

# Appellate Practice Webinar Series

We have gathered some of our best appellate experts for this 5 Webinar Series on those critical appellate topics everyone needs to know more about. These instructors get excellent evaluations every time they teach for us and they know their stuff! They frequently co-teach with Appellate Justices and staff attorneys.

**Webinar #1: Challenging “settled” precedent on appeal & using legislative history on appeal  
July 13, Noon to 1:30 PDT: Wendy Lascher, Lascher & Lascher**

- Why it's important to start challenging "settled" precedent before litigation begins
- How to choose the right case for your challenge, what to do if you don't have a choice, and how to shape the challenge in the trial court
- How courts identify, define and interpret legislative intent
- The mechanics of presenting evidence of legislative intent
- Ways to write about legislative intent
- The fine points of stare decisis
- Ways to structure and write challenges to precedent

**Webinar #2: How to write a Petition for Review/Petition for Certiorari that gets heard  
July 27, Noon to 1:30 PDT: Benjamin Shatz and Mike Berger, Manatt Phelps & Phillips LLP**

- Timelines for filing petitions, obtaining extensions, and expected rulings
- How petitions are processed at the courts through general staff and the cert pool
- Procedural prerequisites, format limitations, fees, and filing technicalities
- Opposing petitions and the role of amicus participation
- Statistical odds of success
- Factors favoring or disfavoring review
- Issues worthy of review and how to frame or re-frame them
- Where to seek help and useful practice guides and websites

**Webinar #3: Addressing contractual interpretation and evidentiary issues in appellate briefs  
July 28, Noon to 1:30 PDT Ethan Schulman, Crowell & Moring**

- Applicable standards of appellate review
- How to frame the questions presented to emphasize a favorable standard of review
- How to draft a compelling statement of facts
- How to draft and use argumentative headings to advance your argument
- Which types of evidentiary rulings are most likely to attract an appellate court's attention
- How to show prejudicial error

**Webinar #4: Oral Argument on appeal**

**September 13, Noon to 1:30 PDT Faith Pincus, Pincus Communications, Inc. Additional topics t.b.a.**

- Preparing for Oral Argument
- Organizing your outline & focusing your argument
- In front of the bench – what to do and what not to do
- Questions and Answers

**Webinar #5: Working with trial counsel, managing an appellate practice & using efficient tech tools**

**September 22, Noon to 1:30 PDT Robin Meadow, Greines, Martin, Stein & Richland LLP**

- Tips re: Fee Arrangements, Client relations, Trial Counsel relations
- Scope of client/trial counsel involvement
- Managing an appellate practice
- Tech suggestions for keeping on top of cases
- Technology Tools for a Better Tomorrow

**12:00 Noon - 1:30 p.m.  
Pacific Time**

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Challenging “settled” precedent on appeal & using  
legislative history on appeal**

**Webinar #2: July 27, 2010  
How to write a Petition for Review/Petition for  
Certiorari that gets heard**

**Webinar #3: July 28, 2010  
Addressing contractual interpretation and evidentiary  
issues in appellate briefs**

**Webinar #4: Sept. 13, 2010  
Oral Argument on appeal**

**Webinar #5: Sept. 22, 2010  
Working with trial counsel, managing an appellate  
practice & using efficient tech tools**

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in CA for:**

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- ✓ 1.5 hours of Appellate Specialization Certification credit

# FACULTY

## Wendy C. Lascher, Esq.

*Certified Appellate Specialist, Lascher & Lascher*

Wendy C. Lascher, Esq. is a Certified Specialist in Appellate Law, California Board of Legal Specialization. She has handled more than 300 state and federal appeals and has argued in the United States Supreme Court, the U.S. Courts of Appeals for the 7th and 9th Circuits, the California Supreme Court, and the California Courts of Appeal. She is a board member of the American Academy of Appellate Lawyers, a past president of the California Academy of Appellate Lawyers, and a former chair of both the State Bar's Appellate Courts Committee and the Board of Legal Specialization's Appellate Law Advisory Committee. Ms. Lascher graduated from Stanford University in 1970 and from the University of Michigan Law School in 1973.

## Benjamin G. Shatz, Esq.

*Partner, Manatt, Phelps & Phillips, LLP*

Mr. Shatz is certified as an appellate law specialist by the California State Bar Board of Legal Specialization and is a member of the Appellate Practice Group in the Los Angeles office of Manatt, Phelps & Phillips, LLP. He has briefed hundreds of civil appeals, writs and petitions to the U.S. Supreme Court, U.S. Courts of Appeals, California Supreme Court and California Courts of Appeal, covering a variety of practice areas. Mr. Shatz frequently contributes appellate law articles to

periodicals including CEB's Civil Litigation Reporter, Los Angeles Lawyer, California Lawyer, and the Daily Journal. He is the Chair of the Los Angeles County Bar Association's Appellate Courts Committee and the Vice Chair of the California State Bar's Committee on Appellate Courts. Mr. Shatz graduated magna cum laude from Pepperdine University School of Law, and was an Associate Editor of the Pepperdine Law Review and an Assistant Editor of the California Supreme Court Survey.

## Michael Berger, Esq.

*Partner, Manatt, Phelps & Phillips LLP*

Mr. Berger is one of California's preeminent appellate lawyers and is co-chair of Manatt's Appellate Practice Group. Mr. Berger has argued four cases before the United States Supreme Court, as well as cases before appellate courts throughout California, numerous federal courts of appeal and other state supreme courts. He is also the frequent author of amicus curiae briefs in various appellate courts, particularly the U.S. Supreme Court, pressing client interests in important pending cases. One of the top land use and condemnation lawyers in the United States, his appellate cases have involved planning, zoning, eminent domain, various kinds of business litigation, landslides, contract, due process, equal protection, defective construction, nuisance, insurance and environmental law.

## Ethan P. Schulman, Esq.

*Certified Appellate Specialist, Crowell & Moring LLP*

Mr. Schulman's practice involves appeals, representation of public entities, representation of attorneys and law firms, and complex commercial litigation. He has been a Certified Appellate Specialist since 2003, is a member of the California Academy of Appellate Lawyers, and Vice Chair of the Appellate Practice Section of the San Francisco Bar Association. Mr. Schulman received his J.D. in 1983 from Boalt Hall School of Law, University of California, Berkeley, Order of the Coif.

## Robin Meadow, Esq.

*Certified Appellate Specialist, Greines, Martin, Stein & Richland LLP*

Robin Meadow joined Greines, Martin, Stein & Richland LLP as a partner in 1994, after 23 years as a trial and appellate lawyer in a major commercial firm. He has successfully defended lender liability actions before both juries and appellate courts. Robin has been a member of the California Academy of Appellate Lawyers since 1988, serving as its president in 2005-2006, and is a Fellow of the American Academy of Appellate Lawyers.

## Faith D. Pincus, Esq.

*President, Pincus Professional Education*

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## Appellate Practice

### Webinar Series

Webinar #1: July 13, 2010

Webinar #2: July 27, 2010

Webinar #3: July 28, 2010

Webinar #4: Sept. 13, 2010

Webinar #5: Sept. 22, 2010

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