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## *Appellate and Supreme Court Litigation*

Combining our trial and appellate strengths allows us to shape litigation strategy from the outset to maximize the likelihood of ultimate success.

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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.

### **A Deep Bench**

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 2023, 26 different lawyers made 49 oral arguments in 17 different state and federal courts of appeal. This included two arguments at the US Supreme Court. In 2022, 24 different lawyers made 39 oral arguments in 14 different states and federal courts of appeals. This included 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.

We also have deep experience in the US Court of Appeals for the Federal Circuit, having argued more than 71 cases between January 2020 and December 2023.

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## Key Contacts

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Infrastructure  
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## Recognition



### ***National Tier 1 in Appellate Practice 2024***

*U.S. News – Best Lawyers*

CONSISTENTLY RECOGNIZED AS A TOP-TIER FIRM



### ***Appellate Hot List 2022***

*The National Law Journal*

NAMED TO THIS LIST FOR THE 14TH YEAR



### ***Top-Tier Appellate Practice***

*The Legal 500 United States*

TIER 1 RANKING IN 2021–2023

- **Chambers USA** has recognized the firm’s Appellate and Supreme Court Litigation Practice since 2005, including with Band 1 rankings in 2018–2023. 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* 2022 Legal Awards, WilmerHale was named to the Appellate Hot List and recognized with the 2022 Crisis Management and Government Oversight Professional Excellence Award.
- Four WilmerHale appellate lawyers were selected by their peers for inclusion on **Boston Magazine’s** inaugural list of Top Lawyers in 2021.
- **Benchmark Litigation** recognized a slew of WilmerHale’s appellate lawyers as National Litigation Practice Area Stars, Local Litigation Stars and Future Stars and also ranked WilmerHale among the top firms in the nation for several practices, including appellate, in 2021–2023.
- In **U.S. News - Best Lawyers’** 2013–2024 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 2020 and 2021 for litigation internationally and nationally in the US. The firm is also recognized in California, Colorado, Massachusetts, New York, Washington DC and the UK.
- ***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."
- ***Lau360*** 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).
- ***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). 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 the 2020 Law Firm of the Year and a finalist in its 2021 and 2018 Litigation Department of the Year contests. 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."