

THOMAS HARDIMAN

Thomas Hardiman, currently a judge on the U.S. Court of Appeals for the Third Circuit, is on President Trump's short list for the Supreme Court.

WILL OVERTURN AND GUT ROE V. WADE AND THE ACA

Trump has again and again reminded us that he will only put justices on the Supreme Court that will pass his litmus test of overturning *Roe v. Wade*. Trump said [overturning Roe](#) “will happen automatically . . . because I am putting pro-life justices on the court.” We should believe him. The Trump Administration is trying to use our federal courts to deprive millions of Americans of health insurance coverage. In addition to attacking the law that ensures companies cannot deny coverage to people with preexisting conditions, Trump himself explicitly stated he was looking for nominees that are hostile to the Affordable Care Act. Trump [said](#) “my judicial appointments will do the right thing unlike Bush’s appointee John Roberts on ObamaCare.” Hardiman issued a [ruling](#) that allowed a non-profit organization to intervene in a challenge involving the ACA’s contraceptive coverage mandate.

WOULD PROTECT THE WEALTHY AND POWERFUL OVER THE RIGHTS OF ALL

In 2008, Hardiman [sided against](#) nearly 1,800 workers who were laid off with very little notice and not paid approximately \$8 million they were owed. Under Hardiman’s decision about the company’s bankruptcy, which the Supreme Court later [reversed](#), banks and other lenders were paid first. It was reported that [one person](#) from the company with terminal cancer was unable to find replacement health insurance and passed away. In another case, Hardiman [ruled](#) for Allstate when it fired 6,200 sales agents and brought them back as independent contractors on the condition that they sign away their rights to potential claims against the company. Hardiman recently joined a decision which [held](#) that a family in public housing had no right to remain in their home, despite statutory language that residents “may elect to remain.” Hardiman would have [held](#) that Philadelphia fire service paramedics were not covered by part of the Fair Labor Standards Act, and therefore were ineligible for overtime pay.

CRIMINAL JUSTICE RECORD

Hardiman joined a [dissent](#) from a decision granting relief to a death row inmate who discovered that prosecutors had withheld exculpatory pieces of evidence. In 2010, Hardiman [wrote](#) an opinion that “conclude[d] there was insufficient case law establishing a right to videotape police officers during a traffic stop to put a reasonably competent officer on ‘fair notice’ that seizing a camera or arresting an individual for videotaping police during the stop would violate the First Amendment.”

GUN SAFETY RECORD

Hardiman [dissented](#) in a case where the majority held that it was constitutional for New Jersey to require individuals to show they had a “justifiable need” before they could be issued a permit to carry a handgun in public.