

In This Issue #359

- Attorney Andy Phillips to Speak at APA Justice Monthly Meeting
- Recalling the Case of Dr. Wen Ho Lee
- Summary of June 2025 APA Justice Monthly Meeting Posted
- In Memoriam: Chan Ning Yang (1922-2025)
- News and Activities for the Communities

Attorney Andy Phillips to Speak at APA Justice Monthly Meeting



Andy Phillips
Managing & Founding Partner



Yanping Chen 陈燕平

Docket ID: 1:18-cv-03074
District Court, D. Columbia
Date filed: Dec 21, 2018

DC Circuit Appeals Court
Appellate Case 24-5050

Attorney **Andy Phillips**, Managing & Founding Partner of Meier Watkins Phillips Pusch LLP, will speak at the upcoming APA Justice monthly meeting on November 3, 2025. He represents Dr. **Yanping Chen 陈燕平** in [Yanping Chen v. FBI \(24-5050\)](#).

Dr. Chen is a naturalized U.S. citizen from China and longtime educator who founded the University of Management and Technology in Arlington, Virginia. She filed a Privacy Act lawsuit against the U.S. Departments of Justice, Defense and Homeland Security, as well as the Federal Bureau of Investigation (FBI), after a 6-year investigation by the FBI into her past affiliations and immigration history concluded without charges in 2016. After the investigation closed, confidential information from the probe was leaked to media outlets, particularly *Fox News* reporter **Catherine Herridge**, which aired stories implying Dr. Chen was involved in espionage.

Dr. Chen filed a lawsuit in December 2018 against the Departments of Justice, Defense and Homeland Security, as well as the FBI, asserting a coordinated violation of her privacy rights and focusing on the leak of protected investigation materials. In February 2024, a District Court held Herridge in civil contempt for refusing to disclose her source and imposed a fine of \$800

per day—an order stayed pending appeal.

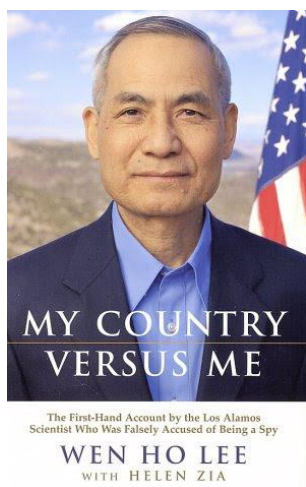
The case has major implications for press freedom, racial equity, and privacy rights in national security investigations. APA Justice joined advocacy groups by filing an [amicus brief](#) led by Asian American Legal Defense and Education Fund (AALDEF), arguing that the treatment of Dr. Chen reflects broader issues of systemic bias against Chinese Americans.

On September 30, 2025, the U.S. Court of Appeals for the D.C. Circuit affirmed the district court's order holding Herridge in civil contempt for refusing to disclose her confidential source despite a valid subpoena.

Andy Phillips's practice focuses on counseling clients faced with unfavorable media coverage or other reputational attacks. He has years of experience representing clients in defamation lawsuits before state and federal courts across the country. He has litigated against many of the country's most well-known media organizations, including *Rolling Stone Magazine*, *The New York Times*, *CNN*, and *Fox News*. Andy is one of only six attorneys in the United States to be ranked by Chambers for [expertise in Plaintiff's-side First Amendment litigation](#).

The virtual monthly meeting is by invitation only. It is closed to the press. If you wish to join, either one time or for future meetings, please contact one of the co-organizers of APA Justice - **Steven Pei** 白先慎, **Vincent Wang** 王文奎, and **Jeremy Wu** 胡善庆 - or send a message to contact@apajustice.org.

Recalling the Case of Dr. Wen Ho Lee





[Home](#) > [Archives](#) > Viewpoint: Wen Ho Lee's Settlement

ARCHIVES

Viewpoint: Wen Ho Lee's Settlement

By Edward Gerjuoy

On June 2 of this year the news media reported that Wen Ho Lee, the former Los Alamos National Laboratory (LANL) researcher who was the subject of my Back Page article in the April 2000 *APS News*, had settled his lawsuit against the US government for \$1.65 million, to which sum five news organizations had contributed a total of \$750,000 although they were not named defendants in the case. The present article describes the basis for the lawsuit, elucidates the settlement terms and explains how the news organizations came to be involved.

Dr. **Wen Ho Lee** 李文和, a naturalized U.S. citizen born in Taiwan, was a senior nuclear scientist at Los Alamos National Laboratory (LANL), where he worked for more than 20 years developing computer codes used to simulate nuclear explosions. In the late 1990s, amid heightened

concerns about Chinese nuclear espionage, the FBI and Department of Energy (DOE) began investigating possible leaks of nuclear-weapons data to China. Dr. Lee became a target largely due to his ethnicity.

In 1999, the government indicted Dr. Lee on 59 felony counts for allegedly downloading and transferring classified files from secure to unclassified computers. During the investigation, government officials leaked information to the press portraying Dr. Lee as a potential spy. Major media outlets including *New York Times*, *Washington Post*, and *Los Angeles Times* widely published these allegations, effectively convicting him in the public eye before trial.

By 2000, it became clear that the government lacked evidence of espionage or criminal intent. Dr. Lee spent nine months in solitary confinement before pleading guilty to a single count of mishandling restricted data; the remaining 58 charges were dropped. Federal Judge **James A. Parker** [publicly criticized](#) the government for its handling of the case, apologizing to Dr. Lee for his treatment and calling the investigation an embarrassment to the nation.

Following his release, Dr. Lee filed a civil lawsuit under the Privacy Act against federal agencies and five major media organizations that had reported the leaked allegations. **Brian Sun**, now a partner at Norton Rose Fulbright US LLP, served as Lee's lead attorney. Brian Sun framed the case as a crucial defense of civil liberties, privacy rights, and due process, arguing that government leaks had violated Lee's rights and irreparably harmed his reputation. He successfully navigated complex issues involving media source protection and the disclosure of sensitive documents, ultimately securing a landmark settlement.

In June 2006, the case was settled: the U.S. government paid \$895,000, and the media organizations contributed \$750,000 toward Dr. Lee's legal fees, with no admission of wrongdoing. The settlement, guided by Brian Sun's litigation strategy, reinforced the principle that government officials cannot use leaks to publicly convict individuals without evidence.

On June 3, 2006, Brian Sun told the [Los Angeles Times](#) that the settlement provides "a measure of vindication and accountability." "We believe the settlement will send a message to government officials that they should not engage in unlawful leaks about private citizens," he said, "and journalists should be sensitive in reporting information that is divulged from officials who have an agenda."

As noted in the American Physical Society's "[Viewpoint: Wen Ho Lee's Settlement](#)" on August 1, 2006, the case of Dr. Wen Ho Lee remains a landmark in the intersection of science, national security, civil liberties, and media responsibility. The APS analysis emphasized that while the settlement brought an end to the litigation, it left unresolved the deeper tensions between government secrecy, press freedom, and the protection of individual rights. It underscored how Dr. Lee's case became a cautionary tale—reminding both policymakers and the scientific community that the pursuit of security must never come at the cost of justice, due process, or human dignity.

Summary of June 2025 APA Justice Monthly Meeting Posted



Summary for the June 2025 APA Justice monthly meeting has been posted at <https://bit.ly/48ABX4J>. We thank these distinguished speakers for sharing their insightful remarks and updates:

- **Judy Chu**, Chair Emeritus, Congressional Asian Pacific American Caucus; Member, U.S. House of Representatives
- **Judith Teruya**, Executive Director, Congressional Asian Pacific American Caucus
- **Jiny Kim**, Vice President of Policy and Program, Advancing Justice | AAJC
- **Gisela Perez Kusakawa**, Executive Director, Asian American Scholar Forum (AASF)
- **Ya Liu**, Member, North Carolina House of Representatives
- **Juanita Brent**, Member, Ohio House of Representatives
- **Edgar Chen**, Special Policy Advisor, National Asian Pacific American Bar Association (NAPABA)
- **Aki Maehara**, Professor, Historian, East Los Angeles College

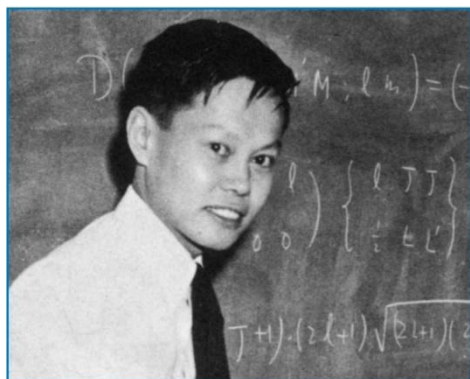
Past APA Justice monthly meeting summaries are available at <https://www.apajusticetaskforce.org/library-newsletters-summaries>

On April 29, 2025, Professor **Aki Maehara**, age 71, was riding his electric bicycle home in Montebello when a car struck him from behind. The driver shouted anti-Asian slurs before and after the collision. Professor Maehara believes he was targeted due to his academic work and previous threats he had received.

The attack left Professor Maehara with serious injuries, including a concussion, fractured cheekbone, neck pain, and a lacerated elbow. The dental damage was particularly severe, requiring extensive and costly dental implant surgery. Professor Maehara returned to teaching at East Los Angeles College shortly after the incident. A GoFundMe was updated in August 2025, describing his need for a home health aide and major dental surgery.

The Montebello Police Department is investigating the incident as a possible hate crime and attempted vehicular homicide. Some have criticized the police investigation, claiming key information from Professor Maehara was initially omitted from the report. As of October 2025, the department has not publicly identified any suspects in the case despite being "No. 1 priority" since May.

In Memoriam: Chan Ning Yang (1922-2025)



Renowned Chinese-American physicist and Nobel laureate Chen Ning Yang has died in Beijing after an illness. Photograph: Science History Images/Alamy



Chinese Nobel prize-winning physicist Chen Ning Yang in 2014. Photograph: AP

Chen Ning Yang (杨振宁), one of the world's most renowned theoretical physicists and a Nobel prize winner, died on October 18, 2025, in Beijing at the age of 103 after an illness.

Born in Hefei, Anhui Province, China, in 1922, Yang received his early education in China before earning his bachelor's degree from the National Southwestern Associated University in Kunming during wartime. He later pursued graduate studies in the United States, earning his Ph.D. from the University of Chicago in 1948 under the mentorship of **Enrico Fermi**.

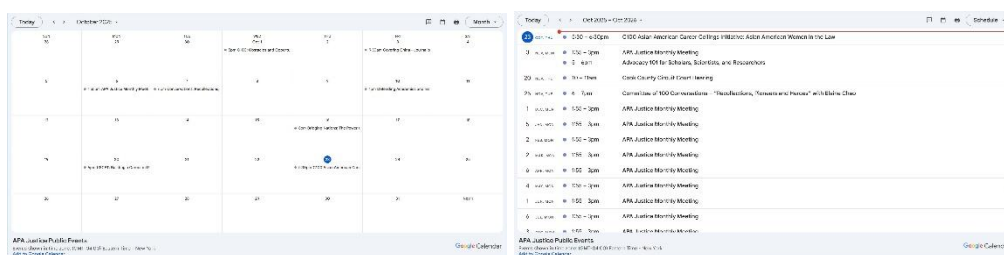
Yang's groundbreaking contributions reshaped modern physics. He and his collaborator **Tsung-Dao Lee (李政道)** proposed in 1956 that parity — long assumed to be conserved — could be violated in weak nuclear interactions. The theory was soon confirmed experimentally, leading to their shared Nobel Prize in Physics in 1957. Beyond parity violation, Yang made profound advances in statistical mechanics, gauge theory, and the Yang–Mills theory — a cornerstone of the Standard Model of particle physics.

After teaching at the Institute for Advanced Study in Princeton University, Yang joined Stony Brook University in 1966, where he founded the Institute for Theoretical Physics (now named the C.N. Yang Institute for Theoretical Physics) and mentored generations of scientists. In 2003, Yang returned to China, joining Tsinghua University as an honorary professor and continuing to promote international scientific exchange.

Known for his intellectual rigor and lifelong curiosity, Yang’s career spanned the era from wartime China to the quantum age, symbolizing the global nature of scientific inquiry. He inspired several generations of young people in both the United States and China to pursue science with passion and integrity. His legacy endures not only through his discoveries but also through his commitment to fostering dialogue between China and the world in science and education.

News and Activities for the Communities

1. APA Justice Community Calendar



Upcoming Events:

2025/10/23 C100 Asian American Career Ceilings Initiative: Asian American Women in the Law

2025/11/03 APA Justice Monthly Meeting

2025/11/03 Advocacy 101 for Scholars, Scientists, and Researchers

2025/11/20 Cook County Circuit Court Hearing

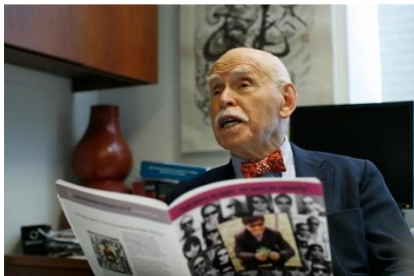
2025/11/25 Committee of 100 Conversations – “Recollections, Pioneers and Heroes” with Elaine Chao

Visit <https://bit.ly/3XD61qV> for event details.

2. In Memoriam: Jerome Cohen (1930-2025)



Mr. Cohen met with Zhou Enlai, the premier of the People's Republic of China, in Beijing when he visited China as part of a delegation of scholars in 1972. Jerome A. Cohen archive



Jerome A. Cohen in 2012 in his office at the U.S.-Asia Law Institute at New York University, which he founded. Mr. Cohen, a colleague said, “created the field of the study of Chinese law in the United States.” Eduardo Munoz/Reuters

Jerome A. Cohen, a pioneering scholar of Chinese law and a leading voice for human rights, died on September 22, 2025, at his home in Manhattan. He was 95.

Born in New York City in 1930, Cohen graduated from Yale Law School, clerked for Chief Justice **Earl Warren** and Justice **Hugo Black**, and began his academic career at the University of California, Berkeley. Fascinated by China, he studied Mandarin in the early 1960s and went on to found the East Asian Legal Studies Program at Harvard Law School in 1964, the first of its kind in the United States.

After **Mao Zedong**'s death, Cohen joined Paul & Weiss, advising companies entering China and helping Chinese officials understand modern commercial law. In 1990, he joined New York University School of Law, where he mentored lawyers, judges, and human rights advocates from across Asia and became an influential voice in U.S.–China legal dialogue.

Renowned for his intellect and integrity, Cohen defended persecuted lawyers and dissidents and never wavered in his belief that law could be a bridge to justice. His legacy endures through the institutions he built and the generations he inspired.

#

APA Justice Task Force is a non-partisan platform to build a sustainable ecosystem that addresses racial profiling concerns and to facilitate, inform, and advocate on selected issues related to justice and fairness for the Asian Pacific American community. For more information, please refer to the new APA Justice website under development at www.apajusticetaskforce.org. We value your feedback. Please send your comments to contact@apajustice.org.

Copyright © 2025 APA Justice, All rights reserved.

You are receiving this email because you opted in or have expressed interest.

Our mailing address is:

APA Justice
P.O. Box 1242
McLean, VA 22101

[Add us to your address book](#)

We do not share, sell, rent or trade any of your information with third parties unless you provide explicit consent. [Read our Privacy Policy here.](#)