

# GALLAGHER

## GALLAGHER EVELIUS & JONES

### ATTORNEYS AT LAW

## Appellate

An unfavorable trial court ruling isn't always the final word. But deciding whether to pursue an appeal requires more than dissatisfaction with a judgment – it takes a deep understanding of appellate law and procedure, a strategic approach, and careful analysis of the trial court record.

Clients at these crossroads know that Gallagher's Appellate practice is ready to step in with clear, honest guidance and winning experience in both state and federal appeals courts. We identify the strongest legal issues, explain the risks given the applicable standards of review, and craft persuasive arguments that speak to the legal and policy concerns most relevant to appellate courts.

A well-executed appeal can reverse a trial loss, protect a favorable decision, or even shape the development of the law. For clients navigating this process, the right appellate counsel can make all the difference.

## By The Numbers

100+

Number of Cases Briefed/Argued Before Federal and State Appellate Courts

13

Number of Former State and Federal Appellate Clerks

## Selected Experience

### Abell Foundation v. Baltimore Development Corporation

Alongside the City of Baltimore, Gallagher successfully argued on behalf of a developer that the Appellate Court of Maryland should affirm a lower court decision that a financial agreement between the city and the developer could not be disclosed under the Maryland Public

Information Act due to confidential commercial information. **Full opinion.**

### John Doe v. Catholic Relief Services

Gallagher successfully argued before the Supreme Court of Maryland that Maryland's employment discrimination laws must be applied based on their plain language, notwithstanding developments in federal case law. **Full opinion.**

### Brian McLain v. Roman Catholic Diocese of Lansing

Gallagher successfully argued that the Michigan Court of Appeals should reverse a lower court decision denying a motion to dismiss based on the statute of limitations, relating to the interpretation of a newly enacted statute. The Michigan Supreme Court affirmed this decision. **Full opinion.**

### Park Plus v. Palisades of Towson

Gallagher successfully defended an appeal before the Supreme Court of Maryland that allowed our client to proceed with its petition to compel arbitration in a contractual dispute under the Maryland Uniform Arbitration Act. **Full opinion.**

### Redeemed Christian Church of God (Victory Temple) Bowie v. Prince George's County

Gallagher successfully defended an appeal in the U.S. Court of Appeals for the Fourth Circuit on behalf of a church in Bowie, Maryland, which sought to construct a building on a recently acquired parcel of land to accommodate its growing congregation. The church's application to amend the water/sewer designation for that parcel was denied by Prince George's County. The federal district court and the Fourth Circuit each determined that the County's decision violated the Religious Land Use and Institutionalized Persons Act of 2000, allowing the development of the new church to proceed. **Full opinion.**

### Williams v. Duratel

Gallagher successfully represented Duratel before the Appellate Court of Illinois against claims by Donald Williams, a former employee of Duratel, alleging that Duratel and its successor, Trident Industries, breached a settlement agreement by transferring assets and business operations to Trident, thereby preventing the occurrence of financial benchmarks that would have triggered payments to Williams. The court affirmed the trial court's grant of summary

judgment in favor of Duratel and Trident. **Full opinion.**

## Shelter Senior Living IV v. Baltimore County

Gallagher persuaded the Appellate Court of Maryland to reverse and remand lower court rulings denying a request from the sellers of three senior living facilities to be refunded state and county transfer and recordation taxes related to the sale. **Full opinion.**

## Greater Baltimore Center for Pregnancy Concerns v. Mayor & City Council of Baltimore

Gallagher successfully defended a decision on appeal declaring that the City of Baltimore violated our client's free speech rights under the First Amendment for passing an ordinance requiring limited-service pregnancy centers to post notices if they do not provide or make referrals for abortions or related services. **Full opinion.**

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