014); *Roman Catholic Archdiocese of Atlanta v. Sebelius*, 2014 WL 1256373 (N.D. Ga. 2014) (Judge William Duffey) (2012-2014).

Defending Cuts to Science Funding

Lea defended Trump administration cuts to science funding and represented the Trump-led National Institutes of Health (NIH) when it tried to cap cost reimbursements for federal research grants – a cap that would unlawfully harm research institutions and could harm important medical research. Nearly two dozen state attorneys general challenged the guidance. The district court issued a permanent injunction against the Trump guidance, which is currently pending on appeal. *Massachusetts v. National Institutes of Health*, 2025 WL 1063760 (D. Mass. 2025), pending on appeal in Nos. 25-1343, 25-1344, 25-1345 (1st Cir.); *Massachusetts v. National Institutes of Health*, 770 F. Supp. 3d 277 (D. Mass. 2025) (Judge Angel Kelley) (2025 - present).