

Appellate

Gresham Savage has a long-standing reputation for effective advocacy in the appellate courts. We represent clients at all stages of the appeals process, regardless of whether we served as trial counsel, providing thoughtful analysis and advice throughout the process.

Our lawyers have substantial appellate experience in state and federal courts of appeals, state supreme courts, and the Supreme Court of the United States. As a part of the Appeals Practice, our attorneys have handled countless administrative appeals and writs, an essential part of the full range of services we provide to address our clients' most sophisticated legal problems. Several of our attorneys have and do currently serve as mediators for the voluntary mediation program run by Division Two of the Fourth District Court of Appeal.

Gresham Savage's appellate capabilities are enhanced by the knowledge and experience of all of our varied practice groups. Appellate attorneys consult regularly with their colleagues in other practice groups to insure the best service for our clients. Our vast experience allows our attorneys to handle a wide range of services relating to appeals, such as providing sound legal analysis and strategy, preparing persuasive appellate briefs and presenting effective oral arguments.

NOTABLE SUCCESSES INCLUDE:

- Served as appellate counsel for dozens of counties, cities and fire districts before the California Supreme Court in a series of cases that defined rights and responsibilities under the California Emergency Medical Services Act. [*City of San Bernardino v. County of San Bernardino*, 15 Cal.4th 909 (1996)].
- Successfully represented a Texas petroleum company in a toxic tort case before the Court of Appeal. [*Rivas v. Safety-Kleen Corporation*, 98 Cal.App.4th 218 (2002)].
- Posited arguments on behalf of a major university hospital that lead to the Ninth Circuit's adoption of the "Birthday Rule" for coordination of benefits. [*PM Group v. Western Growers Assurance Trust*, 953 F.2d 543 (9th Cir. 1992)].
- Successfully defended an appeal brought by a pipeline company against a railroad to condemn an easement, resulting in the Court of Appeal affirming the judgment in favor of the railroad. [*SFPP, L.P. v. Burlington Northern & Santa Fe Railway Co.* 121 Cal.App.4th 452 (2004)].
- Successfully appealed trial court's order to enforce terms of a settlement agreement, resulting in the Court of Appeal reversing the order and holding that the trial court had not retained subject matter jurisdiction pursuant to the terms of the agreement. [*Wackeen v. Malis*, 97 Cal.App.4th 429 (2002)].

- Successfully defended a petition for writ of mandate challenging a million square foot warehouse development project. [*Maintain Our Desert Environment v. Town of Apple Valley*, 120 Cal.App.4th 396 (2004)].
- Successfully challenged City approval of a solid waste facility and established precedent for determining standing in environmental law suits brought pursuant to the California Environmental Quality Act. [*Burrtec Waste Inds. V. City of Colton*, 97 Cal. App.4th 1133 (2002)].