

James Goldschmidt

PARTNER

Milwaukee

t. (414) 277-5663

james.goldschmidt@quarles.com



About James

Driving appeals with plain English and logically compelling interpretations

James Goldschmidt helps clients litigate and win complex disputes by crafting clear, persuasive legal briefs and arguments. With a focus on energy law, environmental litigation and utility property disputes, James advises on:

- **Appellate matters**
- **Energy regulatory matters**
- **Critical motions practice**

Never settling for legalese where plain English will do, James drives home the points that matter most to clients. With court submissions now routinely reported in the media, clients appreciate that James' writing sends a clear message to courts and the public alike. James also excels at interpreting statutes and relevant legal decisions in ways courts have not considered.

James chairs the firm's Appellate Practice Group.

Experience in Action

- **Advising on complex civil, regulatory and tax appeals**, with a focus on reducing difficult issues to understandable concepts for decisionmakers. James has fully briefed over 40 appeals in Wisconsin, Illinois, Florida and the Seventh, Ninth and Federal Circuits, briefed and argued cases before the Illinois Appellate Court and the Seventh Circuit Court of Appeals, and argued three times before the Wisconsin Supreme Court.

Education and Honors

Harvard Law School (J.D., 2012)

Harvard University (A.B., *summa cum laude*, 2009)

- Phi Beta Kappa Society
- Thomas Temple Hoopes Prize (Outstanding Scholarly Work or Research)

Bar Admissions

Wisconsin

Court Admissions

U.S. Court of Appeals, 11th Circuit, 2022

U.S. Supreme Court, 2021

U.S. Court of Appeals, 7th Circuit, 2013

U.S. District Court, Western District of Wisconsin, 2013

U.S. District Court, Eastern District of Wisconsin, 2012

Languages

Italian





- **Crafting motions (and, more importantly, supporting briefs) for pivotal issues** that especially matter to clients.
- **Advising public utility clients on a wide variety of matters** from rate cases before the Public Service Commission of Wisconsin (PSCW), to hydroelectric permit disputes before the Federal Energy Regulatory Commission (FERC), to utility right-of-way disputes with the Wisconsin Department of Transportation (WisDOT).
- **Advising on CERCLA Superfund litigation, in particular representing manufacturers and successor entities** identified as potentially responsible parties (PRP) in connection with historically contaminated sites, focusing on historical and archival research in pursuit of successor claims and defenses.

Successes

Appellate

- Argued and won reversal by Wisconsin Supreme Court in favor of internet freedom of speech under the federal Communications Decency Act.
- Argued and won affirmance by Seventh Circuit Court of Appeals of judgment dismissing antitrust claims against scrap metal processor.
- Convinced Wisconsin Court of Appeals to reverse administrative ruling by trial court in connection with public utility rates.
- Briefed amicus issues in a wide range of cases of statewide interest, including securities litigation, transmission easement disputes, insurance coverage disputes and nursing facility litigation.

Regulatory

- Defended favorable PSCW ruling for public utility client in regulatory appeal relating to cost allocation for fuel conversion at a cogeneration plant.
- Developed testimony and crafted briefing in support of merger between two multi-state investor-owned utilities.
- Secured recovery of public utility's costs in spent nuclear fuel litigation.





Capabilities

Appellate

Remediation

Environmental Litigation, Enforcement and Disputes

Energy & Infrastructure

Class Action Defense

Litigation & Dispute Resolution

Environmental & Natural Resources

Regulatory

Professional Recognitions

- *Best Lawyers in America*[®] (2023, 2024: Appellate Practice, Energy Law, Litigation – Environmental)
- State Bar of Wisconsin – Pro Bono Honor Society (2013-2016)
- Wisconsin *Super Lawyers*[®] "Rising Stars" (2016-2023: Appellate)
- *Wisconsin Law Journal* "Up and Coming Lawyer" (2018)
- *Milwaukee Bar Association* "Distinguished Service Award" (2020)

Professional & Civic Activities

- State Bar of Wisconsin, member
 - Appellate Practice Section, chair (2021-2022)
 - Planning and Policy Advisory Committee
- Seventh Circuit Bar Association, member
 - Board of Governors, member
- American Bar Association, member
- Center for Urban Teaching, board member
- Wisconsin Lutheran High School, secretary
- Lutheran Urban Ministry Initiative, Inc. (LUMIN Schools), board member

Selected Published Decisions

Daniel v. Armslist, LLC, 2019 WI 47, 386 Wis. 2d 449, 926 N.W.2d 710

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- *Daniel v. Armslist, LLC*, 2019 WI 47, 386 Wis. 2d 449, 926 N.W.2d 710

