COSGRAVE
VERGEER KESTER

Appellate & Litigation Support

The lawyers in Cosgrave's appellate practice group have handled hundreds of civil and administrative appeals before the Oregon Court of Appeals, the Oregon Supreme Court, and the U.S. Court of Appeals for the Ninth Circuit.

Our group includes former appellate court law clerks. Since 2017, we've earned a top-tier ranking for Appellate Practice in the Metro edition of U.S. News – Best Lawyers® "Best Law Firms."

Our practice extends beyond traditional appellate work. We also help lawyers in our firm and other firms prepare for trial, including drafting trial briefs, motions, and jury instructions.

Appellate Services

Like a good trial lawyer, a good appellate lawyer has a particular skill set, which includes familiarity with the rules and conventions that are peculiar to the appellate courts. It also includes the ability to identify and develop the arguments that are most likely to persuade appellate judges.

Our appellate services include:

- Reviewing the trial court record
- Identifying appeal-worthy issues
- Evaluating the merits of a potential appeal
- Participating in appellate mediation
- Developing a strategy for an appeal
- Writing appellate briefs, including amicus briefs
- Presenting oral argument

INDUSTRIES

Beverage

Construction

Estate Planning

Financial Services

Healthcare

Hospitality

Insurance

Manufacturing

Professional Services

Railroad

Real Estate

Trucking and Motor Carrier

Wood Products

ATTORNEYS

Chester D. Hill

Julie A. Smith

Nathan M. Ford

Our appellate practice group has tackled complex statutory, contract, and constitutional issues in all areas of civil practice – from personal injury to business litigation, insurance coverage to professional liability, construction defects to civil rights, and more. We've constructed novel, cutting edge legal theories, many of which have been accepted by the appellate courts. For a list of representative appeals we've handled, see below.

Litigation Support Services

Cosgrave's appellate practitioners are known for their substantive and procedural knowledge as well as their analytical and writing skills. That's why our clients and trial attorneys (from our firm and other firms) frequently ask us to assist in trial court proceedings.

Over the years, our group has drafted and argued hundreds of trial court motions and has assisted in dozens of trials.

Our litigation support services include:

- Analyzing complex legal issues
- Consulting on litigation strategy
- Drafting and arguing dispositive motions
- Drafting and arguing trial submissions, including trial memoranda, jury instructions, motions in limine, verdict forms, and motions for directed verdict
- Drafting and arguing post-trial motions, including motions for new trial
- Participating in trial to ensure that a proper trial court record is made and that specific issues are properly preserved for appeal.

Representative Cases

Oregon Court of Appeals

- Lowes v. Thompson (2026)
- Moore-Reed v. Griffin (2024)
- Lowes v. Thompson (2024)
- M.C. v. Quest Global, Inc. (2023)
- Cockey v. Mead (2023)
- Peters v. C21 Investments Inc. (2022)
- Mckeown v. Mckeown (2022)
- Scott v. Kesselring (2020)

- Porter v. Veenhuisen (2020)
- Rains v. Stayton Builders Mart, Inc. (2018)

Oregon Supreme Court

- Moore-Reed v. Griffin (2025)
- Adelsperger v. Elkside Development LLC (2025)
- Lowes v. Thompson (2025)
- Scott v. Kesselring (2022)
- Busch v. McInnis Waste Systems, Inc. (2020)
- Vasquez v. Double Press MFG Inc. (2019)
- Barrett v. Union Pacific Railroad Company (2017)

Ninth Circuit Court of Appeals

- Malheur Forest Fairness Coalition v. Iron Triangle, LLC (2026)
- Liberty Northwest Insurance Corporation v. Atlantic Specialty Insurance Company (2026)
- Portland Marche, LLC v. Fannie Mae (2025)
- Waibel Ranches, LLC v. United States (2024)
- Bowden v. Genie Industries (2024)
- Sponer v. Wells Fargo Bank, N.A. (2021)
- Greisen v. Hanken (2019)
- Scheel v. Guideone Mutual Insurance Company (2018)
- Benson Tower Condominium Owners Association v. Victaulic Company (2017)
- Romani v. Wells Fargo Bank, N.A. (2016)

Affiliations

Oregon Association of Defense Counsel
Oregon State Bar Appellate Section