

# FELICELLO

## Appellate

Sometimes the trial court gets it wrong, and the appeals process offers parties an opportunity to remedy errors made by lower courts. And sometimes you need an experienced appellate advocate to protect a win in the lower courts.

Our partners have a track record of success before federal and state appellate courts. On appeal the record is set, but the brief writing and oral advocacy skills of experienced appellate counsel can often lead to successful outcomes for clients.

## Representative Matters

Represented defendant attorney in dismissal of significant legal malpractice case upheld by the Court of Appeals. *Waggoner v. Caruso*.

[\*Link Motion Inc. v. DLA Piper LLP\*, 103 F.4th 905, 907 \(2d Cir. 2024\)](#): The Second Circuit vacated the district court's dismissal of a legal malpractice action for lack of federal jurisdiction and remanded the case to state court.

[\*Lee v. Leifer\*, 209 A.D.3d 531, 532 \(N.Y. App. Div. 1st Dep't 2022\)](#): The appellate court affirmed the denial of the defendants' motion to dismiss a legal malpractice complaint.

Represented a former client in a legal malpractice case against a law firm, with issues relating to attorney conduct and fiduciary obligations reaching the New Jersey Supreme Court.

Represented an IT services company in a contract dispute involving claims of breach, fraud, and successor liability against a national law firm.

Defended an insurer in appellate proceedings concerning the scope of coverage and the enforceability of policy exclusions under New Jersey law.