

# THE NATIONAL LAW JOURNAL

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## APPELLATE HOT LIST

A SPECIAL REPORT

**O**ur annual Appellate Hot List recognizes firms that made exemplary contributions to appellate practice during the past year. We asked our readers to nominate firms with at least one significant appellate victory since January 2010 and that had demonstrated an impressive track record overall. We supplemented this material with our own extensive research to arrive upon the 17 firms listed. We understand that appellate victories frequently are collaborations, and regret that we lack space to fully recognize all the firms that contributed to the cases listed. We highlighted cases that affected the course of industries, vindicated important constitutional rights, and in which an awful lot of money was at stake. We gave extra weight to cases in which the firms pulled off come-from-behind wins.

# APPELLATE HOT LIST



## Akin Gump Strauss Hauer & Feld

Akin Gump's 21-member team is led by Patricia Millett, a former assistant solicitor general, former appeals judges William Norris and Murry Cohen, and Rex Heinke, who has argued hundreds of appeals and writs. Beside the cases listed here, the firm won rulings defining "foreign state" under the Foreign Sovereign Immunities Act and preventing Allen Stanford from necessarily sticking his insurers with the costs of his civil and criminal defense.

### NOTEWORTHY CASES

- *U.S. v. Stevens*. Lead attorney Patricia Millett (argued). The firm represented Robert Stevens, an author and documentary producer convicted of animal cruelty charges stemming from an investigation into the selling of dog-fighting videos. The U.S. Supreme Court affirmed a court of appeals' judgment vacating the conviction, holding that federal statute criminalizing the commercial creation, sale or possession of depictions of animal cruelty was overbroad and invalid under the First Amendment.
- *SEC v. Rajaratnam*. Lead attorney Patricia Millett (argued). Vacating a district court order, the 2d Circuit concluded that the trial court exceeded its discretion by ordering Danielle Chiesi, a hedge fund analyst, and Raj Rajaratnam, a hedge fund manager, to disclose wiretaps to the SEC that were obtained by the U.S. attorney's office during a criminal investigation into allegations of insider trading. The 2d Circuit said the order was premature because the defendants' motion to suppress the wiretaps on the grounds that they were illegally obtained had not yet been ruled upon.
- *United Technologies Corp. v. U.S. Department of Defense*. Lead attorney Patricia Millett (argued). In a reverse Freedom of Information Act case, United Technologies Corp. fought to prevent the Defense Contract Management Agency from releasing documents evaluating its quality-control processes. The D.C. Circuit reversed a summary judgment order, holding that disclosure of the documents was arbitrary and capricious because it failed to properly apply an exemption that protects confidential business information.

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