

News



Many of our engagements involve matters in which our clients face significant public attention. The following is a list of news stories about the firm, our clients, cases and the results we have achieved.

Voices of Kobre & Kim, Oral Argument Series: Zachary Sizemore

September 9, 2026

For this edition of Voices of Kobre & Kim, we are highlighting oral argument and asking lawyers to share the lessons, strategies, and experiences that have shaped their approach.



Zachary Sizemore, an attorney in Kobre & Kim's New York office, discusses the importance of mastering the record, answering difficult questions directly, and approaching oral argument as a conversation rather than a presentation. A recent success of his included securing a reversal on behalf of a prisoner in an 11th Circuit appeal involving federal civil rights claims. Appointed by the court to serve as pro bono counsel, Zach represented the client in the appeal and secured a ruling vacating the dismissal of the case. The result was particularly noteworthy given the rarity of reversals in similar cases.

How do you approach preparing for and delivering arguments in U.S. circuit courts, from shaping your

core themes in advance to responding to the panel in real time?

For me, the foundation is knowing the record as thoroughly as humanly possible, especially if you weren't trial counsel. You never know what may come up during oral argument. A judge might focus on an alternative ground not reached by the trial court or a fact that received little attention in the briefing but ends up being critical to the case.

The better you know the record, the more confidently you can respond in real time and keep the conversation focused on your strongest arguments. This will also help avoid "fear of the unknown" - in other words, the fear the court will bring up an issue you are not fully aware of and prepared to discuss. And if your opposing counsel is not prepared on an issue that comes up, even if the court asks for more briefing, you get to be the one that sets the table at the argument.

From your perspective, what tend to be the defining qualities of effective oral arguments in U.S. circuit courts, and how have those informed your approach on recent Kobre & Kim matters?

The most effective advocates answer questions directly. If there's a fact or issue that isn't particularly helpful to your position, trying to avoid it only signals that you view it as a weakness in the case. The court will see that immediately - and your opposing counsel will seize on it if they still have argument time.

Instead, address difficult facts head-on. If a question requires a concession on a particular point, make it. Then explain why you still win. Credibility comes from engaging honestly with the toughest aspects of the case, not from trying to sidestep them.

Looking back, what's one lesson you've learned over the course of your career that meaningfully changed how you approach oral argument today?

Don't approach oral argument as a presentation. Approach it as a conversation.

At the end of the day, you're talking with people who are deeply interested in the law and the facts of the case. The goal isn't to deliver a perfectly scripted argument. The goal is to engage with the judges' questions, explore the details, and have a meaningful discussion about the issues that matter most to the case.

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In my experience, the court wants to test ideas and explore the nuances of a case. My advice is simple: let yourself nerd out about it. It's your case, you're interested in it, and the judges are interested in it. When you embrace that mindset, the conversation becomes more natural and the time flies by.