



Appellate

Handling High-Stakes Appellate Litigation in Courts Across the Country

Appeals present unique challenges. The rules, standards, and strategies differ fundamentally from those at trial, and the results can set new legal precedents and impact entire industries. With the risk of adverse judgments and evolving legal standards, you need swift, informed action to protect your interests. Effective appellate counsel must not only know the law and master the record but anticipate how appellate courts will view – and rule on – the elements of a case.

Hinshaw's team delivers comprehensive support at every stage of the appellate process. We represent businesses and individuals in appellate matters before the US Supreme Court, US Courts of Appeals, and in state appellate courts across the country. At the outset of a case, the firm's appellate and trial lawyers collaborate seamlessly, advising on dispositive motions, jury instructions, and post-trial strategies to preserve and position issues for appeal.

Our lawyers craft persuasive briefs and present oral arguments to secure extraordinary relief, manage interlocutory appeals, and respond to urgent matters such as injunctions and TROs. We have obtained precedent-setting victories and favorable outcomes that often extend far beyond the dispute at hand.

Market-Leading Reputation: Each year, our lawyers are trusted to lead more than 100 appeals nationwide. Known for securing favorable and cost-effective results, we are regularly referred by other law firms to handle high-stakes appeals.

Landmark Appeals: Hinshaw handles appellate cases that span a broad range of practice areas and industries. We have argued landmark cases before the US Supreme Court, US Courts of Appeals, and state reviewing courts. Our work has resulted in precedential decisions that often impact entire industries.

Nationwide Influence: Our lawyers serve in prominent roles within national appellate organizations and bar associations. We are often invited to prepare amicus curiae briefs for high-profile cases, and regularly publish articles, present lectures, and provide pro bono appellate representation.

National Recognition

Hinshaw attorneys have received widespread recognition over the years for their appellate skills. *U.S. News & World Report* “Best Law Firms” has ranked Hinshaw’s Appellate practice as a National Tier One firm every year since 2011. That recognition of our ability—and the value it brings to clients—is shared by attorneys outside our firm who frequently recommend us to advocate for their clients when the battle lines have shifted from the trial level to the reviewing court.

One of our partners is also a Fellow of the American Academy of Appellate Lawyers (AAAL). Membership in AAAL is limited to the 500 experienced appellate advocates in the nation who have demonstrated the highest skill level and integrity, according to the AAAL.

As a result of the widespread recognition of our appellate skills, special interest groups and trade associations call upon us to prepare amicus curiae briefs in various reviewing courts, including the US Supreme Court. Our appellate attorneys also regularly provide pro bono services to the indigent in federal criminal appeals.

Representative Matters

- Prepared an amicus curiae brief on behalf of the Association of Public Health Laboratories, an internationally recognized leader in laboratory science and practice. The amicus brief presented APHL’s position on, and the science affected by, the plaintiffs’ constitutional challenge to a public health department’s use of residual dried bloodspot (DBS) screening specimens to detect heritable disorders in newborns and children. The court dismissed the complaint at issue. *Kanuszewski v. Michigan Dept. of Health & Human Services*, No. 18-cv-10472, U.S. District Court for the Eastern District of Michigan
- Successfully secured dismissal of a multi-million dollar insurance subrogation claim brought against a Taiwanese insurance company because the insurer was not subject to the jurisdiction of the Wisconsin court. *Lexington Insurance Co. v. Zurich Insurance (Taiwan) Ltd.*, 286 F. Supp. 3d 982 (W.D. Wis. 2017). The Seventh Circuit affirmed that dismissal, holding that “Neither the presence of an additional insured in Wisconsin, nor a worldwide territory of coverage provision under insurance policy could be considered purposeful contacts with the State of Wisconsin sufficient to subject Taiwanese insurer to personal jurisdiction in Wisconsin courts. *Lexington Insurance Co. v. Hotai Insurance Co.*, 938 F.3d 874 (7th 2019)
- Successfully obtained reversal of appellate court decision that permitted a worker to maintain a common law wrongful death action for unlimited damages against his employer if the time had expired to seek limited statutory damages from the employer for latent occupational diseases. *Folta v. Ferro Engineering*, 2015 IL 118070
- In a case whose outcome created a circuit split between the Seventh and Third Circuits, the court of appeals sustained the employer’s position that the union’s demand for payment of certain union officials’ salaries under terms of CBA was illegal under section 302(a) of the Labor Management Relations Act, vacating contrary decisions by the district court and arbitrator. *Titan Tire Corp. v. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union*, 734 F.3d 708 (7th Cir. 2013)
- Affirmed the dismissal of a complaint alleging that a religious order aided and abetted the World War II Yugoslav regime’s plundering and banditry more than sixty years before the lawsuit was filed. The court of

appeals determined that subject matter jurisdiction under the Alien Tort Statute was lacking because the plaintiffs' claims that the defendant aided and abetted the Nazi puppet regime's war crimes did not involve violations of the law of nations and because the plaintiffs' human rights claims presented non-justiciable political questions. The court also concluded that it lacked diversity jurisdiction under 28 U.S.C. § 1332(a) because the complaint included both foreign plaintiffs and a foreign defendant. *Alperin v. Franciscan Order*, 423 Fed. Appx. 678 (9th Cir. 2011)

- Successfully secured reversal of a bankruptcy court order sanctioning a creditor and her attorneys for violating the bankruptcy discharge injunction. The district court reversed the sanction, holding that the creditor and her attorneys did not violate the discharge injunction by seeking an order from the Washington probate court ratifying the assignment of a probate judgment to the creditor. *In re Taylor*, 526 B.R. 719 (N.D. Ill. 2014). The Seventh Circuit affirmed, noting that the creditor and her attorneys had sought the ratification order as support for an anticipated Rule 60(b) motion to vacate the dismissal of their adversary claim in the bankruptcy proceeding. The Seventh Circuit held that gathering evidence to support a Rule 60(b) motion, in order to argue that a debt is not dischargeable, is not the same as taking action to collect on the debt and therefore did not violate the discharge injunction. The court further held that a purported settlement between an insurance carrier and the debtor did not render the appeal moot as neither the creditor nor her attorneys consented to the settlement. *In re Taylor*, 793 F.3d 814 (7th Cir. 2015)

Appellate Advocacy That Protects Your Interests

At Hinshaw, our lawyers apply deep experience in appellate procedure, briefing, and oral argument to protect your interests. Whether preserving trial victories, overturning unfavorable rulings, or driving legal developments, we craft proactive appellate strategies designed to achieve effective and enduring results.

Insights

In The News
Sep 30, 2025

Carol Rooney Touts the Mission and Membership Benefits of the ABA TIPS Appellate Advocacy Committee

Press Release
Sep 26, 2025

Hinshaw Recognized as a “Leader in Litigation” in the *BTI Consulting Litigation Outlook 2026* Survey

Press Release
Aug 21, 2025

102 Hinshaw Lawyers Recognized in 2026 Editions of *The Best Lawyers in America*® and *Ones to Watch*™

Press Release

Aug 6, 2025

Mohamed F. Sweify Admitted to the List of Arbitrators of the Dubai International Arbitration Centre (DIAC)

Press Release

Jul 21, 2025

April Toy Selected as a *BizTimes Milwaukee* 2025 Notable Latino Leader

In The News

Jul 21, 2025

Fernando Rivera-Maissonet Analyzes the Significance for the Mortgage Industry of New York's Highest Court Deciding to Review Whether the Retroactive Application of FAPA is Unconstitutional

Press Release

Jun 24, 2025

Hinshaw Adds Experienced Consumer Financial Services Attorney Peter Cubita in New York

Press Release

May 13, 2025

Mohamed F. Sweify Appointed to List of Arbitrators of the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center

Press Release

May 12, 2025

Appellate Spotlight: Hinshaw Secures Appellate Victory in Chiropractic Negligence Lawsuit

Press Release

Apr 23, 2025

Hinshaw Adds Partner Laura Cannon to Government Practice in New Orleans

Press Release

Apr 16, 2025

Hinshaw Adds Four Partners to Financial Services Group in New Jersey

Event

Apr 14, 2025

ALA President Catherine Weiler Delivers Opening Remarks at the 2025 Justices of Illinois Supreme Court Roundtable Event

To Find Out More Contact



Joshua G. Vincent

Partner

Chicago

📞 312-704-3463



Catherine Basque Weiler

Partner

Chicago

📞 312-704-3894

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