

# Federal Circuit Grants Writ of Mandamus Preventing Deposition of Federal Reserve Chairman

[Print Friendly](#)



The U.S. Court of Appeals for the Federal Circuit recently reversed a trial court's decision allowing plaintiffs in *Starr International, Inc. v. United States*, No. 11-00779(c), a takings lawsuit involving a class of investors who had owned AIG common stock in September of 2008, to depose Federal Reserve Chairman Ben Bernanke. Attorneys for Starr claimed that they wanted to depose Chairman Bernanke about his involvement in the federal government's bailout of AIG during the 2008 financial crisis. The trial court agreed that the deposition could take place, but only under the trial judge's direct supervision.

The Government petitioned the Federal Circuit for a writ of mandamus directing the trial court to issue a protective order, which the Federal Circuit granted. The court offered two "rationales for limiting the examination of current high-ranking government officials." The first was its desire not to disturbing the integrity of the administrative process and the second was to avoid disrupting government activities. The Federal Circuit explained that "Starr ha[d] not established the extraordinary circumstances necessary to justify the deposition of Chairman Bernanke" because Mr. Bernanke is still serving as Federal Reserve chairman and it was not clear to the court he had "first-hand knowledge related to the claim being litigated."

The opinion can be found [here](#).