



Appellate Practice

Almost every litigation matter carries with it the possibility of an appeal. Strategic thinking about the facts, the law and possible appeal points is needed ahead of time to ensure that cases are handled with an eye toward the final result, which may be reached only after the appeal. Williams Mullen offers a team of attorneys fully dedicated to the appellate process and experienced in the appellate courts. At the pretrial, trial and post-verdict stages, our appellate lawyers focus on:

- preserving the client's right to appeal errors of the trial court
- ensuring a proper jury charge and proper post-trial motions
- making a record from which an appeal can be effectively taken

Providing Appellate-Related Services at All Litigation Stages

The Williams Mullen Appellate Practice Group provides appellate-related services at all litigation stages. These include pretrial case analysis, developing the jury charge, post-trial motion practice, identifying possible appeal issues, and error preservation. At the appellate stage, on behalf of appellants and appellees as well as amicus curiae, our services include developing the record on appeal and assigning error, research, development of legal issues and arguments, appellate motion practice, top-notch briefing, and oral argument.

Appellate Attorneys for North Carolina, Virginia, Washington, D.C. and the Nation

The Williams Mullen Appellate Practice group includes lawyers who have served as clerks to justices of the Supreme Court of Virginia, the Supreme Court of North Carolina and to judges of the Court of Appeals of North Carolina and the federal appellate courts. Our appellate practice attorneys are acquainted with and practice not only in North Carolina, Virginia and Washington, D.C., but also in state appellate and federal circuit courts around the country. These include the District of Columbia Circuit, the Second Circuit, Fifth Circuit, Sixth Circuit and Eleventh Circuit.

Experience

Commercial Real Estate Company

Defended real estate company against appeal of judgment against debtor lessee.

Represented National Bank as Trustee in Appeal to the Supreme Court of Virginia

Represented bank client in appeal to the Supreme Court of Virginia seeking reversal of substantial judgment for fiduciaries.

Online Travel Companies

Defended online travel companies in a case a class action case filed on behalf of all North Carolina jurisdictions levying occupancy taxes. At issue was whether or not fees for online travel bookings were subject to occupancy taxes. Williams Mullen worked as North Carolina counsel with national lead counsel and four other law firms to defend the case.

National Lender

Represented client in multiple appeals of multi-million dollar judgment before the United States Court of Appeals for the Fourth Circuit.

Virginia Municipal Government

Represented a Virginia municipal government in an inverse condemnation action in the U.S. Court of Federal Claims. Decision later appealed to U.S. Court of Appeals for the Federal Circuit.

Defended International Agricultural Products Dealer in Class Action Price-fixing Case

Served as lead counsel in multi-defendent price-fixing case in federal court in North Carolina. Involved class plaintiffs from several states and conduct occurring over a five-year period.

Local Physician Practice

Defended a physician practice sued by a former non-doctor employee. Plaintiff brought claims against the employer, Plan Administrator and two retirement plans alleging the Plaintiff was entitled to several hundred thousand dollars more in contributions, and was entitled to recover \$3M in civil penalties against the Plan Administrator for failure to provide copies of requested plan documents.

National Seller of Computerized Furniture-making Equipment

Williams Mullen defended the U.S. subsidiary of a European maker of computerized furniture-making equipment sued for alleged violations of the Lanham Act, libel and other claims.

Insurance and Reinsurance Company

Represented reinsurer on appeal to the 4th Circuit in coverage dispute.

Diversified Technology, Media and Financial Services Conglomerate

Represented diversified technology, media and financial services conglomerate in a breach of guaranty case in the United States Court of Appeals for the Fourth Circuit.

Related News

- [Interlocutory Appeals of State Action Rulings](#)
- [Dodd-Frank Proxy Access Rule Rejected](#)
- [Second Circuit Finally Puts an End to New York City's Challenge to the Merger that Created EmblemHealth](#)
- [The Supreme Court of Virginia, the Fourth Circuit, and the Serious Business of Applying the Second Amendment](#)
- [Talk America, Inc. v. Michigan Bell Telephone Co.](#)
- [North Carolina Court of Appeals Rules that Constitution Prevents Davidson Campus Police from Arresting DWI Suspect](#)
- [Federal Government Gets Second Chance at False Claims Liability for Regulatory Noncompliance](#)
- [Court of Appeals Flags Vulnerability in Agency Review of N.C. CON Applications](#)
- [UPDATE: Are Pharmaceutical Sales Representatives Exempt from the FLSA Overtime Pay Requirements? - District Court Reinforces the Possibility of a Circuit Split](#)
- [Are Pharmaceutical Sales Representatives Exempt from the FLSA Overtime Pay Requirements?](#)
- [Chris Browning to Argue Before Supreme Court on Medical Malpractice Settlement Matter](#)
- [Chris Browning Featured in Law 360 Article on Medicaid Tort Recoupment](#)
- [Williams Mullen Partner John Davis Receives Director's Award from U.S. Department of Justice for Somali Pirate Prosecution](#)
- [Williams Mullen Adds U.S. Supreme Court Clerk Garrick Sevilla](#)
- [Former N.C. Solicitor General Chris Browning Joins Williams Mullen to Lead Appellate Litigation Team](#)
- [James M. Burns Quoted in Pharmaceutical Law & Industry Report](#)
- [Snyder v. Phelps: Issue Waiver and the Scope of Appellate Discretion](#)
- [Williams Mullen Attorneys Named 2012 Virginia 'Legal Elite'](#)

- McDow v. Dudley and Finding Finality in Bankruptcy
- Second Circuit Clarifies Burden-Shifting Framework for Sarbanes-Oxley Act Whistleblower Retaliation Claims
- Caveat Venditor: Supreme Court Declines To Clarify Law on Market Share-Based Price Discounts
- Supreme Court Revives FTC Reverse Payment Challenge; Says Agreements Can Violate Antitrust Laws
- City of Raleigh's Lunch with a Lawyer Program honors M. Keith Kapp
- Williams Mullen's Litigation Practice Honored by Benchmark Litigation
- 50 Williams Mullen Attorneys Named to Virginia Business magazine's 2015 "Legal Elite"
- Finality in the Fourth Circuit
- 100 Williams Mullen Attorneys Named 2017 Best Lawyers in America
- 50 Williams Mullen Attorneys Named to Virginia Business magazine's 2016 "Legal Elite"
- Williams Mullen's Litigation Practice Recognized in 2018 Edition of Benchmark Litigation
- 45 Williams Mullen Attorneys Named to Virginia Business Magazine's Legal Elite for 2018
- Keith Kapp Profiled in Business North Carolina's 2019 Legal Elite Issue
- 55 Williams Mullen Attorneys Named to Virginia Business Magazine's Legal Elite for 2019
- 61 Williams Mullen Attorneys Named to Virginia Business Magazine's Legal Elite for 2020
- 48 Williams Mullen Attorneys Named to Virginia Business Magazine's Legal Elite for 2021
- 71 Williams Mullen Attorneys Named to Virginia Business Magazine's "Legal Elite" for 2023
- 25 Williams Mullen Attorneys Named to CoVa Biz Magazine's "Top Lawyers" of Coastal Virginia 2024

Related Events

- Fundamentals of Federal Appellate Practice CLE - Part I: Pretrial, Trial, and Posttrial Issues
- Practicing Before the Supreme Court of the United States
- A Preview of The Upcoming United States Supreme Court Term
- North Carolina Bar Association Corporate Counsel Meeting
- Join Us for a Review of 2013-2014 U.S. Supreme Court Decisions Affecting the Business Community
- What Does It Take to be a Solicitor General?
- Williams Mullen Presents a Preview of the 2013 United States Supreme Court Term
- Defense Research Institute, Business Litigation and Intellectual Property Seminar
- Williams Mullen Presents a Preview of the Upcoming United States Supreme Court Term
- A Review of 2011-2012 U.S. Supreme Court Decisions Affecting the Business Community
- May It Please the Court: 2012 North Carolina Appellate Practice and Specialization Review

Related Attorneys

- David C. Burton ? 757.473.5354 ? dburton@williamsmullen.com
- Patrick R. Hanes ? 757.629.0615 ? phanes@williamsmullen.com
- M. Keith Kapp ? 919.981.4024 ? kkapp@williamsmullen.com