

Appellate litigation is not like trial litigation. The rules are different, the courts are different, and the process is different. So if you want to maximize your chances of success on appeal, you need a different sort of lawyer. You need representation by attorneys with a deep understanding of appellate practice and procedure, who can bring their refined expertise and fresh perspective to bear on your behalf, both in briefing and at oral argument.

Horvitz & Levy LLP is that law firm. With an outstanding track record of success spanning more than a half-century, we are the largest law firm in the nation specializing exclusively in appellate litigation. Since 1990, we have litigated more than 1,400 appeals in state and federal court and have made more than 130 appearances before the California Supreme Court. Our experience in California appeals and Ninth Circuit appeals is simply unparalleled.

Our expert appellate attorneys are the key to our success. They know the arguments that will sway an appellate court and they work efficiently to achieve our clients' goals on appeal.

### **Getting Results**

For five decades we have handled appellate challenges to some of California's largest verdicts, often either obtaining reversals or major reductions of the amount awarded against our clients, or sustaining their hard-fought trial court victories.

In 1990 we began tracking our success rate in appeals before California state courts and the United States Court of Appeals. Since that time, we have prevailed in more than 60 percent of our cases in which we represented the appellant. That success rate vastly exceeds the average success rate for appeals.

We have achieved particular success in challenging punitive damages awards. In the last decade alone, we have won reversal of more than 95 cents of every dollar of punitive damages assessed against our clients.

### **Specialized Expertise**

A single inexpertly handled appeal can result in adverse precedent that may affect a business or industry for years to come.

Clients around the country turn to Horvitz & Levy for its demonstrated expertise in how to win on appeal. Our services include not only full briefing and oral arguments before the appellate courts, but also consulting on trial strategy, assisting trial counsel in preserving and developing issues for appellate review, preparing post-trial motions in anticipation of appeal, and negotiating favorable settlements pending appeal.

### **Talent & Experience**

It's not only our size and long-term record of success that sets us apart; it's also the high caliber of our lawyers, and their specialized training in the field of appellate law.

Our attorneys earned their degrees at the nation's top law schools. Before joining us, they received outstanding legal training, often at national litigation firms or in government service. More than 70 percent of our lawyers started their careers in appellate clerkships. More than half served as law clerks to federal appellate judges or as staff attorneys at federal courts. Others have served as research attorneys to state court appellate justices.

This breadth of legal talent means clients don't pay for training new law school graduates, or for their cases to be staffed with large teams of inexperienced associates.

### **Technology & Efficiency**

Modern appellate advocacy requires the effective use of technology, and our state-of-the-art resources enable us to fully exploit our decades of briefing on cutting-edge appellate issues. In other words, when we perform legal research, our clients don't pay us to reinvent the wheel.

For example, Horvitz & Levy's brief bank contains thousands of appellate briefs dating back to 1982. We take full advantage of the brief bank through West km®, a software program that integrates our brief bank with Westlaw® and provides real-time updates of the legal authorities in every brief.

We have been pioneers in the use of "e-briefs" in the California appellate courts. An e-brief is a searchable CD-ROM that contains the entire appellate record, legal authority, and briefing with hyperlinked cross-references. E-briefs not only substantially increase the odds that appellate justices and their staff will understand the nuances of a case, but they also allow us to work more efficiently during the briefing process. We also maintain a password-protected client extranet that facilitates collaboration with clients, co-counsel, and amicus curiae on complex matters.

### **Public Service**

We are committed to public service. Many of our attorneys devote substantial time to bar association and judicial committees. Most importantly, the firm regularly makes its appellate expertise available in a varied array of pro bono cases. The firm has handled appeals—as counsel both for parties and for amici curiae in the United States and California Supreme Courts, the Ninth Circuit Court of Appeals, and the California Court of Appeal—on behalf of or in conjunction with such groups as the Harriett Buhai Center for Family Law, The Alliance for Children's Rights, Public Counsel, and NOW Legal Defense and Education Fund. Our pro bono cases have included issues concerning foster care benefits, political asylum, the federal Violence Against Women Act, access to the courts to seek child support, the appellate rights of prisoners litigating civil cases without counsel, and the right of indigent litigants to waivers of court fees.