

# Author Biographies

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## Ch. 1 U.S. Supreme Court

*By David C. Frederick, Christopher J. Walker & David M. Burke*

David C. Frederick is a partner at Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C., in Washington, D.C. While serving in the Office of the Solicitor General (1996–2001) and in private practice (2001–present), he has argued 37 cases in the Supreme Court and briefed hundreds of cases. Mr. Frederick graduated from the University of Texas School of Law (J.D.), Oxford University (D. Phil.), and the University of Pittsburgh (A.B.). He clerked for Supreme Court Justice Byron R. White and Ninth Circuit Judge Joseph T. Sneed. He is the author of *Supreme Court and Appellate Advocacy* (West 2d ed. 2010), among other books and articles.

Christopher J. Walker is an associate at Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C., in Washington, D.C. Before joining the firm, he clerked for Supreme Court Justice Anthony M. Kennedy and Ninth Circuit Chief Judge Alex Kozinski. Mr. Walker also worked on a wide range of appellate and constitutional issues during his tenure at the U.S. Department of Justice on the Civil Division's Appellate Staff—the office primarily responsible for assisting the Solicitor General in civil appeals before the Supreme Court. He graduated from Stanford Law School (J.D.), Harvard's Kennedy School of Government (M. Public Policy), and Brigham Young University (B.A.). In Fall 2012, Mr. Walker will be joining the Moritz College of Law at the Ohio State University as an assistant professor of law.

David M. Burke is a paralegal at Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C., in Washington, D.C. While serving in the Office of the Solicitor General (1992–1998) and in private practice, he has been responsible for coordinating the filing of hundreds of Supreme Court certiorari petitions, briefs in opposition, and merits briefs. Mr. Burke graduated from the University of Missouri–Kansas City (B.A.) and, after completing his third year as a visiting student at the George Washington University National Law Center, graduated from the University of Missouri–Kansas City School of Law (J.D.). He is a member of the Virginia State Bar.

## **Ch. 2 First Circuit**

*By Richard L. Neumeier*

Richard L. Neumeier is a partner in the Boston office of Morrison Mahoney LLP. He is a fellow in the American Academy of Appellate Lawyers. He is a former chair of the ABA TIPS Appellate Advocacy Committee, former chair of the MBA Appellate Litigation Committee, former chair of the Boston Bar Association Appellate Litigation Committee, former member of the DRI Appellate Advocacy Steering Committee, and a former member of the ABA Council of Appellate Lawyers Executive Committee. He has handled well over 100 appeals in both state and federal courts. In 2010, he was appointed an adjunct professor in Appellate Advocacy by Northwestern School of Law.

## **Ch. 3 Second Circuit**

*By Thomas J. Donlon*

Thomas Donlon is counsel at Robinson & Cole and a member of the firm's appellate team. He has represented clients in various appellate courts, both state and federal, across the country, including numerous cases before the Second Circuit. Previously, while on active duty with the U.S. Coast Guard, he was the Senior Appellate Government Counsel, responsible for all Coast Guard appeals, including the first military case directly appealed to the U.S. Supreme Court. Mr. Donlon presently serves as the co-chair of the ABA Appellate Practice Committee and is a member of the Council of Appellate Lawyers.

## **Ch. 4 Third Circuit**

*By Nancy Winkelman & Joseph J. Langkamer*

Nancy Winkelman is a partner with Schnader Harrison Segal & Lewis LLP, where she co-chairs the Firm's Litigation Department. Ms. Winkelman is a fellow and director of the American Academy of Appellate Lawyers. She is an adjunct professor of appellate advocacy at the University of Pennsylvania School of Law and an elected member of the American Law Institute. She is the co-founder and first president of the Third Circuit Bar Association, and the co-editor and a chapter author of the *Third Circuit Appellate Practice Manual* (PBI, zd ed. 2010). Ms. Winkelman has been recognized annually in *The Best Lawyers in America*<sup>®</sup> (Copyright 2010 by Woodward/White, Inc., of Aiken, S.C.) in the field of appellate law, 2006–2011; *Pennsylvania Super Lawyers* in appellate law, 2004–2011; and Top 50 “Super Lawyer” women attorneys in Pennsylvania, 2005–2011.

Joseph Langkamer is an associate in the Litigation Department of Schnader Harrison Segal & Lewis LLP. He has worked on various appeals in the Third Circuit and other appellate courts during his time at the firm. Prior to joining Schnader, he served as a law clerk to the Honorable D. Michael Fisher in the U.S. Court of Appeals for the Third Circuit.

He was also an intern to the Honorable Louis H. Pollak in the U.S. District Court for the Eastern District of Pennsylvania.

## **Ch. 5 Fourth Circuit**

*By E. Duncan Getchell & Terrance Jones*

E. Duncan Getchell, Jr. is the solicitor general of Virginia. He is a retired partner at McGuireWoods L.L.P., where he was the chair of the appellate practice group. He is a fellow of the American Academy of Appellate Lawyers, an elected member of the American Law Institute, and a permanent member of the Fourth Circuit Judicial Conference. He was an invited participant at the 2005 National Conference on Appellate Justice and has served as an adjunct professor at the Marshall Wythe School of Law of the College of William and Mary, as well as at the Regent University School of Law. As a captain in the U.S. Air Force he was detached to the Office of the General Counsel, Secretary of the Air Force in the Air Force Honors Program. He has participated in over 150 appeals, conducting the merits argument in 79, including two in the Supreme Court and 29 in the Fourth Circuit. In 2007, President George W. Bush nominated him to the U.S. Court of Appeals for the Fourth Circuit.

Terrance Jones is a third-year law student at the Liberty University School of Law focusing on business and tax law. He is co-chair of the LUSOL Volunteer Income Tax Assistance Clinic and a member of the Alternative Dispute Resolution Board. Prior to law school, Mr. Jones earned a bachelor of liberal arts degree, *cum laude*, from the University of Richmond while supervising a group of operations specialists in the retirement accounts back-office of the third largest full-service brokerage firm in the country. He currently resides in Lynchburg, Virginia with his wife, Danielle, and their two children, Grace and Jackson.

## **Ch. 6 Fifth Circuit**

*By Dana Livingston*

Dana Livingston is a partner in the Austin office of the appellate boutique Alexander Dubose & Townsend LLP. She is a former law clerk for the U.S. Court of Appeals for the Fifth Circuit and a former staff attorney for the Supreme Court of Texas. Ms. Livingston is board certified in civil appellate law by the Texas Board of Legal Specialization and served for six years as a member of that board's Civil Appellate Law Examination Commission. Ms. Livingston also taught appellate advocacy as an adjunct professor of law at the University of Texas School of Law for many years. Ms. Livingston has been selected by her peers for inclusion in *The Best Lawyers in America*<sup>®</sup> (Copyright by Woodward/White, Inc., of Aiken, S.C.) in the field of appellate law and in *Texas Super Lawyers*, and regularly speaks and authors articles on appellate practice.

## **Ch. 7 Sixth Circuit**

*By Mary Massaron Ross & Hilary A. Ballentine*

Mary Massaron Ross currently serves as president-elect of DRI. In addition to being a recognized leader of the defense bar, Mary's advocacy and leadership skills as an appellate lawyer have been recognized throughout the country. She is a fellow in the American Academy of Appellate Lawyers, and has served as chair of DRI's Appellate Advocacy Committee, the Appellate Practice Section of the State Bar of Michigan, the ABA Council of Appellate Lawyers (CAL), a division of the Appellate Judges Conference, and the ABA TIPS Appellate Advocacy Committee. She serves as co-chair of the Michigan Appellate Bench Bar Conference Foundation, an organization of Michigan appellate judges and lawyers. She has handled hundreds of appellate matters before state and federal appellate courts throughout the Midwest.

Hilary A. Ballentine is an attorney with Plunkett Cooney in Detroit, Michigan, and concentrates her practice in appellate law. She has handled numerous appeals in the Michigan state appellate courts as well as in the Sixth Circuit. Ms. Ballentine is a member of the Board of Directors of the Michigan Defense Trial Counsel and also serves as co-chair of its amicus committee. She has also authored several publications. She has been named a Rising Star in appellate practice by *Michigan Super Lawyers*. Ms. Ballentine is a *magna cum laude* graduate from the University of Detroit Mercy School of Law, where she now sits as a barrister on the School of Law's American Inn of Court program.

## **Ch. 8 Seventh Circuit**

*By Stephen E. Arthur*

Stephen E. Arthur is an Indiana practitioner, a member and officer of the American Board of Trial Advocates, a certified civil trial advocate by the National Board of Trial Advocacy, and Indiana chair of the Seventh Circuit Bar Association's Committee on Rules and Practice. Mr. Arthur is a contributing author to *The Attorney's Guide to the Seventh Circuit Court of Appeals*, and author of *Harvey's Rules of Procedure Annotated*, *Arthur's Civil Trial Practice*, and the *Indiana Civil Trial Rule Handbook*.

## **Ch. 9 Eighth Circuit**

*By Aaron Van Oort*

Aaron Van Oort is co-chair of Faegre Baker Daniels LLP's appellate advocacy practice. Listed by both *Chambers USA: America's Leading Lawyers for Business* and *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.) in the field of appellate law, he represents clients nationally on appeal and joins litigation and trial teams in complex, high-stakes litigation. Mr. Van Oort has handled appeals across the country and has argued in the Seventh, Eighth, Ninth, and Federal Circuits, as well as in various

state appellate courts. Before joining Faegre & Benson, Mr. Van Oort clerked for Justice Antonin Scalia at the U.S. Supreme Court and Chief Judge Richard Posner at the U.S. Court of Appeals for the Seventh Circuit.

## **Ch. 10 Ninth Circuit**

*By Paul D. Fogel & Raymond A. Cardozo*

Paul D. Fogel is a partner in the appellate group at Reed Smith LLP; he re-joined Reed Smith in October 2011 after serving as a judge on the Alameda County Superior Court for approximately two years. Mr. Fogel has been an appellate specialist for more than 30 years and was among the first group of California State Bar-certified specialists in appellate law. He is a fellow in the American Academy of Appellate Lawyers and a former president of the California Academy of Appellate Lawyers. He served as a member of the California Appellate Rules Task Force, which drafted the first major overhaul of the California appellate rules since the 1940s, the California Judicial Council's Appellate Advisory Committee, and the Ninth Circuit Committee on Rules and Internal Operating Practices. He also served as a senior attorney for California Supreme Court Chief Justice Rose Elizabeth Bird. Mr. Fogel is the author of numerous articles and book chapters on appellate practice and serves as an adjunct lecturer in appellate advocacy at the University of California, Berkeley, School of Law.

Raymond A. Cardozo is a partner at Reed Smith LLP in San Francisco, where he is the practice group leader of the firm's appellate group. He is a fellow in the American Academy of Appellate Lawyers, a member of the California Academy of Appellate Lawyers and a certified specialist in appellate law. He serves on the California State Bar's Committee on Appellate Courts and regularly authors articles, book chapters, and other publications and lectures frequently on appellate practice.

## **Ch. 11 Tenth Circuit**

*By Gregory J. Kerwin & K. Casey Lewis*

Greg Kerwin handles complex commercial disputes in trial and appellate courts in securities, antitrust, and business tort and contract disputes. He has argued and briefed many cases in the Tenth Circuit, Ninth Circuit, and Colorado appellate courts, and served as trial counsel in more than 20 complex jury trials, bench trials, and arbitrations. Greg served as chairman of the Board of the Tenth Circuit Historical Society (2010-11). He graduated *magna cum laude* from Duke Law School in 1984, and served as Editor-in-Chief of the *Duke Law Journal*. He worked as a law clerk for Tenth Circuit Judge James K. Logan from 1984 to 1985. He is a partner in the Denver office of Gibson, Dunn & Crutcher LLP.

Casey Lewis worked as an associate attorney in the Denver office of Gibson, Dunn & Crutcher LLP. She handles complex civil litigation matters relating to securities, antitrust, and general commercial disputes. She has served as trial counsel for cases at the district

court level, as well as worked on and briefed cases in the Tenth Circuit and Colorado appellate courts. She graduated *summa cum laude* from the University of Arizona College of Law in 2003, and served as an editor of the *Arizona Law Review*.

## **Ch. 12 Eleventh Circuit**

*By Marie Tomassi*

Marie Tomassi is Florida Bar Board Certified in appellate practice, with extensive experience handling appeals in both federal and state court in diverse areas of the law. She has appeared as lead appellate counsel in numerous published opinions, including cases of first impression in the Eleventh Circuit and in Florida courts of appeal and the Florida Supreme Court. After graduating first in her law school class *summa cum laude*, Marie joined Trenam Kemker in 1988 and became a partner in 1995. She leads the appellate practice group, serves on the firm's three-person management committee and continues to handle ERISA and complex civil litigation matters as well.

## **Ch. 13 D.C. Circuit**

*By Scott H. Angstreich & Andrew S. Oldham*

Scott Angstreich is a partner at Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C., in Washington, D.C., where he practices appellate and administrative law, with a focus on telecommunications. He has argued 10 cases before the D.C. Circuit, as well as cases before the U.S. Supreme Court, nine other circuit courts of appeals, and two state Supreme Courts. He is a member of the D.C. Circuit's Advisory Committee on Procedures. Mr. Angstreich is a graduate of Harvard Law School, Oxford University (M. Phil.), and Princeton University (A.B.). He clerked for Judge Douglas H. Ginsburg at the D.C. Circuit.

Andrew Oldham is an associate at Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C., in Washington, D.C., where he primarily practices appellate law. Before joining the firm, he clerked for Justice Samuel A. Alito at the U.S. Supreme Court and Judge David B. Sentelle at the D.C. Circuit. Mr. Oldham worked on a wide range of appellate and constitutional issues during his two-year tenure in the Office of Legal Counsel at the U.S. Department of Justice. He is a graduate of Harvard Law School, Cambridge University (M. Phil.), and the University of Virginia (B.A.).

## **Ch. 14 Federal Circuit**

*By Jerrold J. Ganzfried & John F. Stanton*

Jerry Ganzfried, a partner in the Washington, D.C. office of Holland & Knight, is a member of the firm's appellate and litigation practice groups. He graduated with honors from Yale, where he was an editor of the *Yale Daily News* and majored in History, the Arts and Letters.

During law school, he was President of the *Stanford Law Review*. After graduation, he clerked for Chief Judge Irving R. Kaufman on the Second Circuit. As Assistant to the Solicitor General at the U.S. Department of Justice, he argued 15 cases in the U.S. Supreme Court. In private practice, he has continued to be active in Supreme Court proceedings and has litigated appeals in federal and state courts nationwide. A founding member of the Executive Board of the Council of Appellate Lawyers, Jerry was CAL's chair in 2010–2011. Among other honors, he is an elected fellow of the American Academy of Appellate Lawyers.

John F. Stanton is Senior Counsel at the Washington, D.C. office of Holland & Knight and is a member of the firm's appellate and litigation groups. He has extensive experience in appellate advocacy in federal and state courts nationwide, including in the Federal Circuit. He received a B.A. from Dartmouth College, and a J.D. *cum laude* from the Georgetown University Law Center. He also served as a law clerk for Judge Nathaniel Jones on the U.S. Court of Appeals for the Sixth Circuit.

## **Ch. 15 U.S. Court of Appeals for the Armed Forces and the Military Service Appellate Courts**

*By Brian K. Keller*

Brian K. Keller is an attorney for the Department of the Navy Judge Advocate General's Corps. He served previously as a Marine Corps Judge Advocate, where he was an appellate litigator and served as a legal advisor to Marine Corps and joint commands overseas and during deployment to Afghanistan.

## **Ch. 16 Alabama**

*By Matthew H. Lembke & Marc James Ayers*

Matt Lembke has over 17 years' experience handling appeals in state and federal courts, including having argued cases in the Alabama Supreme Court and the D.C., Fifth, and Eleventh Circuits. Matt joined Bradley Arant Boult Cummings in 1993 after clerking for Justice Anthony Kennedy at the Supreme Court of the United States and Judge J. Harvie Wilkinson III at the U.S. Court of Appeals for the Fourth Circuit. Matt is a fellow in the American Academy of Appellate Lawyers and is listed in *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.), *Alabama Super Lawyers*, and *Benchmark Litigation* in the field of appellate litigation.

Marc James Ayers is a member of Bradley Arant Boult Cummings LLP's appellate litigation group. He has handled numerous appeals in the U.S. Courts of Appeals, the Alabama Supreme Court, the Alabama Court of Civil Appeals, and other state appellate courts, and has also represented clients on petitions for certiorari and amicus curiae briefs to the U.S. Supreme Court. Marc clerked for Alabama Supreme Court Justice J. Gorman

Houston, Jr., and from 2008 to 2010, Marc was elected and served as chair of the Appellate Practice Section of the Alabama State Bar.

## **Ch. 17 Alaska**

*By Susan Orlansky, Jeffrey M. Feldman & Alexander O. Bryner*

Susan Orlansky is a partner in the Anchorage firm of Feldman Orlansky & Sanders. Her practice concentrates on complex litigation and appeals. Before her private practice, she worked from 1981 to 1992 for the Alaska Public Defender Agency, including eight years as supervisor of the statewide appellate section. Before that, she was a staff attorney for the Alaska appellate courts and clerk to the Honorable John Dooling in the Eastern District of New York. She graduated with honors from Reed College and Harvard Law School.

Jeff Feldman is a partner in Feldman Orlansky & Sanders, where he has a trial and appellate practice. He served for 12 years as chair of the Alaska Commission on Judicial Conduct, and also served as a member of the Board of Governors and as president of the Alaska Bar Association. Mr. Feldman is a fellow of the American Academy of Appellate Lawyers and a member of the American Law Institute. He earned a B.A. and J.D. from Northeastern University and served as law clerk to Justice Edmond W. Burke of the Alaska Supreme Court.

Alex Bryner has been an active member of Alaska's legal community for over 40 years. He joined Feldman Orlansky & Sanders in 2008 after serving as a justice of the Alaska Supreme Court from 1997 to 2007. Before that, he was chief judge of the Alaska Court of Appeals (1980–1997), U.S. Attorney for the District of Alaska (1977–1980), a judge on the Alaska District Court in Anchorage (1975–1977), an Assistant Public Defender, and an attorney in private practice. Mr. Bryner received his B.A. with distinction from Stanford University and his J.D. from Stanford University Law School.

## **Ch. 18 Arizona**

*By Bennett Evan Cooper*

Bennett Evan Cooper is a partner in the Phoenix office of Steptoe & Johnson LLP. He is chair of the Appellate Lawyer Representatives to the Ninth Circuit Judicial Conference; past chair of the American Bar Association Council of Appellate Lawyers; and lead author of the *Arizona Trial Handbook* (West). He also serves the State Bar of Arizona as secretary of the Appellate Practice Section and as a member of the *Arizona Appellate Handbook* editorial board and Civil Jury Instructions Committee. He has been listed in The Best Lawyers in America® (Copyright by Woodward/White, Inc. of Aiken, S.C.) in the field of Appellate Law and as one of the Top 50 Arizona *Southwest Super Lawyers*. A former clerk to the Honorable Alex Kozinski of the U.S. Court of Appeals for the Ninth Circuit, Mr. Cooper graduated with honors from Harvard College and Harvard Law School.

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**Ch. 19 Arkansas**

*By Peter G. Kumpe, Jess Askew III & Andrew King*

Peter G. Kumpe is a founding member of Williams & Anderson. A seasoned trial and appellate lawyer, his primary areas of practice are complex and class action litigation. His appellate work has established significant Arkansas precedent involving the Arkansas Unfair Practices Act, tortious interference, and the Arkansas Trade Secrets Act. Mr. Kumpe is a member of the American Law Institute and was chair of the Arkansas Supreme Court Committee on Jury Instructions—Civil from 2000 to 2004.

Jess Askew III is a frequent practitioner before the Arkansas appellate courts and is the author of the Arkansas Appellate Cycle Blog, which draws on his 20 years' experience as an appellate lawyer and his love for bicycling to help explain legal minutiae in Arkansas appeals. He is a contributor to *Handling Appeals in Arkansas*. Mr. Askew began his career as law clerk to the late Honorable Richard Sheppard Arnold of the U.S. Court of Appeals for the Eighth Circuit.

Andrew King has represented business clients in appeals and petitions to the Arkansas Supreme Court, the Arkansas Court of Appeals, the U.S. Supreme Court, the U.S. Court of Appeals for the Eighth Circuit, and the Bankruptcy Appellate Panel for the Eighth Circuit. He frequently assists outside lawyers with cases before Arkansas appellate courts. He has authored works on appellate practice, antitrust, Internet law, and media law. Before joining Williams & Anderson, Mr. King was a law clerk for the Honorable Bobby E. Shepherd of the U.S. Court of Appeals for the Eighth Circuit.

**Ch. 20 California**

*By Curt Cutting, Bradley S. Pauley & Kira L. Klatchko*

Curt Cutting is a partner at Los Angeles-based Horvitz & Levy LLP, the nation's largest firm devoted exclusively to appellate litigation. Mr. Cutting has been lead appellate counsel in civil cases spanning a wide array of subject areas, with a particular focus on business litigation, products liability, and punitive damages. Mr. Cutting was one of the founding members of the ABA's Council of Appellate Lawyers and served on its executive board from 2000 to 2003.

Brad Pauley is a partner at Horvitz & Levy LLP. Mr. Pauley's appellate experience covers a broad range of substantive areas, with a particular emphasis on complex business disputes. He has argued cases before the California Supreme Court and Courts of Appeal. In 2009, the *Los Angeles & San Francisco Daily Journal* honored Mr. Pauley by profiling him in "20 Under 40," which features outstanding California lawyers under the age of 40. Mr. Pauley is a member of the executive committee of the ABA's Council of Appellate Lawyers.

Kira L. Klatchko is an attorney with Best Best & Krieger, LLP in Southern California. She is an appellate law specialist, certified by the State Bar of California Board of Legal Specialization. She handles both state and federal appeals arising from all areas of civil practice, with a focus on public law, business litigation and family disputes. Ms. Klatchko was named to the 2009, 2010, and 2011 list of Super Lawyers Rising Stars for Southern California, in appellate law. In 2009, she was appointed to a three-year term on the State Bar of California's Standing Committee on Appellate Courts.

## **Ch. 21 Colorado**

*By Walter H. Sargent*

Walter H. Sargent is a sole practitioner in Colorado Springs, specializing in civil appeals. He is a graduate of the Massachusetts Institute of Technology, where he received degrees in philosophy and computer science, and Harvard Law School, where he was a John M. Olin Fellow of Law and Economics and recipient of the Olin Prize for outstanding writing in law and economics. Mr. Sargent is a past chair of the Appellate Practice Committee of the ABA's Section of Litigation, a co-founder of the Colorado Bar Association's Appellate Practice Subcommittee, and a fellow of the American Academy of Appellate Lawyers.

## **Ch. 22 Connecticut**

*By Linda L. Morkan & Jeffrey J. White*

Linda L. Morkan, a fellow of the American Academy of Appellate Lawyers, maintains a litigation practice dedicated to appellate advocacy. Ms. Morkan has been involved in more than 150 appeals before the Connecticut Supreme and Appellate Courts, the Rhode Island Supreme Court, the Supreme Judicial and Appeals Court of Massachusetts, the New York Court of Appeals, the U.S. Courts of Appeals for the First, Second, Fifth, Eighth, and D.C. Circuits, and the Supreme Court. Ms. Morkan received her J.D., with honors, from the University of Connecticut School of Law.

Jeffrey J. White is the chair of Robinson & Cole's Appellate Practice Group. Mr. White has successively argued appeals before the Connecticut Supreme and Appellate Courts. In addition, he has handled appeals in other federal and state appellate courts, including the United States Supreme Court, the U.S. Court of Appeals for the Second Circuit, the U.S. Court of Appeals for the Fifth Circuit, and the Massachusetts Appeals Court. Prior to joining Robinson & Cole, Mr. White clerked for the Honorable Ellen Ash Peters, retired Connecticut Supreme Court chief justice, at the Connecticut Appellate Court.

**Ch. 23 Delaware**

*By Andrea C. Rodgers*

Andrea C. Rodgers is a litigation associate at Elzufon Austin Reardon Tarlov & Mondell, P.A. in Wilmington, Delaware. She is admitted to the Bars of Delaware, the District of Delaware and Pennsylvania. Andrea graduated from Widener University School of Law *magna cum laude*, where she competed in Moot Court Honor Society and was a staff member of the *Delaware Journal of Corporate Law*. Following law school, Andrea served as law clerk to President Judge Henry duPont Ridgely of the Delaware Superior Court and the subsequent year, was law clerk to Justice Jack B. Jacobs of the Delaware Supreme Court. She presently serves on the Supreme Court Rules Committee.

**Ch. 24 District of Columbia Court of Appeals**

*By David Tedhams*

David Tedhams is a member of the Pennsylvania, Maryland, and D.C. bars and was in private practice before serving as a member of the D.C. Court of Appeals' legal staff for 13 years. Mr. Tedhams was also an adjunct faculty member at Georgetown University's School of Continuing Studies; was a regular speaker for the D.C. Bar; and is the editor of the *Appellate Practice Manual for the D.C. Court of Appeals*. In 2010, he emigrated to Australia and was appointed Deputy Registrar (Legal) for the Court of Appeal of the Supreme Court of Victoria in Melbourne.

**Ch. 25 Florida**

*By Robert E. Biasotti & Dean A. Morande*

Robert E. Biasotti is a shareholder with Carlton Fields in St. Petersburg, Florida. He is board certified by the Florida Bar in appellate practice and has handled over 150 appeals in the Florida Supreme Court, Florida's District Courts of Appeal, and the Eleventh Circuit. He is a member of the ABA Judicial Division Council of Appellate Lawyers, and served as a member of CAL's Executive Board of from 2004 to 2006. He was a member of the Florida Bar Appellate Rules Committee from 2001 to 2007, and teaches appellate practice as an adjunct professor at Stetson University College of Law in Gulfport, Florida.

Dean A. Morande is a member of Carlton Fields, P.A.'s Appellate Practice and Trial Support Group. Mr. Morande is board certified as a specialist in Appellate Practice by The Florida Bar. Prior to joining Carlton Fields, Mr. Morande clerked for The Honorable Edward E. Carnes, United States Court of Appeals for the Eleventh Circuit. Mr. Morande graduated with highest honors from the Florida State University College of Law.

## Ch. 26 Georgia

*By Laurie Webb Daniel & Leland H. Kynes*

Laurie Webb Daniel is chair of Holland & Knight's Appellate Team. Based in Atlanta, she has appeared in appellate courts nationwide, including the U.S. Supreme Court. Ms. Daniel has served twice as chair of the ABA's Standing Committee on Amicus Curiae Briefs, and was part of the ABA's "reading group" that vetted the writings of Supreme Court nominee, now Justice, Sonia Sotomayor. She is listed in *The Best Lawyers in America*<sup>®</sup> Law (Copyright by Woodward/White, Inc., of Aiken, S.C.) in the fields of Appellate, Bet-the-Company, and Commercial Litigation; in *Chambers USA: America's Leading Lawyers for Business* for Appellate and Commercial Litigation; and in the American Academy of Appellate Lawyers' roster of members.

Leland H. Kynes is part of Holland & Knight's Appellate Team, and formerly was a law clerk to the Honorable Charles R. Wilson of the U.S. Court of Appeals for the Eleventh Circuit. In law school, Mr. Kynes was elected to the Order of the Coif, was executive editor of the *Georgia Journal of International and Comparative Law*, and served as president of the Christian Legal Society. In the community, Mr. Kynes serves on the board of directors of the Georgia Law Center for the Homeless, where he worked as a paralegal prior to law school.

## Ch. 27 Hawaii

*By Paul Alston, Laura Moritz & Shellie K. Park-Hoapili*

Paul Alston is a founder of Alston Hunt Floyd & Ing in Honolulu, Hawai'i. His practice focuses on complex commercial disputes. He is both a certified civil trial specialist and the only Hawai'i member of the American Academy of Appellate Lawyers. He is listed in *The Best Lawyers in America*<sup>®</sup> Law (Copyright by Woodward/White, Inc., of Aiken, S.C.) in six categories, including Bet-the-Company litigation, Appellate Law, and Commercial Litigation. He is also listed in *Chambers USA: America's Leading Lawyers for Business* in Commercial Litigation. He was president of the Hawai'i State Bar Association in 1990–1991.

Laura Moritz is an associate with Alston Hunt Floyd & Ing. Ms. Moritz began her litigation practice in California in 1996 before she joined the law firm in 2003. Her practice focuses on business and real estate litigation issues.

Shellie Park-Hoapili is an associate with Alston Hunt Floyd & Ing. After law school, she clerked for the Honorable Paula A. Nakayama, Associate Justice of the Hawai'i Supreme Court. Following her clerkship in 2005, Ms. Park-Hoapili joined the firm. Her practice focuses on business and real estate litigation, and employee benefits.

**Ch. 28 Idaho**

*By C. Timothy Hopkins & Sean J. Coletti*

Tim Hopkins is a native of Idaho, and senior partner at Hopkins Roden Crockett Hansen & Hoopes, PLLC, with offices in Idaho Falls and Boise. He has argued some of Idaho's most prominent public law cases, and appears regularly in its appellate courts. He has written and lectured on matters of appellate law, served on the Idaho Supreme Court Appellate Rules Committee and is a member of the American Academy of Appellate Lawyers. Hopkins is a past president of the Idaho State Bar, currently a member of the American Bar Association Board of Governors, and former chair of its Standing Committee on the Federal Judiciary. He is a graduate of Stanford University and George Washington Law School.

Sean Coletti grew up in Utah and Idaho. He received his law degree in 2005 from the University of Connecticut School of Law where he served as executive editor of the *Connecticut Law Review*. After law school, Sean served as a judicial clerk for the Idaho Fifth Judicial District and for the High Court of American Samoa. He is currently an associate with the law firm of Hopkins Rodend Crockett Hansen & Hoopes, PLLC, where he focuses on real property and commercial litigation. He is a member of the J. Reuben Clark Law Society, Idaho State Bar, American Samoa Bar Association and American Bar Association, and serves on the City Council for the City of Ammon, Idaho. In 2011, Sean was recognized with the Distinguished Under 40 award from the Greater Idaho Falls Chamber of Commerce.

**Ch. 29 Illinois**

*By Melissa A. Murphy-Petros*

Melissa A. Murphy-Petros is co-chair of the national appellate practice group at Wilson Elser Moskowitz Edelman & Dicker LLP. She is a partner in the firm's Chicago office, and concentrates her practice in post-trial and appellate litigation nationwide. Melissa has litigated hundreds of appeals in state and federal reviewing courts across the country and her work spans a variety of Wilson Elser's practice areas, with particular emphasis on liability and property insurance coverage, commercial litigation, and casualty defense. She graduated from Indiana University, the University of Notre Dame, and Loyola University Chicago School of Law.

## **Ch. 30 Indiana**

*By Jon Laramore*

Jon Laramore is co-leader of the appellate litigation practice at Faegre Baker Daniels LLP in Indianapolis, appearing regularly in state and federal appellate courts. He has argued one case in the U.S. Supreme Court. Before joining Faegre Baker Daniels he held government positions including chief counsel to two Indiana governors and special counsel to two Indiana attorneys general. He is a member of the American Academy of Appellate Lawyers and past chair of the Appellate Practice Section of the Indiana State Bar Association, where he initiated the award-winning Appellate Pro Bono Project. He graduated from Princeton University and Harvard Law School.

## **Ch. 31 Iowa**

*By Michael J. Streit*

Former Iowa Supreme Court Justice Michael Streit is a member of Ahlers & Cooney in its Litigation, Dispute Resolution, and Investigations practice area, where he is involved with complex mediations, arbitrations, and appeals. As a Justice on the Iowa Supreme Court, where he served through 2010, Justice Streit authored over 170 opinions. Streit received his B.A. from the University of Iowa and J.D. from the University of San Diego School of Law, where he served on the law review. Licensed in the Iowa, California, and Nebraska courts, Streit has been in private practice and has served as a trial judge and a judge on the Iowa Court of Appeals. See (<http://www.ahlerslaw.com/attorneys/detail.cfm?id=61>).

## **Ch. 32 Kansas**

*By Stephen M. Kerwick*

Stephen Kerwick has practiced for 30 years in Wichita and handled over 80 reported appeals involving unusual questions of tort law, procedural issues, insurance and workers' compensation, and more routine cases. He advises insurers and commercial clients on automobile, health, and business insurance matters and litigates such cases. Mr. Kerwick enjoys Martindale-Hubbell's highest "AV" rating, is listed in *Missouri-Kansas Super Lawyers* and in *The Best Lawyers in America*® Law (Copyright by Woodward/White, Inc., of Aiken, S.C.). He is also a fellow of the Litigation Counsel of America. He has authored the Kansas chapters of the *Tort Law Desk Reference* and *Superseding and Staying Judgments: A National Compendium*.

**Ch. 33 Kentucky**

*By Griffin Terry Sumner*

Griffin Terry Sumner is a partner in Frost Brown Todd's appellate practice group. As an appellate advocate, Ms. Sumner has briefed and argued cases in various appellate forums, including the Kentucky Supreme Court, the Kentucky Court of Appeals, the Supreme Courts of Georgia and Tennessee, and numerous federal appellate circuits. She has represented clients in a wide variety of appellate matters, including constitutional issues, punitive damages awards, commercial litigation, and insurance coverage claims. Ms. Sumner is the co-author of the legal treatise, *Kentucky Appellate Practice*, and is the co-author of the Kentucky chapter in the ABA's treatise, *Superseding and Staying Judgments: A National Compendium*. She is the chair of the Louisville Bar Association's Appellate Section, the chair-elect of the Kentucky Bar Association's Appellate Advocacy Section, and recently completed two terms on the Executive Board of the ABA's Council of Appellate Lawyers.

**Ch. 34 Louisiana**

*By Raymond P. Ward*

Raymond P. Ward is special counsel for Adams and Reese LLP in New Orleans and a member of the firm's appellate team. He is a member of the DRI Appellate Advocacy Committee, the ABA Council of Appellate Lawyers, the Bar Association of the Fifth Federal Circuit, and Scribes—The American Society of Legal Writers. He is a graduate of the Franciscan University of Steubenville (B.A. 1980) and Loyola University School of Law in New Orleans (J.D. 1990). In his spare time, he edits *The (New) Legal Writer*, a blog devoted to legal writing (<http://raymondward.typepad.com/newlegalwriter/>).

**Ch. 35 Maine**

*By Catherine R. Connors*

Catherine R. Connors is a partner in Pierce Atwood. She has argued over 100 appeals, primarily in the U.S. Courts of Appeals and the Maine Supreme Judicial Court, and is the author of [Maineappeals.com](http://maineappeals.com), a blog about appeals and appellate law in Maine. She is listed in *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.) for Appellate Law and in "Superlawyers.com" for Appellate Law, and is recognized by *Chambers USA: America's Leading Lawyers for Business* for Commercial Litigation. She is a fellow of the American Academy of Appellate Lawyers and the Maine member of the First Circuit Advisory Committee on Rules.

## Ch. 36 Maryland

*By Melvin J. Sykes, C. Christopher Brown, Andrew D. Levy & Gregory P. Care*

Melvin J. Sykes is of counsel at Brown, Goldstein & Levy, LLP, a Baltimore-based firm, and is a legend of the Maryland bar. He is a fellow of both the American Academy of Appellate Lawyers and the American College of Trial Lawyers as well as the American College of Trust and Estate Counsel and is the 2006 recipient of the Lifetime Achievement Award of the Maryland Fellows of the American College of Trial Lawyers. He was also selected by his peers for inclusion in *The Best Lawyers in America*<sup>®</sup> (Copyright by Woodward/White, Inc., of Aiken, S.C.) in the practice area of Appellate Law and was designated by *Best Lawyers* in 2011 as Baltimore's Appellate Lawyer of the Year. Mr. Sykes has argued over 200 cases in Maryland and federal appellate courts.

C. Christopher Brown is a founding partner at Brown, Goldstein & Levy, LLP. He is a fellow of the American College of Trial Lawyers, one of Maryland's "Top 50 Super Lawyers," and a winner of *The Daily Record's* "Leadership in Law" award. Mr. Brown has argued three cases before the U.S. Supreme Court and litigated a series of Voting Rights Act lawsuits that brought the first African American officeholders to many Maryland town and county councils. He is an emeritus professor of law at the University of Maryland School of Law.

Andrew D. Levy is a named partner at Brown, Goldstein & Levy, LLP. He is a fellow of the American College of Trial Lawyers and is listed in *The Best Lawyers in America*<sup>®</sup> (Copyright by Woodward/White, Inc., of Aiken, S.C.) in the fields of White Collar Criminal Defense, Business Litigation, and "Bet the-Company Litigation." His publications include Paul Mark Sandler & Andrew D. Levy, eds., *Appellate Practice for the Maryland Lawyer: State and Federal* (3d ed. & Supp. 2010), and Levy, Hornstein & Weisenberger, *Maryland Evidence Courtroom Manual* (LexisNexis) (updated annually). Mr. Levy is a long-time member of the University of Maryland School of Law's adjunct faculty where his courses include Torts, Criminal Law, and Evidence.

Gregory P. Care is an associate at Brown, Goldstein & Levy, LLP. He clerked for the Honorable Glenn T. Harrell, Jr. on the Maryland Court of Appeals and then served as the 2007–2008 Francis D. Murnaghan, Jr. Appellate Advocacy Fellow at the Public Justice Center in Baltimore. Mr. Care's practice includes appeals, disability and other civil rights, and employment litigation.

## Ch. 37 Massachusetts

*By A.W. (Chip) Phinney*

A.W. (Chip) Phinney is a partner in the Boston office of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., where he co-chairs the firm's appellate practice group and is also extensively involved in the firm's securities and shareholder litigation practice. Prior to

joining Mintz Levin, he held positions as counsel to the U.S. Senate Committee on Labor and Human Resources, law clerk to the Honorable John M. Ferren of the D.C. Court of Appeals, and assistant professor of English at Harvard University. He graduated *magna cum laude* from Harvard Law School and also received his B.A. *summa cum laude* from Yale University and his Ph.D. from Princeton University.

## **Ch. 38 Michigan**

*By John J. Bursch & Gaëtan Gerville-Réache*

Since March 2011, John Bursch has served as Michigan's 10th Solicitor General, arguing regularly in the Michigan Supreme Court and three times before the U.S. Supreme Court. Before that, John was a partner at Warner Norcross & Judd LLP, where he founded and chaired the firm's appellate practice and public affairs litigation groups. John is the immediate past-chair of the ABA's Council of Appellate Lawyers, a past co-chair of the ABA Litigation Section's Supreme Court subcommittee, and a past officer of the Michigan State Bar's Appellate Practice Section. In 2010, *Michigan Super Lawyers* named John one of Michigan's "Top 100" attorneys in any practice area, and John has also been listed in *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.) and the Litigation Counsel of America, an honorary society composed of less than one-half of one percent of all American lawyers. John has successfully litigated appeals with more than \$2.25 billion in controversy, and he co-founded the One Court of Justice Blog, the leading Michigan appellate blog, which can be found at <http://www.ocjblog.com>.

Gaëtan Gerville-Réache is a member of the appellate practice group at Warner Norcross & Judd and represents corporations, banks, and domestic and foreign governments in high-stakes appeals and critical motions, both in Michigan and in the federal courts. In 2011, Gaëtan was elected to serve on the Council for the State Bar of Michigan Appellate Practice Section and was elected to the Executive Committee for the ABA Judicial Division's Council of Appellate Lawyers. Gaëtan is a regular contributor to the One Court of Justice Blog, the leading Michigan appellate blog, which can be found at <http://www.ocjblog.com>.

## **Ch. 39 Minnesota**

*By Mary R. Vasaly*

Mary Vasaly is a Minnesota state court trial judge seated in Hennepin County. Before her appointment to the bench, she practiced law for more than 25 years with Maslon Edelman Borman & Brand, LLP, where she was a partner in the litigation group, focusing on commercial litigation and appeals. She has been listed in *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.) and is a fellow of the American Academy of Appellate Lawyers. Active in a wide range of bar organizations, she has served as president of the Hennepin County Bar Association, Minnesota Women Lawyers, and the

Council of Appellate Lawyers in the ABA's Judicial Division. She also has served on the ABA's Amicus Brief Committee, taught appellate practice to law students, and spoken and written frequently on a number of appellate law topics.

## **Ch. 40 Mississippi**

*By Luther T. Munford & R. Gregg Mayer*

Luther T. Munford practices in the Jackson, Mississippi office of Phelps Dunbar, LLP. For the past 20 years he has authored succeeding editions of what is now *Mississippi Appellate Practice* (MLi Press 2010). He currently chairs the Mississippi Code of Judicial Conduct Study Committee. From 1992 to 1998, he served on the Advisory Committee on Appellate Rules to the Judicial Conference of the United States. He has also been a member of the Lawyer Advisory Committee to the U.S. Court of Appeals for the Fifth Circuit. He is a member and past-president of the American Academy of Appellate Lawyers.

R. Gregg Mayer is an associate with Phelps Dunbar LLP, and is a member of the firm's litigation practice group. He received his J.D., *summa cum laude*, from the University of Mississippi School of Law, where he served as editor-in-chief of the *Mississippi Law Journal*. He is a member of the Mississippi and Texas state bars.

## **Ch. 41 Missouri**

*By M. Courtney Koger*

M. Courtney Koger is a partner in the Kansas City office of Kutak Rock LLP. Ms. Koger is a 1991 graduate of Harvard Law School, with her undergraduate degree from Harvard College. A substantial portion of Ms. Koger's practice is appellate. She is licensed in all appellate courts in the states of Missouri and Kansas, as well as in numerous federal circuit courts of appeals and the United States Supreme Court.

## **Ch. 42 Montana**

*By Anthony Johnstone*

Anthony Johnstone is an assistant professor at the University of Montana School of Law. He teaches Constitutional Law, Election Law, and Public Regulation of Business among other courses. He also supervises the Appellate Defender Clinic. Before joining the School of Law, Johnstone served as the Solicitor for the State of Montana. In that position, he advised and represented the state in constitutional and complex litigation at the trial and appellate levels. Johnstone also clerked for the Honorable Sidney R. Thomas, U.S. Court of Appeals for the Ninth Circuit, and practiced litigation as an associate at Cravath, Swaine & Moore in New York, New York. He is admitted to state and federal courts in Montana and New York, the U.S. Court of Appeals for the Ninth Circuit, and the U.S. Supreme Court.

He serves as a member of the Montana Supreme Court's Advisory Commission on Rules of Civil and Appellate Procedure, and is an elected member of the American Law Institute. Johnstone holds a B.A. from Yale University and a J.D. with honors from the University of Chicago Law School.

## Ch. 43 Nebraska

*By David A. Domina & Daniel L. Real*

David A. Domina is a Nebraska trial and appellate lawyer. He practices across Nebraska and has handled about 200 cases to decision on appeal.

Daniel L. Real is a judicial attorney with the Nebraska Court of Appeals and an adjunct faculty member at Creighton University School of Law in Omaha, Nebraska. His prior publications on appellate practice in Nebraska, judicial selection, and judicial decision-making can be located at <http://ssrn.com/author=740380>.

## Ch. 44 Nevada

*By Robert L. Eisenberg, Alice Campos Mercado & Tiffinay B. Pagni*

Robert Eisenberg graduated *magna cum laude* from the University of San Diego School of Law in 1976. He is a member of the bars of Nevada, California, and several federal courts. After serving as a staff attorney and as the supervising staff attorney at the Nevada Supreme Court, Mr. Eisenberg joined his present firm (Lemons, Grundy & Eisenberg) in Reno, Nevada, in 1985. He is a principal shareholder in the firm, and his practice is limited to civil appeals in the Nevada Supreme Court.

Alice Campos Mercado attended Southwestern University School of Law in Los Angeles, California, where she graduated *magna cum laude* in 1991. She was admitted to practice law in California and Nevada in 1992. Court admissions include the Ninth Circuit Court of Appeals and the U.S. District Court of Nevada. Following a judicial clerkship at the Nevada Supreme Court, Ms. Mercado joined Lemons, Grundy & Eisenberg, where she is currently a shareholder. She practices primarily in the areas of employment law, medical malpractice and appeals. Publications include "Changes in the Nevada Rules of Appellate Procedure," *Nevada Law Review*, Spring 1998.

Tiffinay Barker Pagni received her J.D. in 1997 from McGeorge School of Law, University of the Pacific, in Sacramento, California. She was admitted to practice law in Nevada that same year. Court admissions include the Ninth Circuit Court of Appeals and the U.S. District Court of Nevada. Following a federal judicial clerkship with the U.S. District Court of Nevada, Ms. Pagni joined Lemons, Grundy & Eisenberg, where she is currently a shareholder. She practices primarily in the areas of civil litigation, insurance defense, and appeals.

## Ch. 45 New Hampshire

*By Doreen F. Connor*

Doreen F. Connor's practice includes trial and appellate litigation at Wiggin & Nourie, P.A., in Manchester, New Hampshire. During her 25 years with the firm, Ms. Connor has handled more than 120 appeals and presented more than 60 oral arguments before the New Hampshire Supreme Court. Her appellate practice involves appeals from cases tried by her partners and cases referred solely for appellate services. Ms. Connor's appellate practice encompasses domestic relations, negligence and insurance coverage matters. She also represents individuals, business owners, and insurance companies in insurance coverage litigation. She is a fellow of the American Academy of Appellate Lawyers.

## Ch. 46 New Jersey

*By Adrienne Isacoff, Joy Eakley, Kerstin Sundstrom & Rebecca Visvader*

Adrienne L. Isacoff serves as senior counsel in the construction law practice group of Lowenstein Sandler PC, and is a member of the firm's appellate practice group. She received her J.D., *cum laude*, from the Benjamin Cardozo School of Law and is a member of the New Jersey and New York state bars.

Joy N. Eakley is an associate in the Litigation Department of Lowenstein Sandler PC, and is a member of the firm's appellate practice group and employment law practice group. She received her J.D. with high honors from Rutgers University School of Law–Newark and is a member of the New Jersey and New York state bars.

Kerstin M. Sundstrom is an associate in the class action and derivative litigation group of Lowenstein Sandler PC, and is a member of the firm's appellate practice group. She received her J.D., *magna cum laude*, from Seton Hall University School of Law and is a member of the New Jersey state bar.

Rebecca B. Visvader is an associate in the Litigation Department of Lowenstein Sandler PC, and is a member of the firm's business litigation practice group and appellate practice group. She received her J.D., *magna cum laude*, from Seton Hall University School of Law and is a member of the New Jersey and New York State bars.

## Ch. 47 New Mexico

*By Steven L. Tucker, Edward Ricco & Jocelyn Drennan*

Steven L. Tucker is certified as a specialist in appellate practice by the New Mexico Board of Legal Specialization. Since 1973, he has handled numerous civil appeals in the New Mexico appellate courts and the Tenth Circuit in cases arising from a diverse range of subject areas. He was the first chair of the Appellate Practice Section of the New Mexico State Bar and has served as chair of the state's Appellate Rules Committee as well as

the New Mexico Appellate Practice Specialty Committee. Mr. Tucker is a fellow of the American Academy of Appellate Lawyers.

Edward Ricco is a New Mexico Board of Legal Specialization certified specialist in appellate practice. He heads the appellate practice group at the Rodey Law Firm in Albuquerque and has been involved in numerous appeals in a wide variety of substantive areas in the New Mexico appellate courts and the Tenth Circuit. He has served as chair of the Appellate Practice Section of the New Mexico State Bar and the New Mexico Appellate Practice Specialty Committee and currently chairs the state's Appellate Rules Committee. Mr. Ricco is a fellow of the American Academy of Appellate Lawyers.

Jocelyn Drennan is a member of the appellate practice group at the Rodey Law Firm in Albuquerque. Her practice centers on appeals involving a range of procedural and substantive issues in the New Mexico appellate courts and the Tenth Circuit. Ms. Drennan is a past chair of the Appellate Practice Section of the New Mexico State Bar and serves on its board of directors. She also is a member of the board of editors of the *New Mexico Bar Bulletin*.

## **Ch. 48 New York**

***By A. Vincent Buzard, Laura W. Smalley, John A. Mancuso & Norman A. Olch***

Vincent Buzard is a member of Harris Beach PLLC and an appellate lawyer who chairs the firm's appellate litigation & advocacy practice group. Mr. Buzard was president of the New York State Bar Association (2005–2006) and is currently an officer of the Council of Appellate Lawyers of the American Bar Association. Mr. Buzard successfully argues cases in New York's highest court, the Court of Appeals, as well as in the other state appellate courts in New York and in the U.S. Court of Appeals for the Second Circuit. For a list of Mr. Buzard's more significant cases and other biographical information, see (<http://harrisbeach.com/people/a-vincent-buzard>). Mr. Buzard is the author of the appellate practice treatise, *New York Appellate Practice* (Matthew Bender 2010).

Laura W. Smalley is a member of Harris Beach PLLC and practices in the business & commercial litigation, intellectual property, and appellate litigation & advocacy practice groups. Ms. Smalley handles appeals in both New York State and federal appellate courts. Ms. Smalley is a co-author of the appellate practice treatise, *New York Appellate Practice* (Matthew Bender 2010).

John A. Mancuso is an associate of Harris Beach PLLC and practices in the appellate litigation & advocacy practice group. Mr. Mancuso is a co-author of the appellate practice treatise, *New York Appellate Practice* (Matthew Bender 2010).

Norman A. Olch, one of New York's leading appellate lawyers, has successfully briefed and argued numerous civil and criminal cases in the state and federal courts. From 2003 to 2006 he was chair of the Appellate Courts Committee of the New York State Bar

Association, and he sits on the Executive Committee of the American Bar Association's Council of Appellate Lawyers. His peers have selected him a *New York "Super Lawyer"* for appeals in 2006, 2007, 2008, 2009, 2010, and 2011. He teaches constitutional law at the John Jay College of Criminal Justice.

## **Ch. 49 North Carolina**

***By Allison O. Van Laningham, L. Cooper Harrell & Stephen M. Russell, Jr.***

Allison O. Van Laningham is a partner at Smith Moore Leatherwood LLP in Greensboro, North Carolina. Her practice is focused on complex civil litigation and appeals. Allison has been named as a *North Carolina Super Lawyer* (2006–2011) and as one of the “Top 50 Women” attorneys in North Carolina (2007–2011). She is listed in *The Best Lawyers in America*<sup>®</sup> (Copyright 2007 Woodward/White, Inc.) in the fields of Appellate Law, First Amendment Law, Personal Injury Litigation, and Product Liability Litigation. She is a past chair of the Litigation Section of the North Carolina Bar Association. Allison clerked for the Honorable N. Carlton Tilley, Jr. on the U.S. District Court (M.D.N.C.) and for the Honorable Susan H. Black on the U.S. Court of Appeals for the Eleventh Circuit. She graduated from Wake Forest University School of Law (1996) *cum laude* and Order of the Coif.

L. Cooper Harrell is a partner at Smith Moore Leatherwood LLP in Greensboro, North Carolina. His practice is focused on complex business litigation and appeals. Cooper has twice been named a North Carolina Super Lawyer Rising Star by *Law and Politics Magazine*. He serves on the Section Council for the Litigation Section of the North Carolina Bar Association. Cooper clerked for the Honorable James A. Beaty, Jr. on the U.S. District Court (M.D.N.C.). He graduated from the University of North Carolina School of Law (2001) with honors and Order of the Coif.

Stephen M. Russell, Jr. is an associate at Smith Moore Leatherwood LLP in Greensboro, North Carolina. He is a member of the firm's civil litigation and appellate practice groups. He also serves on the Section Council for the Constitutional Rights and Responsibilities Section of the North Carolina Bar Association. Steve has spoken and written about the North Carolina Rules of Appellate Procedure. He clerked for the Honorable Louise W. Flanagan, on the U.S. District Court (E.D.N.C.). Steve graduated from the University of North Carolina School of Law (2006) with high honors and Order of the Coif.

## **Ch. 50 North Dakota**

***By Kristy L. Albrecht & Matthew Kipp***

Kristy Albrecht is an officer at Fredrikson & Byron, P.A. in Fargo, North Dakota. She is a former law clerk to the Honorable David R. Hansen on the U.S. Court of Appeals for the

Eighth Circuit, 1995–1997. Kristy has an active trial and appellate practice in both the federal and the North Dakota and Minnesota state court systems. She also concentrates a significant portion of her practice on providing employment advice and defending companies from employment claims. Kristy earned her J.D. with high honors in 1995 from the University of Iowa College of Law, and is a former adjunct professor at the University of North Dakota School of Law.

Matthew Kipp is an attorney with Dorsey & Whitney LLP. His practice primarily involves advising employers and defending companies from employee claims. Matthew also handles commercial and business litigation, including contract disputes, products liability, and other general business disputes. As an inevitable result of handling numerous litigation matters, he has participated in a number of appeals to various appellate courts. Matthew has been listed as a “future star” in *Benchmark Litigation*. Prior to joining Dorsey & Whitney LLP, he served as a law clerk for the federal and state courts in North Dakota.

## Ch. 51 Ohio

*By Douglas R. Dennis*

Doug Dennis has won many appeals as an attorney with Frost Brown Todd LLC in Cincinnati, Ohio. He co-authored the *Ohio Appellate Practice Handbook* from 2004 to 2008, served as co-chair of the Appellate Subcommittee to the Litigation Section of the Ohio State Bar Association and as chair of the Appellate Committee to the Cincinnati Bar Association. Prior to private practice, Doug clerked at the Ohio Court of Appeals, First Appellate District. Doug is a graduate of the University of Cincinnati School of Law and the United States Military Academy.

## Ch. 52 Oklahoma

*By Harvey D. Ellis, Jr. & Clyde A. Muchmore*

Harvey D. Ellis, Jr. concentrates on appellate litigation in civil disputes, many of which involve constitutional issues. He also consults on a variety of trial litigation matters, particularly for appeal planning. He is listed in *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.) in the field of appellate law. He is co-author of two Oklahoma procedural treatises: *Oklahoma Appellate Practice* and *Oklahoma Civil Procedure Forms-Practice*. He has also authored several legal articles on Oklahoma appellate procedure. He was appointed by the Oklahoma Supreme Court in 1994 to serve on the Oklahoma Supreme Court Committee to assist in revising appellate procedural rules. He graduated in 1982 from the University of Oklahoma College of Law, *secundum cum laude*, with honors.

Clyde A. Muchmore is a director for Crowe & Dunlevy in its Oklahoma City offices. A practitioner for more than 40 years, he specializes in civil litigation, appellate law, media law, and constitutional law. He co-authored *Oklahoma Appellate Practice* and *Oklahoma*

*Civil Procedure Forms-Practice*. He has been a fellow of the American College of Trial Lawyers since 1984, and a member of the American Academy of Appellate Lawyers since 1993. He graduated *magna cum laude* in 1964 from Rice University, and was a member of Phi Beta Kappa. In 1967 he received his J.D. from the University of Oklahoma College of Law, with honors.

## **Ch. 53 Oregon**

*By Thomas W. Sondag & Peter D. Hawkes*

Tom Sondag is a shareholder of Lane Powell PC, where he is chair of the firm's appellate practice group. He has been lead counsel on more than 200 appeals in state and federal courts. He is a fellow of the American Academy of Appellate Lawyers, and an advisory member of the Executive Committee of the Oregon State Bar Appellate Practice Section.

Peter D. Hawkes is a shareholder of Lane Powell PC, and a member of the firm's appellate practice group. He has experience in a wide range of commercial litigation matters, and has significant experience in First Amendment litigation.

## **Ch. 54 Pennsylvania**

*By Robert L. Byer*

Robert L. Byer is head of the appellate division of Duane Morris LLP's trial practice group. Mr. Byer is a former judge of the Pennsylvania Commonwealth Court and Pennsylvania Court of Judicial Discipline. Mr. Byer is a fellow of the American Academy of Appellate Lawyers and a member of the American Law Institute. He is a former member of the Lawyers Advisory Committee of the U.S. Court of Appeals for the Third Circuit and currently serves on the Pennsylvania Supreme Court's Appellate Court Procedural Rules Committee. He also is listed in *The Best Lawyers in America*<sup>®</sup> (Copyright by Woodward/White, Inc., of Aiken, S.C.) in the fields of Appellate and Commercial Litigation and in *Pennsylvania Super Lawyers* (Appellate). *Best Lawyers* also named Mr. Byer 2011 Pittsburgh Appellate Lawyer of the Year. Mr. Byer is the author of a treatise on Pennsylvania civil practice and has authored chapters in the *Third Circuit Appellate Practice Manual* (PBI, 2d ed. 2010) and *A Practitioner's Guide to Appellate Advocacy* (ABA 2010).

## **Ch. 55 Rhode Island**

*By Thomas R. Bender*

Thomas R. Bender, formerly a partner in Hanson Curran LLP in Providence where he focused on civil law and constitutional issues, is presently an Assistant Public Defender in the Appellate Division of the Rhode Island Public Defender. He is a fellow in the American Academy of Appellate Lawyers and his appellate practice and expertise have

been recognized by *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.) since 2008. He has authored numerous law review and bar journal articles and has devoted substantial time to pro bono civil and criminal appeals and amicus briefs.

## **Ch. 56 South Carolina**

*By Charles E. Carpenter, Jr.*

Charles E. Carpenter, Jr. founded the firm of Carpenter Appeals and Trial Support. His law degree is from University of Virginia. He is a fellow and past president of the American Academy of Appellate Lawyers. He is listed in *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.), Martindale-AV, and *South Carolina Super Lawyers*, and is a member of the American Law Institute. He was appointed by the South Carolina Supreme Court to the Board of Law Examiners and Board of Commissioners on Grievances and Discipline. He was an invited delegate to the 2005 National Conference on Appellate Practice and has provided numerous articles and presentations on appellate practice.

## **Ch. 57 South Dakota**

*By Ronald A. Parsons, Jr.*

Ron Parsons is a partner at Johnson, Heidepriem & Abdallah LLP in Sioux Falls, South Dakota. He is a former law clerk to Judge Roger L. Wollman on the U.S. Court of Appeals for the Eighth Circuit, 1997–1998. Ron earned his J.D. in 1997 from the University of South Dakota School of Law and his B.A. from the University of Minnesota in 1994. He has been recognized for his appellate practice in *Chambers USA: America's Leading Lawyers for Business*, *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.), and *South Dakota Super Lawyers—Corporate Counsel Edition*.

## **Ch. 58 Tennessee**

*By George T. Lewis, III*

George T. Lewis III, chair of the appellate practice litigation group at Baker, Donelson, focuses his practice on complex business, personal injury, insurance coverage, Consumer Protection Act, health care, and class action litigation. Mr. Lewis is a former president of the Tennessee Bar Association. In 2006, the Tennessee Judicial Selection Commission recommended Mr. Lewis to the governor for appointment to the Tennessee Supreme Court. He has been listed in *The Best Lawyers in America*® (Copyright by Woodward/White, Inc., of Aiken, S.C.) since 2007 in the area of Appellate Law. In 2007 and 2010, Mr. Lewis was named to the Honor Roll of the American Bar Association Torts and

Insurance Practice Section. From 1980 to 1981, Mr. Lewis clerked for the Honorable Frank Drowota, Tennessee Supreme Court.

## **Ch. 59 Texas**

*By Leane Medford & Robert Dubose*

Leane Capps Medford has significant trial and appellate experience. Her practice concentrates on complex litigation and appeals. She is board certified in civil appellate law by the Texas Board of Legal Specialization and a fellow in the Litigation Counsel of America™. In 2009, *Texas Monthly Magazine* named her one of the “Top 50 Women Attorneys” in Texas. Since 2007, her peers have selected her as a *Texas Super Lawyer*. She is a shareholder of Polsinelli Shugart, PC in Dallas, Texas.

Robert Dubose is a partner in the Houston office of the appellate law firm Alexander Dubose & Townsend, L.L.P. He graduated from Rice University (B.A.) and Harvard Law School (J.D.). Since 1998, Robert has taught appellate-law courses at the University of Houston Law Center, including Appellate Advocacy and Insurance Appeals. He also is the author of the book, *Legal Writing for the Rewired Brain. Persuading Readers in a Paperless World* (Texas Lawyer Books 2010).

## **Ch. 60 Utah**

*By Michael D. Zimmerman, Troy L. Booher, & Katherine Carreau*

Michael D. Zimmerman is a member of the American Academy of Appellate Lawyers and a former Chief Justice of the Utah Supreme Court, where he served as a justice from 1984 to 2000. He received his J.D. from the University of Utah College of Law, and then served as a law clerk for Chief Justice Warren E. Burger of the U.S. Supreme Court. He currently practices at the appellate boutique, Zimmerman Jones Booher LLC. Michael served on the U.S. Judicial Conference’s Advisory Committee on Civil Rules, was special counsel to the governor of the State of Utah, and has taught various courses at the University of Utah College of Law. He is also a Zen Buddhist Sensei.

Troy L. Booher practices at the appellate boutique, Zimmerman Jones Booher LLC, and is cClinical Associate Professor of Law at the University of Utah College of Law, where he received his J.D. and now teaches courses in appellate advocacy and supervises an appellate practice clinic. Troy received his Ph.D. in philosophy from the University of Utah and teaches as an adjunct in the departments of philosophy and political science. He is a past chair of the Appellate Practice Section of the Utah State Bar, has published and speaks on a wide variety of topics, and has handled appeals in nearly every area of law.

Katie Carreau graduated with distinction from the University of Virginia and received her J.D. from the University of Utah College of Law. In law school, Katie was the managing editor of the *Utah Law Review*, received the Dean’s Award, and graduated as a member of

the Order of the Coif. After law school, she served as a law clerk for Chief Justice Christine M. Durham of the Utah Supreme Court. Katie then worked as an appellate attorney at Snell & Wilmer L.L.P. for three years before becoming associate general counsel for the University of Utah.

## **Ch. 61 Vermont**

*By Angela R. Clark*

Angela R. Clark is an attorney with Dinse, Knapp & McAndrew, located in Burlington, Vermont. She joined the firm in September, 2002, and practices exclusively in litigation, with an emphasis on professional malpractice, complex civil litigation, and appeals. Before joining Dinse, Knapp & McAndrew, Ms. Clark spent four years serving as a trial court law clerk in Vermont and Maine.

## **Ch. 62 Virginia**

*By John Charles Thomas & M. Christine Klein*

Hon. John Charles Thomas is a retired justice of the Supreme Court of Virginia; a senior partner at Hunton & Williams LLP; chief of the firm's appellate practice group; a fellow of the American Academy of Appellate Lawyers; a fellow of the Virginia Law Foundation; a former member of the Advisory Committee on the Federal Rules of Appellate Procedure of the Judicial Conference of the United States; and a current member of the advisory committees on rules of court, appellate rules, and e-filing rules of the Supreme Court of Virginia. He is a member of the bars of the Supreme Court of the United States, the Supreme Court of Virginia, and of the U.S. Courts of Appeal for the Fourth, Sixth, Ninth, Tenth, Eleventh, and D.C. Circuits. He has been on briefs of and has argued hundreds of appellate matters. He received his B.A. and his J.D. from the University of Virginia.

M. Christine Klein is counsel and assistant general counsel with Hunton & Williams LLP, and a member of the firm's appellate practice group. She has been involved with appeals on behalf both of parties and of amicus curiae before the U.S. Supreme Court and various federal and state appellate courts. Ms. Klein served as a law clerk for the Honorable Andrew J. Kleinfeld of the U.S. Court of Appeals for the Ninth Circuit. She received her B.A. and J.D. from the University of Virginia, where she was a member of the *Virginia Law Review*.

## **Ch. 63 Washington**

*By Michael B. King & Jason W. Anderson*

Michael King is a principal with the Seattle firm of Carney, Badley Spellman, P.S. Mr. King has represented clients before the Alaska, California, Illinois, Mississippi, Tennessee, and

Washington Supreme Courts, the U.S. Courts of Appeals for the Second, Ninth, and Eleventh Circuits, and the U.S. Supreme Court. Mr. King is a fellow of the American Academy of Appellate Lawyers, and a founding member and past president of the Washington Appellate Lawyers Association. He has chaired the Appellate Advocacy Committee of the Defense Research Institute, and been a member of the Executive Committee of the Council of Appellate Lawyers.

Jason Anderson is also a principal with Carney, Badley Spellman, P.S. and has represented clients before the Washington Court of Appeals, Washington Supreme Court, and the United States Court of Appeals for the Ninth Circuit. He received his law degree *magna cum laude* from Seattle University School of Law and completed a judicial clerkship with the Washington Court of Appeals before beginning practice.

## **Ch. 64 West Virginia**

*By Thomas R. Goodwin, Johnny M. Knisely II & W. Jeffrey Vollmer*

Thomas R. Goodwin is the managing partner of Goodwin & Goodwin, LLP, and is West Virginia's sole member of the American Academy of Appellate Lawyers. He received A.B. and J.D. degrees from West Virginia University, as well as a Master of Laws degree from Harvard University. During the administration of Governor John D. Rockefeller IV, he served as West Virginia's Tax Commissioner and as Executive Assistant to the Governor.

Johnny M. Knisely II is a partner in Goodwin & Goodwin, LLP, and is a graduate of Fairmont State College and the West Virginia University College of Law. Prior to joining the firm, he served for nine years as law clerk to the Honorable K.K. Hall of the U.S. Court of Appeals for the Fourth Circuit.

W. Jeffrey Vollmer is a partner in Goodwin & Goodwin, LLP, and is a graduate of Middlebury College and the Washington and Lee University School of Law. Upon graduation from Washington & Lee, he served as law clerk to the Honorable Joseph R. Goodwin of the U.S. District Court for the Southern District of West Virginia.

## **Ch. 65 Wisconsin**

*By G. Michael Halfenger & William J. Katt, Jr.*

G. Michael Halfenger is a partner in Foley & Larder LLP and chairs its appellate group. He has represented clients regarding matters before the U.S. Supreme Court, the Wisconsin Supreme Court, and many federal and state appellate courts. Mike was the 2010–2011 chair of the State Bar of Wisconsin's Appellate Practice Section Board. Before joining Foley, Mike clerked for the Honorable Frank H. Easterbrook, Circuit Judge, U.S. Court of Appeals for the Seventh Circuit. He is a graduate of the University of Chicago Law School (J.D., with honors) and Lawrence University (B.A., *summa cum laude*).