



In the News

MWM Appellate Pro Chase Cobern Argues Before En Banc Ninth Circuit to Defend State Anti-SLAPP Rights

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On June 24, 2025, MWM appellate litigation partner Chase A. Cobern argued before an 11-judge En Banc panel of the U.S. Court of Appeals for the Ninth Circuit. The issues under review are whether the Ninth Circuit should overturn decades of precedent permitting defendants sued in federal court to take advantage of state-conferred anti-SLAPP rights, and whether federal appellate courts should continue to permit immediate appeals when such rights are denied.

The California anti-SLAPP law at issue authorizes defendants to seek prompt dismissal and reimbursement of legal expenses for lawsuits targeting their free speech and petitioning rights. Defending Ninth Circuit precedent, Chase argued that California's anti-SLAPP law confers substantive state rights that federal courts must continue to enforce at both the trial and appellate levels. The En Banc Court's decision will contribute to an ongoing debate among the circuits over similar anti-SLAPP laws enacted by a majority of states, and could have broader implications for defendants seeking to benefit from state laws when they find themselves in federal court.

You can watch the oral argument here: https://www.youtube.com/watch?v=Hzi03fsg_Hs

Related People

- Chase A. Cobern
- Marina V. Bogorad
- Anton (Tony) N. Handal