

Wiley Rein Obtains Ninth Circuit Victory for Pro Bono Client in Case Involving Federal Quiet Title Act

November 13, 2015

On November 10, 2015, Wiley Rein LLP secured an important victory in the U.S. Court of Appeals for the Ninth Circuit on behalf of a pro bono client.

The case involved a dispute between two individuals over property along the Nooksack River in Whatcom County, Washington. The dispute arose after the plaintiff learned that Wiley Rein's client intended to place the disputed property in a local conservation program. The plaintiff sued Wiley Rein's client and the United States in federal court under the Quiet Title Act. After the district court awarded the property to the plaintiff, Wiley Rein argued on appeal that the district court lacked subject matter jurisdiction under the Quiet Title Act because the United States had never claimed an interest in the property at the time the action was brought in federal court. The Ninth Circuit agreed, dismissing the case for lack of subject matter jurisdiction and vacating the district court's order awarding the property to the plaintiff.

The Ninth Circuit's opinion is available [here](#).

Brett A. Shumate, a partner in the Appellate and Telecom, Media & Technology (TMT) practices, argued the appeal in the Ninth Circuit and was assisted in the briefing by Litigation and TMT associates Daniel P. Brooks and Jeremy J. Broggi, and TMT associate B'anca Glenn.

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