

APPELLATE HOT LIST



A SPECIAL REPORT

We've identified 20 firms with outstanding achievements before the U.S. Supreme Court, federal circuit courts and state courts of last resort. The range of matters they handled were vast—from same-sex marriage to big-bank class actions to intellectual property battles. We asked our readers to nominate firms with at least one significant appellate win since January 2013 and with an impressive track record overall. To settle upon the firms listed below, we supplemented that material with our own reporting.

JENNER & BLOCK

APPELLATE HOT LIST



PAUL SMITH

Jenner & Block

represented television broadcasters in a high-profile battle against online streaming service Aereo Inc.

As the New York Times put it, the case “threatened to upend the media industry and transform the way people watch television.”

In June, the Supreme Court in a 6-3 decision in *American Broadcasting*

v. Aereo backed the broadcasters, ruling that Aereo’s retransmission of copyrighted over-the-air television programming without broadcaster authorization violates copyright laws.

“Paul Smith did great work for 21st Century Fox in the Aereo litigation, not only in developing the strongest arguments with [Jenner partner] Rick Stone in the district court and court of appeals, but effectively partnering with Paul Clement in the Supreme Court on behalf of the networks,” said News Corp. general counsel Gerson Zweifach.

The Jenner team continues to be involved in the case on remand, where

a series of new issues have been raised.

Firm lawyers in 2014 also won a unanimous decision before the high court in *Law v. Siegel*, a pro bono bankruptcy case. Representing homeowner Stephen Law, who filed for Chapter 7 bankruptcy, Jenner partner Matthew Hellman successfully argued that the bankruptcy court exceeded its authority when it ruled Law’s exempt assets could be used to pay the trustee’s legal fees. The holding is “pretty significant in the bankruptcy community,” Smith said. “This issue seems to come up a lot.”

Another Jenner victory was on behalf of the City of New York, which sued Exxon Mobil Corp. for contaminating city-owned wells with a gasoline additive. The U.S. Court of Appeals for the Second Circuit in July 2013 upheld a \$105 million judgment, and the Supreme Court denied certiorari in April.

Firm lawyers also teamed up with the American Civil Liberties Union and Lambda Legal to successfully challenge Virginia’s constitutional ban on gay marriage. In July, the Fourth Circuit affirmed a district court ruling striking down the ban.

—JENNA GREENE

Long known for their communications and media law expertise, appellate lawyers at Jenner & Block have racked up major wins in the area but also scored victories in cases ranging from bankruptcy to environmental contamination to marriage equality.

“For us, one hallmark is that we’re really good at teaming with the lawyers who worked in the lower courts, and adding their value to ours as appellate lawyers,” said Paul Smith, chairman of the firm’s dozen-lawyer appellate and U.S. Supreme Court practice.

Working with co-counsel Paul Clement at Bancroft, Jenner lawyers