

## APPELLATE HOT LIST

A SPECIAL REPORT

When the stakes were high, the 20 law firms featured in this year's special report delivered—winning big in federal and state appeals courts across the country. They won landmark U.S. Supreme Court decisions on closely watched cases including those over affirmative action, patent infringement and a labor dispute. They also represented some of the most well-known companies in the land, among them Bank of America Corp., Chevron Corp. and the National Football League. These are their stories.

## Gibson, Dunn & Crutcher

In his 2015 book “The Court and the World,” U.S. Supreme Court Justice Stephen Breyer highlighted the growth in the number of international legal disputes that find their way to the high court.

Gibson, Dunn & Crutcher's recent docket of appellate cases illustrates that point to a “T.”

The firm's biggest win before the high court last term was the April 2016 decision in *Bank Markazi v. Peterson*.

It upheld an act of Congress aimed at drawing from Iranian bank assets held in the United States to compensate the families of victims of Iranian-backed terrorism including the 1983 bombing of a Beirut Marine barracks and other acts.

Gibson Dunn partner Theodore Olson, leader of the firm's appellate and Supreme Court practice, argued against the bank on behalf of the victims' families.

The representation had special meaning for Olson. It “involved separation-

of-power issues that” he dealt with “when he was the head of the Office of Legal Counsel at the time that the Beirut barracks were bombed,” partner Matthew McGill told the NLJ back in December 2015. McGill, who also took a leading role in *Bank Markazi* said, “The most important thing is that the families of 200 Marines who were murdered 30 years ago are receiving some measure of justice.” Payments from the \$1.8 billion in seized funds began flowing to the families in October, McGill said.

McGill also pointed to his own win in the June 2016 case *Puerto Rico v. Franklin California Tax-Free Trust* on the restructuring of the commonwealth's debt. Although Puerto Rico is part of the United States, the case involved issues of sovereignty similar to international litigation, he said.

At the U.S. Court of Appeals for the Second Circuit in August, Olson won another international case, *Chevron Corp. v. Donziger*, releasing the oil company from nearly \$10 billion in liability for



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alleged environmental harms in Ecuador. And in April, the long-running dispute over Argentina's 2001 default on its bonds finally ended, with Argentina paying Gibson Dunn's client \$2.4 billion.

—TONY MAURO