

# The Upper Class Competition

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## Recent Competitions

### 2005 Upper Class Competition

By Al Clarke

On November 12, 2005, the Moot Court Board hosted the preliminary rounds of the annual Upper Class Moot Court Competition (“UCC”), which provides George Mason University School of Law (“GMUSL”) students a forum for developing appellate advocacy skills. Twenty-eight two-person teams participated in the first round of the competition, all vying for the opportunity to argue in the competition’s final round at the United States Court of Appeals for the District of Columbia Circuit. Each team participating in the competition argued for both the appellant and the appellee in the preliminary morning rounds.

“By arguing for both the appellant and the appellee, the UCC challenges students to represent positions they may not necessarily agree with, and teaches them to quickly pivot to meet the needs of very different clients,” said Upper Class Competition Co-chair Catherine Haggett.

After lunch, sixteen teams advanced to the octo-final round, where eight teams argued for the appellant and eight for the appellee. Deborah Colella received the award for Best Oralist.



By early evening, four teams had advanced to the semi-final round and squared off before a distinguished panel of judges including **Judge Lawrence J. Block** of the Court of Federal Claims, **Mr. Lawrence DeMille-Wagman** of the Federal Trade Commission, and **Mr. John D. Austin** from Patton Boggs, L.L.P. The semi-finalists included the teams of **Catherine Evan** (2D) and **Shiraz Panthaky** (2E), **Mark O’Neil** (3D) and **Joe Folio**(2D), **Ashlea Thomas** (2E) and **Adam Phillips** (2E), and **Bernard Tomsa** (3D) and **Rocklan King** (2D). GMSUL students filled the appellate courtroom to hear final arguments, and eagerly awaited the judges’ announcement of the finalists. The judges fired both procedural and substantive question at the competitors. Each team gave an outstanding performance, making the selection of the final two teams difficult for the panel. The judges selected **Thomas/Phillips** and **Tomsa/King** to compete in the final round.

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On the evening of November 18, 2005, the team of Thomas/Phillips faced off against the team of Tomsa/King in the final round of the UCC which was held in the Ceremonial Courtroom at the United States Court of Appeals for the District of Columbia Circuit. The Moot Court Board was honored to have **Chief Judge Douglas Ginsburg** of the United States Court of Appeals of the District of Columbia, **Judge Stephen Glickman** of the District of Columbia Circuit Court, and **Senior Judge Loren A. Smith** of the United States Court of Federal Claims serve as judges for the final round. The courtroom was filled with students, friends, parents, and esteemed GMUSL professors as the cameras began to roll and the competitors took to the podium. After almost an hour of spirited arguments and blistering questions, the distinguished panel of judges took a short recess to confer and returned shortly thereafter to announce that the team of **Thomas/Phillips** was the winner of the 2005 Upper Class Moot Court Competition.

The Moot Court Board credits the success of this year's competition to the support it received from the local legal community and to the hard work and dedication of its members. "This competition would not be possible without the support of our attorney and judge volunteers," said Filicia Davenport (3D), Judges Committee Chair. Many GMUSL alums came back to judge the preliminary rounds of the competition and reunite with old friends. About twenty first year students also supported the competition efforts and gained exposure to appellate advocacy by serving as competition bailiffs.

The problem for the Upper Class Competition was based on the fall 2005 LRWA III Appellate Writing problem, which involved a Criminal Procedure Rule 33 motion for new trial and constitutional due process. The Moot Court Board worked closely with Professor **Alison Price** to connect the moot court competition experience with the legal writing curriculum. All students enrolled in Appellate Writing presented in-class oral arguments during the semester, which helped competitors prepare for the competition.

The Moot Court Board congratulates both the winning team and the runner-up. The Board also offers its sincerest gratitude to all of the Board Members, students, alumni, local attorneys, judges, and professors who volunteered their time and worked so hard to make this year's competition such a success.

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## 2004 Upper Class Competition

By Elizabeth S. Ryan

On Saturday, November 6, 2004, the Moot Court Board hosted the annual Upper Class Moot Court Competition, which provides **GMUSL** students a forum for developing appellate advocacy skills. A field of over fifty second and third year students vied for the opportunity to argue in the competition's final round at the United States Court of Appeals for the District of Columbia Circuit.



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Twenty-six teams participated in the preliminary rounds of the competition, and four teams squared off in the semi-final round before **Chief Judge Michael McWeeny** and **Judge Stanley Klein** of the Fairfax County Circuit Court, and **Judge Thomas Horne** of the Loudoun County Circuit Court. Each team argued for both the appellant and the appellee in the preliminary rounds. As the competition progressed throughout the day, the Moot Court Board power-matched teams to determine which side of the argument each team presented. "Being prepared to argue either side really kept competitors on their toes and added to the level and excitement of the competition," said Michelle Powers (3D), Competition Committee Chair.

By Saturday evening, four teams had advanced to the semi-final round, including: **Elizabeth Owens** (3D) and **Hollis Peterson** (2D); **Molly Fox** (2D) and **Tiffany Guglielmetti** (2D); **Bill Groh** (3D) and **Jeremy Wilson** (3D); and **Robert Bruce** (2D) and **Jill Maguire** (2D). GMUSL students filled the appellate courtroom to hear final arguments and eagerly awaited the judges' announcement of the finalists. Each team gave an outstanding performance, making the selection of the final two teams difficult for the panel. The judges selected **Groh/Wilson** and **Bruce/Maguire** to compete in the final round on Friday.

The Moot Court Board credits the success of this year's competition to the support it received from the local legal community and the hard work and dedication of its members. "Volunteers are critical to the success of any moot court competition at GMUSL", said Jennifer Ellis Lattimore (3D), Judges Committee Chair. "We greatly appreciate the willingness of **local attorneys** to reach out to our law school community and the commitment of our Board members." Many first-year students also supported the competition efforts and gained exposure to appellate advocacy by serving as competition bailiffs.

The problem for the Upper Class Competition was based on this semester's LRWA III Appellate Writing problem, which involved personal jurisdiction and service of process issues. The Moot Court Board worked closely with **Professor Alison Price** and **Christine Malone** to connect the moot court competition experience with the legal writing curriculum. All students enrolled in the appellate writing class presented in-class oral arguments last week, which helped competitors prepare for the competition.

The final round of the Upper Class Competition was held on Friday, November 12 at 5:00 p.m. in the ceremonial courtroom of the **United States Court of Appeals for the District of Columbia Circuit**. The Moot Court Board welcomed **Chief Judge Douglas Ginsburg**, **Judge David Sentelle** and **Judge Raymond Randolph** as the final round panel of judges. "We were honored to have the opportunity to argue in such a prestigious courtroom before this distinguished panel of judges," said Wilson, one of the finalists.