



WEBINAR

Appellate Series, Session 11: How to Win an Argument (at the U.S. Supreme Court, or anywhere)

- a. **Date:** May 13, 2026
- b. **Duration:** 1:00-2:00pm EDT (60 minutes)
- c. **CLE:** 60 minutes general credit
- d. **Title:** How to Win an Argument (at the U.S. Supreme Court, or anywhere)
- e. **Description:**

From the perspective of Neal Katyal, a seasoned U.S. Supreme Court litigator, making a winning argument is less about grand rhetoric and more about empathy, human connection, and thorough preparation. In this webinar, Katyal argues that persuasion is achieved by taking a client-centered approach, listening, finding common ground, and understanding the perspectives of those you are trying to convince.
- f. **Materials:** Written handout materials will be provided to participants.
- g. **Presenter:**

Neal Katyal is a partner in the Washington, DC office of Milbank LLP. Mr. Katyal, the former Acting Solicitor General of the United States, focuses on appellate and complex litigation. He has argued 54 cases before the Supreme Court of the United States.

He has extensive experience in matters of antitrust, corporate, constitutional, securities, technology, criminal, patent, copyright, trademark, ERISA, products liability, labor, employment and tribal law. In the 2022-23 Supreme Court term, he argued five separate cases (nearly 10% of the docket), including winning the landmark voting case *Moore v. Harper*, which Judge Michael Luttig described as “the most important case for American democracy in the almost two and a half centuries since America’s founding.” Judge Luttig also said Mr. Katyal’s argument “was the single best oral argument I have ever heard made in the Supreme Court of the United States.” His cases include successfully striking down the Guantanamo military tribunals, successfully defending the constitutionality of the Voting Rights Act and successfully defending the Peace Cross in Maryland. His 2017 win in *Bristol Myers Squibb v. Superior Court* was a landmark victory for personal jurisdiction law and his 2006 win in *Hamdan v. Rumsfeld* was described by former Acting Solicitor General Walter Dellinger as “simply the most important decision on presidential power and the rule of law ever. Ever.”

From 2010 to 2011, Mr. Katyal served as Acting Solicitor General of the United States, where he argued several major Supreme Court cases involving a variety of issues, such as his successful defense of the constitutionality of the Voting Rights Act of 1965, his victorious defense of former Attorney General John Ashcroft for alleged abuses in the war on terror, his unanimous victory against eight states who sued the nation's leading power plants for contributing to global warming, and a variety of other matters. As Acting Solicitor General, he was responsible for representing the federal government of the United States in all appellate matters before the US Supreme Court and the Courts of Appeals throughout the nation. He served as Counsel of Record hundreds of times in the US Supreme Court. He was also the only head of the Solicitor General's office to argue a case in the US Court of Appeals for the Federal Circuit, on the important question of whether certain aspects of the human genome were patentable.

After graduating from Yale Law School, Mr. Katyal clerked for The Honorable Guido Calabresi of the US Court of Appeals for the Second Circuit as well as for The Honorable Justice Stephen G. Breyer of the US Supreme Court. He also served in the Deputy Attorney General's Office at the Justice Department as National Security Advisor and as Special Assistant to the Deputy Attorney General during 1998-1999.

Mr. Katyal is a best-selling New York Times author and has published dozens of scholarly articles in law journals (including several in the Harvard Law Review and Yale Law Journal), as well as many op-ed articles in publications such as the New York Times and the Washington Post. He has testified numerous times before various committees of both the US House of Representatives and the US Senate.