



Appellate and Supreme Court Litigation

Our practice is universally 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* 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 82 cases before the US Supreme Court, and former Assistant to the Solicitor General Paul Wolfson, who has argued 21 cases.
- We have a remarkably deep bench: Partners Danielle Spinelli, Mark Fleming, Catherine Carroll and Tom Saunders have each argued multiple cases before the Supreme Court.
- In 2018 alone, 31 of our lawyers argued 52 cases in 16 federal and state courts of appeals, covering a wide range of substantive areas. In 2019, we recorded an additional 37 arguments by 13 lawyers in 10 courts.
- Three different WilmerHale lawyers argued before the Supreme Court in the 2019–2020 term.
- We have deep experience in the US Court of Appeals for the Federal Circuit, arguing more than 40 cases between January 2017 and December 2019.
- In November 2019, *Litigation Daily* highlighted Partner Mark Fleming’s three oral arguments in the span of four days in unrelated cases before the US Court of Appeals for the Federal Circuit: “While Mr. Fleming’s week of three arguments in the circuit was extraordinary, it was in keeping with the kind of prowess that has earned the firm recognition for its appellate work.”

142

total arguments before the US Supreme Court for 11 of our lawyers

14

appellate arguments in 9 state and federal courts, including 2 arguments in the US Supreme Court, were handled by WilmerHale women in 2018–2019

“As of November 15, WilmerHale lawyers have argued 19 cases in 2019 before the Federal Circuit, underscoring the firm’s position as a leader in this specialized area of appellate law.”

— *Litigation Daily*

EXPERIENCE

- *Chambers USA* has recognized the firm's Appellate and Supreme Court Litigation Practice since 2005, including with Band 1 rankings in 2018 and 2019. 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." In 2016, Partner Seth Waxman was cited as a star individual, with sources calling him "simply the best appellate lawyer in the country right now" and a "powerhouse." Partner Paul Wolfson is described as a "wonderful writer and a phenomenal thinker," and Partner Danielle Spinelli is described as "utterly brilliant" and someone who "thinks things through in a way that eludes most lawyers."
- *The National Law Journal* named WilmerHale to its Appellate Hot List for the 12th consecutive year in 2019.
- In *U.S. News - Best Lawyers'* 2013–2019 Best Law Firms rankings, our Appellate and Supreme Court Litigation Practice ranked in the first tier nationally and in Boston and Washington DC and was named the 2019 First Amendment Litigation Firm of the Year.
- *IAM Patent 1000* again ranked WilmerHale a leading firm in 2019 for litigation nationally, as well as in California, Colorado, the DC Metro area and Massachusetts.
- In 2020, *The Legal 500 United States* again ranked WilmerHale's Appellate and Supreme Court Litigation Practice in the top tier in its annual guidebook, naming Partner Seth Waxman to its Hall of Fame and Partner Danielle Spinelli a "Next Generation Lawyer" in the category of "Dispute Resolution: Appellate." It has also commended the firm for its "superb pedigree before the US Supreme Court."
- *Law360* named WilmerHale's Appellate and Supreme Court Litigation Practice a "Practice Group of the Year" for the 2010–2016 and 2019 editions. This annual series highlights up to five practice groups that notched the biggest litigation victories or deals of the year. The publication has also recognized Partner Mark Fleming as an "MVP of the Year" with distinction in appellate law (2011), Partner Seth Waxman as an "Appellate MVP of the Year" (2014) and Partner Tom Saunders as an "Appellate MVP of the Year" (2015).
- WilmerHale received *Managing IP's* 2020 Impact Case of the Year award for its work for Mission Product Holdings, Inc. in *Mission Product Holdings Inc v. Tempnology LLC*. The firm received the same award in 2019 for its work for PNC Bank in *PNC Bank National Association v Secure Access*. In 2015, WilmerHale and Partner Seth Waxman received *Managing IP's* Supreme Court Milestone Case of the Year award for the successful representation of POM in *POM Wonderful v. Coca-Cola*.
- *The American Lawyer* named WilmerHale a finalist in its 2018 Litigation Department of the Year contest. The magazine also recognized the firm with its IP Litigation Department of the Year title twice and has named WilmerHale a finalist in the category six times since first awarding it in 2004.
- *Washingtonian* magazine has named Partner Seth Waxman among "Washington's Best Lawyers" and Partner Danielle Spinelli a top Supreme Court lawyer.

For more information, please contact:

Seth P. Waxman — Partner | +1 202 663 6800 | seth.waxman@wilmerhale.com

Paul R.Q. Wolfson — Partner | +1 202 663 6390 | paul.wolfson@wilmerhale.com

Danielle Spinelli — Partner | +1 202 663 6901 | danielle.spinelli@wilmerhale.com

Mark C. Fleming — Partner | +1 617 526 6909 | mark.fleming@wilmerhale.com

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