

Wiley's Appellate Team Changes Name to Issues and Appeals Practice

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Washington, DC - Wiley's powerhouse Appellate team has changed its name to the Issues and Appeals Practice - a move that reflects the group's innovation and versatility, in-depth subject matter knowledge, multidisciplinary capabilities, and track record of success in a wide range of high-stakes representations.

The Practice, co-chaired by Wiley partners Claire J. Evans and Thomas M. Johnson, Jr., pairs deep knowledge of the federal regulatory environment and commercial litigation with experienced appellate litigators who know what arguments will resonate with courts to best achieve clients' business goals. The team also leverages its appellate expertise in federal rulemakings and many other forums, providing comprehensive representation for clients who anticipate appellate activity long before litigation begins.

"In high-stakes litigation and regulatory matters, having your future appellate team on board as early as possible makes all the difference and adds significant value from the outset," Mr. Johnson said. "Our appellate specialists are involved at the earliest stages of a dispute by fashioning the record or a motion or comment in such a way as to position our clients for victory on appeal."

The renaming of the Practice follows the addition of Mr. Johnson, who joined Wiley in April 2021 after serving as General Counsel of the Federal Communications Commission (FCC). In addition, William K. Lane III, former D.C. Circuit and Ninth Circuit clerk and attorney in the U.S. Department of Justice's Civil Division, joined Wiley this month - further building on the Issues and Appeals team's unmatched combination of subject matter and appellate expertise.

Related Professionals

Claire J. Evans
Partner
202.719.7022
cevans@wiley.law

Thomas M. Johnson, Jr.
Partner
202.719.4550
tmjohnson@wiley.law

William K. Lane III
Partner
202.719.3349
wlane@wiley.law

Practice Areas

Issues and Appeals

"The new name of our Practice reflects the breadth of our experience in this area, and the holistic approach we've always taken in a wide range of client matters," Ms. Evans said. "This is what our team has always focused on – providing that kind of strategic appellate perspective from the very beginning of disputes to make sure cases are well-briefed at every level."

Ms. Evans litigates complex trial and appellate matters before federal and state courts, the FCC, the Federal Election Commission, the Federal Trade Commission, and state regulatory commissions, with particular emphasis on infrastructure and joint use disputes and challenges of agency action. She clerked for Supreme Court Justice Clarence Thomas, Judge David B. Sentelle of the U.S. Court of Appeals for the District of Columbia Circuit, Judge Michael Chertoff of the U.S. Court of Appeals for the Third Circuit, and Judge Jerome B. Simandle of the U.S. District Court for the District of New Jersey.

Mr. Johnson, as General Counsel for the FCC, briefed dozens of appeals in the federal courts of appeals in constitutional and administrative law challenges to the Commission's orders and personally argued two. He also previously served as Deputy Solicitor General for the State of West Virginia, where he briefed and argued appeals in both federal and state court, and as a law clerk to Judge Jerry E. Smith on the U.S. Court of Appeals for the Fifth Circuit, in addition to working for 10 years in private practice. He has advised on all stages of federal agency rulemaking, adjudication, and litigation, in fields ranging from communications to environmental law to securities to labor and employment.

At the core of Wiley's Issues and Appeals capabilities is a deep bench of former judicial clerks and appellate practitioners. The firm's "elite cadre of appellate lawyers" (*Legal Times*) is frequently called upon for "bet the company case[s]" or to reverse a lower court, regulatory, or legislative defeat. The group often takes the lead for an entire industry on a critical issue in litigation across the country, and also has extensive experience acting as a "private solicitor general" for its clients, moving issues across forums and finding the correct venue and timing for victory.