



Appellate and Supreme Court Litigation

Our practice is recognized as among the very best nationwide. Clients retain us for the most complex and high-stakes matters, and our victories have helped shape the legal landscape in many arenas. *Chambers USA* has called our team a “bench of talent that is impressive beyond belief.” We have an equally wide-ranging practice in the federal courts of appeals and the state appellate courts; handle or assist with complex legal matters in the trial courts; and provide strategic advice to clients in a wide variety of industries and across a broad range of substantive legal areas.

PRACTICE AT A GLANCE

- Our practice is co-chaired by former US Solicitor General Seth Waxman, who has argued over 85 cases before the US Supreme Court, and Mark Fleming, who has argued eight Supreme Court cases. We have a remarkably deep bench: Debo Adegbile, Catherine Carroll, Tom Saunders and David Bowker have each argued multiple Supreme Court cases. Additionally, the group has argued several hundred appeals in the federal courts of appeals and state appellate courts.
- In 2022, 24 different lawyers made 39 oral arguments in 14 different states. This includes three arguments in the US Supreme Court, 12 in the Federal Circuit, eight in the Ninth Circuit, and three each in the DC and Second Circuits. In 2021, we recorded an additional 56 arguments by 30 different lawyers in 17 courts.
- Six different WilmerHale lawyers argued before the US Supreme Court since the beginning of the 2020–2021 term.
- We also have deep experience in the US Court of Appeals for the Federal Circuit, having argued more than 70 cases between January 2019 and December 2022.
- In November 2019, *Litigation Daily* highlighted Partner Mark Fleming’s three “extraordinary” oral arguments in the span of four days in unrelated cases before the US Court of Appeals for the Federal Circuit.

120+

total arguments before the
US Supreme Court

33

appellate arguments by
WilmerHale women and attorneys
of color in 2021 and 2022

“(WilmerHale has) an
incredibly deep appellate
bench with experience
at all circuits as well
as the Supreme Court that
is second to none.”

— *Chambers USA*

RECOGNITION

- *Chambers USA* has recognized the firm’s Appellate and Supreme Court Litigation Practice since 2005, including with Band 1 rankings from 2018 to 2023. Clients praise the group, saying “they have an incredibly deep appellate bench with experience at all circuits as well as the Supreme Court that is second to none.” Partner Seth Waxman is consistently cited as a star individual, with sources calling him “simply the best appellate lawyer in the country right now” and a “powerhouse.” Partner Catherine Carroll is said to be “very meticulous” and “able to grasp complex issues in a quick and meaningful way.”
- *The National Law Journal* has named WilmerHale to its Appellate Hot List for 14 years. In the *National Law Journal*’s 2021 Legal Awards, the firm was named to both the Pro Bono and Appellate Hot Lists and was a finalist for the Washington DC General Litigation Department of the Year.
- In *U.S. News - Best Lawyers*’ 2013–2022 Best Law Firms rankings, our Appellate and Supreme Court Litigation Practice ranked in the first tier nationally, and in Boston and Washington DC. In 2019, we were named the First Amendment Litigation Firm of the Year.
- *Benchmark Litigation* recognized several of WilmerHale’s appellate lawyers as National Litigation Practice Area Stars, Local Litigation Stars and Future Stars in 2021–2023.
- *The Legal 500 United States* has ranked WilmerHale’s Appellate and Supreme Court Litigation Practice in the top tier in its annual guide from 2015–2023 and has also named Partner Seth Waxman to its Hall of Fame. The publication has commended the firm for its “superb pedigree before the US Supreme Court.”
- In 2020 and 2021, *IAM Patent 1000* again ranked WilmerHale a leading firm for litigation in the United States and internationally.
- *Law360* named WilmerHale’s Appellate and Supreme Court Litigation Practice a “Practice Group of the Year” for the 2010–2016 and 2019 editions. The publication has also awarded the title of “Appellate MVP of the Year” to Partners Seth Waxman (2014) and Tom Saunders (2015), and recognized Partner Mark Fleming as “MVP of the Year” with distinction in appellate law (2011).
- *Managing IP* named WilmerHale the 2023 Patent Disputes Firm of the Year and Appellate Firm of the Year, and recognized with the Impact Case of the Year Award for our role in *Centripetal Networks v. Cisco Systems* and *Open Sky Industries v. VLSI Technology*; also awarded the Impact Case of the Year Award for our role in *Intel v. Qualcomm* (2022), *Mission Products Holdings Inc v. Tempnology LLC* (2020), *PNC Bank National Association v. Secure Access* (2019).
- *The American Lawyer* named WilmerHale the 2020 Law Firm of the Year and a finalist in its 2021 and 2018 Litigation Department of the Year contests. The firm has also won the magazine’s IP Litigation Department of the Year title twice and has been a finalist in the category six times since it was first awarded in 2004.
- *Washingtonian* magazine has named Partner Seth Waxman among “Washington’s Best Lawyers”.

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WE LEAD CASES IN AREAS SUCH AS:

- Administrative Law
- Antitrust
- Banking
- Bankruptcy
- Civil Rights
- Class Actions
- Constitutional Law
- Energy Regulation
- ERISA
- False Claims Act
- Federal Preemption
- Financial Regulation
- Immigration
- Insurance
- Intellectual Property
- Native American Law
- Securities
- Tax
- White-Collar and Criminal Law



Top-Tier Appellate Practice
The Legal 500 United States
Tier 1 Ranking in 2021-2023