

Pliner enjoys reshaping laws

Appellate lawyer David Pliner could have been a journalist, given his strong writing skills and ability to thrive under deadline pressure.

But then he wouldn't have had the opportunity to reshape the laws he enjoys affecting so much.

"Appellate practice affords the unique opportunity to not only represent a particular client in a specific case, but to also influence the broader development of the law and to sometimes even affect a change in the law," said Pliner, who has practiced law for 23 years.

As a managing partner in the Madison office of Corneille Law Group LLC, Pliner has been responsible for more than 30 appellate decisions in Wisconsin and federal courts. He said he enjoys being able to play a role in shaping the rules that govern.

Besides being able to make a difference beyond the courtroom, Pliner said he also enjoys the intellectual challenge of being an appellate and motions attorney. The two practices "require extensive research, writing and ultimately just thinking about the law," he said, "which are the three things I enjoy most about being a lawyer."

Barrett Corneille, founding partner of Corneille Law Group, said Pliner's excellent writing skills allow him to take complex issues and make them understandable.

"He's intellectually honest and has gained the trust of those Wisconsin judges he has appeared before," Corneille said. "Dave is unflappable and handles the stress of writing and deadlines with a confident ease. He also has a good sense of humor."

While Pliner has several noteworthy cases from his career, he cites *Yahnke v. Carson*, as one that stands out from the rest. In that 2000 case, the Wisconsin Supreme Court adopted the sham affidavit rule, which prevents a party from opposing summary judgment with an affidavit that contradicts a person's own deposition testimony.

"It seemed like a pretty straightforward concept at the time," Pliner said, "but the questioning at the oral argument was quite lively and the ruling has spawned a healthy body of appellate decisions."

And while appellate and motions work sometimes can get testy, Corneille said, Pliner always remains civil and professional.

"Dave refuses to be baited into personal attacks in his writing," he said.

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Barrett Corneille,
founding partner,
Corneille Law
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Wisconsin Law Journal photo by Kevin Harnack



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