

## Rising Star: WilmerHale's Catherine Carroll

By **Beth Winegarner**



*Law360, San Francisco (April 17, 2014, 5:11 PM ET)* -- WilmerHale's Catherine Carroll helped lead Hartford Life & Accident Insurance Co. and Wal-Mart Stores Inc. to victory in a U.S. Supreme Court ERISA case challenging contractual limitations periods in benefit plans, earning her a place among Law360's top five appellate attorneys under 40.

The 2014 Rising Star made her debut before the Supreme Court on her birthday last year, arguing that Wal-Mart worker Julie Heimeshoff had waited too long to file a claim with Hartford for long-term disability benefits. In December, the high court unanimously sided with Hartford and Wal-Mart, reinforcing the right of employee-benefit plans to set time limits for participants like Heimeshoff to bring claims.

Although plenty of courts have upheld insurers' right to control their benefits plans, the Hartford plan provisions looked pretty different on first impression, Carroll told Law360.

"It was important that we were able to do the work of demonstrating that although the provision was unique in some respects, it was fairly common," she said. "We were able to give the court some comfort that the provision wasn't so novel or bizarre as it might seem at first blush."

Carroll also led the briefing team representing Alliance for Open Society International Inc., Pathfinder International, InterAction and Global Health Council in their Supreme Court case brought by Open Society International. In that case, the Supreme Court ruled 6-2 that Carroll's clients' First Amendment rights had been violated when they were required to adopt a policy opposing prostitution and sexual trafficking if they were to receive federal funding.

Carroll helped brief St. Johns River Water Management District's defense at the Supreme Court in an

eminent domain case brought by Coy Koontz, who sued the Florida agency after he was denied a permit to develop his property. Ultimately, the Supreme Court ruled 5-4 in favor of Koontz, but agreed with aspects of Carroll's and colleague Paul Wolfson's arguments as well, the firm said.

If Carroll is comfortable before the Supreme Court, there's good reason: Before joining WilmerHale's appellate team, she clerked for Justice David Souter as well as for D.C. Circuit Judge Harry T. Edwards. She called those clerkships "outstanding, amazing experiences" that helped her understand what career path she wanted to follow: appellate law.

She picked the field specifically for the variety, citing the breadth of cases she's worked on in the past few years, which has included a mix of criminal and civil matters.

"I get to work on a lot of intellectually challenging and interesting legal questions," she said. "There are always opportunities to learn something new."

Carroll earned her law degree from the University of Michigan Law School in 2002, where she worked on the Michigan Law Review, an experience she said strengthened her ability to write good legal briefs. She advised young law students, particularly those considering an appellate path, to "take every opportunity to get experience in legal writing," as well as to read all the well-written briefs they can get their hands on.

Seth Waxman, WilmerHale's appellate chair, said Carroll is an effective attorney, in part, because she is a "born advocate."

"She's brilliant. She's an effective communicator, and she has a natural, disarming wit," Waxman said. "Her writing is precise and compelling — no name-calling or aspersions cast, just crisply written, logical persuasion that compels you to agree with her."

--Editing by Jeremy Barker.