

Appellate

At Bullivant Houser Bailey, we understand that appeals are different from trials. For that reason, we offer our clients the services of skilled appellate advocates to handle their cases on appeal, or to assist in the trial court when appeal is likely.

Bullivant's appellate attorneys are skilled in their ability to analyze, research, and understand complex issues of law and then present them clearly and persuasively to the court. With many years of experience in appellate advocacy, our attorneys take the time necessary to digest, summarize, and present the record on appeal, to marshal the best arguments for the court's consideration, and to write the most persuasive brief. And because of their experience, our appellate attorneys are intimately familiar with the appellate court procedures—they know where, when, and how to get the job done most effectively. Their frequent appearances in the appellate courts, together with the quality of their written product and oral advocacy, gain our appellate attorneys the judges' fair regard.

Representative cases handled by Bullivant appellate attorneys include the following:

- *Lynette Murphy v. David Matas et al.*, 2013 WL 4511322 (Cal.App. 1 Dist.) (2013) (California law) (involving primary assumption of risk doctrine)
- *Cascade Physical Therapy v. Hartford Casualty Ins. Co.*, 258 Or. App. 612, 310 P.3d 1156 (2013) (Oregon law) (involving interpretation of agency rule)
- *Marquez v. Harper School Dist.* No. 66, 2013 WL 6154197 (9th Cir. 2013) (federal law) (involving recoverability of attorney fees)
- *Columbia Helicopters, Inc. v. Carson Helicopters, Inc.*, 2010 WL 4269400 (9th Cir. 2010) (Oregon law) (involving an indemnity and defense agreement in a commercial contract)
- *Wilberger v. Creative Bldg. Maint., Inc.*, 379 Fed. Appx. 630 (9th Cir. 2010) (Oregon law) (involving duty of defendant to foresee criminal conduct of third person)
- *Polymer Plastics Corp. v. Hartford Cas. Ins. Co.*, 389 Fed. Appx. 703 (9th Cir. 2010) (Nevada law) (involving interpretation of business income coverage grant in property insurance policy)
- *Cambridge Townhomes, LLC v. Pac. Star Roofing, Inc.*, 209 P.3d 863 (Wash. 2009) (involving successor liability and scope of indemnity agreement, among other issues, in construction defect dispute)
- *Am. Commerce Ins. Co. v. Ensley*, 220 P.3d 215 (Wash. Ct. App. 2009) (involving alleged waiver of reduced policy limits for UIM coverage)
- *Hanna Ltd. P'ship v. Windmill Inns of Am., Inc.*, 194 P.3d 874 (Or. Ct. App. 2008) (involving methodology to calculate loss under a lease)
- *Liberty Mut. Fire Ins. co. v. LCL Administrators*, 78 Cal. Rptr. 3d 200 (Cal. Ct. App. 2008) (involving imposition of terminating sanctions for discovery abuses)
- *Stephens v. Omni Ins. Co.*, 159 P.3d 10 (Wash. Ct. App. 2007) (involving insurer's vicarious liability for acts of independent contractor seeking subrogation recovery)
- *State v. Allendale Mut. Ins. Co.*, 154 P.3d 1233 (Mont. 2007) (involving property insurance claim for losses relating to "Y2K")