

## Appeals

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The stakes are exceptionally high in appellate matters, where a case litigated for years can turn based on a brief or two and a few minutes of oral argument. We believe this demands written and oral advocacy at the highest levels of the profession.

Our Appeals team includes accomplished appellate attorneys who have defended hard-fought victories and overturned unfavorable decisions in state and federal appellate courts throughout the country. Many of our appellate lawyers began their legal careers as appellate law clerks, including on the United States Courts of Appeals for the Sixth and D.C. circuits and on the Michigan Supreme Court. We pride ourselves on precise, forceful writing, well-organized and persuasive oral arguments, and mastery of the appellate rules.

Our Appeals team also protects our clients' interests through Friend of the Court amicus briefs. There are cases decided every day that affect an organization's business. We track those cases for our clients, and through amicus briefs, proactively seek out opportunities to have our clients' voices heard and to shape the law in their favor.

### Representative Matters

Represented numerous municipal clients in constitutional class actions at both Michigan Court of Appeals and Michigan Supreme Court.

Represented government-related nonprofit associations in amicus briefs before Michigan Court of Appeals and Michigan Supreme Court in a lawsuit challenging scope of "public body" under Michigan's FOIA.

On behalf of a municipal client, helped persuade the Michigan Supreme Court and Michigan Court of Appeals to uphold a trial court decision prohibiting a plaintiff contractor's non-conforming industrial use of property.

Successfully argued an appeal on behalf of an automotive manufacturer seeking a tax refund from the Department of Treasury.

After obtaining summary dismissal of contract claims brought by campaign volunteers against a former political candidate, we successfully represented the client before the Michigan Court of Appeals, which affirmed the trial court's decision.

After the trial court granted summary disposition and issued an injunction in favor of a homeowners' association against a purchaser, we successfully represented purchaser before the Michigan Court of Appeals, which reversed and remanded.

Represented a Fortune 100 company in a successful appeal of a civil RICO case before the Sixth Circuit en banc panel.

In a very rare *en banc* decision, the Sixth Circuit affirmed the dismissal of a RICO claim against our client for alleged wrongful denial of workers compensation benefits.

Successfully represented a law school in a purported \$300 million class action brought by graduates alleging fraud and violations of the Michigan Consumer Protection Act.

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We successfully represented a turbocharger supplier against a \$50 million warranty claim brought by a large truck manufacturer.

Persuaded the Michigan Supreme court that copies of medical records ordered by attorneys for use in litigation were not covered by the Michigan Consumer Protection Act (MCPA)—an issue of first impression. Plaintiff's class action complaint was summarily dismissed.

The Sixth Circuit affirmed summary judgment for our client on a claim brought under the Ohio intentional-tort statute arising out of a factory accident.

Convinced the Michigan Supreme Court to adopt under Michigan law a rule of criminal procedure that the United States Supreme Court had rejected as a matter of federal law.