

Appellate Advocacy Course Schedule
 Fall 2024: Section 5, Fregosi

All readings other than McAlpin (*Beyond the First Draft*) and Messing (*The Art of Advocacy*) are on Canvas.

Week	Date	Reading Assignment	Writing Assignment	Class Plan
1	August 27	<ul style="list-style-type: none"> • Class syllabus and schedule • Messing, Introduction & How to Get the Most From This Book, pgs. xix-xxii • <i>Eagle County, Colorado v. Surface Transportation Board</i>, pgs. 1-17 (up to beginning of part II) 		<ul style="list-style-type: none"> • Introduction and class overview • Begin discussing this semester's case, <i>Eagle County, Colorado v. Surface Transportation Board</i> (know on appeal as <i>Seven County Infrastructure Coalition v. Eagle County, Colorado</i>)
	August 29	<ul style="list-style-type: none"> • <i>Eagle County, Colorado v. Surface Transportation Board</i>, pgs. 17-end • <i>The Complete Appellate Advocate</i> 		<ul style="list-style-type: none"> • Meet the TAs • Finish discussing <i>Eagle County, Colorado v. Surface Transportation Board</i>
2	September 3	<ul style="list-style-type: none"> • <i>Department of Transportation v. Public Citizen</i> • Messing, Chapters 4 & 5, pgs. 59-95 		<ul style="list-style-type: none"> • Discuss assigned reading
	September 5	<ul style="list-style-type: none"> • <i>Sierra Club v. Federal Energy Regulatory Commission (Sabal Trail)</i> 		<ul style="list-style-type: none"> • Guest lecture on NEPA with Professor Christophe Courchesne • Discuss assigned reading

Appellate Advocacy Course Schedule
 Fall 2024: Section 5, Fregosi

3	September 10	<ul style="list-style-type: none"> • <i>Delaware Riverkeeper Network v. Federal Energy Regulatory Commission</i> • Messing, Chapter 6, pgs. 97-111 		<ul style="list-style-type: none"> • Discuss assigned reading
	September 12	<ul style="list-style-type: none"> • <i>Center for Biological Diversity v. US Army Corps of Engineers</i> • Messing, Chapters 7, 8 & 9, pgs. 113-146 		<ul style="list-style-type: none"> • Discuss assigned reading
	September 15 (Sunday)		Research Memo due on Canvas by 11:59 pm	
4	September 17	<ul style="list-style-type: none"> • McAlpin, pgs. 3-19 (end at transitions) • Messing, Chapters 1 & 2, pgs. 1-31 		<ul style="list-style-type: none"> • Discuss coherent writing • Introduction to the statement of the case
	September 19	<ul style="list-style-type: none"> • McAlpin, pgs. 19-30 (begin with transitions) • Messing, Chapter 3, pgs. 33-53 • <i>Preliminary Board Decision</i> 		<ul style="list-style-type: none"> • Practice coherent writing; exercise on McAlpin pgs. 26-30 in class • Continue discussing the statement of the case • Discuss assigned reading

Appellate Advocacy Course Schedule
Fall 2024: Section 5, Fregosi

5	September 24	<ul style="list-style-type: none"> • McAlpin, pgs. 31-47 (up to Write Uncluttered Sentences) • <i>Final Board Decision</i> 		<ul style="list-style-type: none"> • Practice vigorous writing; exercise 1 on McAlpin pgs. 60-61 in class • Continue discussing the statement of the case • Discuss assigned reading • Discuss preliminary brief sections and brief formatting (bring computers to class)
	September 26	<ul style="list-style-type: none"> • McAlpin, pgs. 47-59 (up to Combining Vigor and Variety) • Messing, Chapter 12, pgs. 175-92 • <i>Identifying and Understanding Standards of Review</i> 		<ul style="list-style-type: none"> • Practice vigorous writing; exercises 2 and 3 on McAlpin pgs. 61-62 in class • Discuss drafting the question presented and standard of review
	September 29 (Sunday)		Statement of the Case due on Canvas by 11:59 pm	
6	October 1	<ul style="list-style-type: none"> • McAlpin, pgs. 63-91 (up to Editing Strategy 4.7) • Messing, Chapters 11 & 13, pgs. 161-74 & 193-207 		<ul style="list-style-type: none"> • Practice clear writing; exercise 1 on McAlpin pgs. 103-04 in class • Discuss argument organization, point headings, and the summary of the argument

Appellate Advocacy Course Schedule
 Fall 2024: Section 5, Fregosi

	October 3	<ul style="list-style-type: none"> • McAlpin, pgs. 91-103 • <i>Bluebook Signals Explained</i> • <i>Parentheticals</i> • Bring Bluebooks to class 		<ul style="list-style-type: none"> • Practice clear writing; exercise 2 on McAlpin pgs. 104-06 • Discuss advanced citation techniques
7	October 8	<ul style="list-style-type: none"> • McAlpin, pgs. 107-21 (up to Editing Strategy 5.5) 		<ul style="list-style-type: none"> • Discuss polished writing • Petitioner check in
	October 10	<ul style="list-style-type: none"> • McAlpin, pgs. 121-44 		<ul style="list-style-type: none"> • Practice polished writing • Respondent check in
8	October 15			<ul style="list-style-type: none"> • No class—Fall Break
	October 17		<p>First draft of argument section due on Canvas by 11:59 pm</p> <p>Final draft of complete brief due on Canvas by 11:59 pm two weeks after our conference</p>	<ul style="list-style-type: none"> • Question and answer on drafts
9	October 22			No class—first draft conferences
	October 24			No class—first draft conferences

Appellate Advocacy Course Schedule
 Fall 2024: Section 5, Fregosi

10	October 29	<ul style="list-style-type: none"> • Supreme Court Guide for Counsel, focus on part E on pgs. 5-12 		<ul style="list-style-type: none"> • Introduction to oral argument <p>First round of practice arguments begins this week</p>
	October 31			<ul style="list-style-type: none"> • Discuss oral argument
11	November 5		Bring three oral argument questions you don't know how to answer to class	<ul style="list-style-type: none"> • Petitioners only – discuss oral argument <p>First round of practice arguments ends on Nov. 5</p>
	November 7		Bring three oral argument questions you don't know how to answer to class	<ul style="list-style-type: none"> • Respondents only – discuss oral argument <p>Second round of practice arguments begins on Nov. 8</p>
12	November 12			<ul style="list-style-type: none"> • Discuss oral argument <p>Second round of practice arguments runs through Nov. 13</p>
	November 14			<ul style="list-style-type: none"> • Practice argument debrief and last questions before final arguments begin

Appellate Advocacy Course Schedule
Fall 2024: Section 5, Fregosi

13	November 19			No class
	November 21			No class
14	November 26			<ul style="list-style-type: none"> • Final class—oral argument debrief and course wrap up
	November 28			No class—Thanksgiving break
15	December 3			No class
	December 5			No class—good luck with finals!