
WilmerHale Successfully Obtains Order to Show Cause Why Opposing Counsel Should Not Be Sanctioned

2005-08-26

WilmerHale recently achieved an extraordinary result for its client, Shell Oil Company, in a Ninth Circuit appeal from the dismissal of an attempt to enforce a half-billion dollar Nicaraguan court judgment against Shell and several other companies. The firm sought sanctions against counsel for the plaintiffs-appellants for filing a frivolous appeal and making demonstrably false claims to the court.

Two days before the argument in July, the plaintiff-appellants unconditionally withdrew their appeal. In August, the court issued an extraordinary order—each of the five lawyers for plaintiffs-appellants who signed the papers and their two law firms were ordered separately to show cause why they should not be required to bear Shell's fees and those of their co-appellees on appeal, be suspended or disbarred, or otherwise sanctioned. The court reserved the right, at the conclusion of the proceedings, to refer the case to the district court for further consideration and imposition of sanctions. The sanctions issue is now fully briefed and awaiting final decision by the court.

The team of WilmerHale lawyers who generated the proof of the other side's falsehoods and briefed the sanctions motions were: David Ogden, [Thomas Connell](#), [Jennifer O'Connor](#), Ethan Shenkman, Alison Nathan, David O'Neil, Leondra Kruger and Paige Kremser.