

# Appellate

Cozen O'Connor represents clients in federal and state appellate courts throughout the country, including state supreme courts, the thirteen federal circuit courts, and the U.S. Supreme Court. We provide valuable assistance to clients at all stages of litigation, during and prior to trial, pre- and post-verdict, and throughout the appeals process. The firm's attorneys have successfully handled appellate matters in such diverse legal areas as contract law, business torts, class actions, medical device and drug litigation, toxic torts, intellectual property, insurance coverage, subrogation, professional liability, securities, labor and employment, health law, and white collar crime.

The firm's front-line appellate advocates use their skills to ensure the best possible outcome on appeal. During trial, they work closely with lead trial counsel to frame issues; ensure that the record is properly developed and protected; and identify the best factual and legal arguments for any appeal. After the close of trial, appellate attorneys provide an integrated analysis of the trial record and relevant case law; write persuasive briefs and appellate documents; and advocate in court before appellate judges and panels. What differentiates Cozen O'Connor's appellate lawyers is their deep understanding of the trial process, ability to conduct sophisticated analyses of pertinent legal theories that will be compelling to an appellate court, and commitment to providing practical, business-minded counsel.

Cozen O'Connor's appellate team includes more than 50 attorneys around the country with deep post-trial experience. They have collectively handled hundreds of appellate matters, served in prestigious judicial clerkships, authored law review articles, served on law review editorial boards, and participated in numerous court-related committees. This level of professional and academic activity means that our attorneys are particularly well informed about current trends in the appellate field and are able to offer clients prescient strategic advice.

## SERVICE AREAS

- Advise trial counsel prior to and during trial to ensure the proper identification and preservation of appellate issues
- Handle all types of appellate matters, even in cases where the firm had no prior involvement at trial
- Analyze the trial record, supporting documents, and relevant law in order to develop appellate strategies to ensure the presentation of the most compelling legal arguments to an appellate court
- Prepare comprehensive and persuasive appellate briefs and other appellate documents
- Present oral arguments in appellate courts before individual judges or judicial panels

## Experience

Represented a school district board and administrators in a lawsuit filed in federal court, obtaining dismissal with prejudice of complaints arising out of a student's special education asserted under the American with Disabilities Act and the Civil Rights Act and successfully defended the dismissal in the Court of Appeals for the 7th Circuit.

Served as part of the team of attorneys representing an association of approximately 3,500 retirees, in pursuit of their bankruptcy claims in one of the largest bankruptcies of its kind. The representation included proceedings before the bankruptcy and district courts, the 7th Circuit Court of Appeals, and the U.S. Supreme Court. Our representation resulted in a substantial extension of pension and insurance benefits for our clients.

Successfully represented the Southeastern Pennsylvania Transportation Authority (SEPTA) before the



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## Related Practice Areas

- Commercial Litigation
- Litigation

Pennsylvania Supreme Court, defeating an effort to overturn the statutory damages cap that limits recovery against state agencies to \$250,000. Responding to the plaintiffs' King's Bench petition, the Cozen O'Connor team argued that the extraordinary relief sought was improper and that the plaintiffs' arguments regarding potential changes to the sovereign immunity statute were inappropriately directed to the Court, rather than to the legislature.

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