

8 Litigation Boutiques That Should Scare BigLaw

By **Jacob Fischler**

Law360, Washington (August 21, 2015, 5:34 PM ET) -- While BigLaw litigators can be frustrated by rate inflexibility or stifled by conflict issues born in other sections of their firm, the best litigation boutiques offer ambitious attorneys the same opportunities as bigger firms to work high-stakes cases for top-tier clients, analysts say.

Many litigation boutiques are the result of first-class BigLaw partners starting their own shops, essentially creating a small, standalone version of the litigation section at their old firms, according to a number of legal recruiters. Freed from some of BigLaw's constraints — but endowed by the experience and reputation big firms offer — the best litigation boutiques are every bit as attractive to clients and attorneys alike as corporate mega firms.

"Largely, they're sought out because they're good and they don't have conflicts," said Martha Ann Sisson, of legal recruiting firm Garrison & Sisson. "They're not competing on price, they're competing on skill and expertise."

Here, Law360 looks at eight litigation boutiques that analysts say have all the talent of any BigLaw litigation section.

Robbins Russell Englert Orseck Untereiner & Sauber LLP

With a stellar record at the U.S. Supreme Court, a roster of only 29 attorneys and clients including Northrop Grumman Corp. and the Bank of New York Mellon Corp., Washington-based Robbins Russell is among the cream of the litigation boutique crop, analysts say.

The firm has won 39 of its 50 cases before the Supreme Court since its 2001 founding, according to its website. Part of the firm's success comes from a careful approach to hiring — taking mostly candidates from other top-tier firms or those with at least one federal clerkship.

"They are very deliberate about their hiring, and I think that makes a big difference. You have to meet nearly everyone at the firm," Savage said. "People like practicing there, and I think that shows. The client can tell who's passionate about what they're doing."

Specializing in appellate litigation, the firm won a unanimous Supreme Court decision in May on behalf of individual debtors in a bankruptcy case, where justices ruled that post-petition funds held by a Chapter 13 trustee must be returned to the debtor, and not creditors or other parties, after the case is converted to a Chapter 7. In July, the firm won a \$380 million decision for BNY Mellon in New York

federal court when a U.S. district judge ruled Chesapeake Energy Corp. owed the bank the full make-whole price in a bond buyback.

Hangley Aronchick Segal Pudlin & Schiller

Fifty-attorney Philadelphia firm Hangley is also selective in who it hires — and in turn it's the choice of selective lateral movers, said Andrew Ufberg, a managing director in legal recruiter Major Lindsey & Africa's Philadelphia office.

"If I'm talking to someone from a big, big firm in Philly they'll say, 'I'm not interested in doing the same thing across the street, but if Hangley has an opening, I'm listening,'" Ufberg said.

Hangley's high-end practice and laid-back culture are part of its appeal to talented attorneys, he added. And the firm's approach to hiring illustrates both. The firm has high standards for hires, often taking applicants who graduated with honors from top-25 law schools, and practically requiring a federal clerkship on an applicant's resume. But just as important as credentials is personality, Ufberg said, and a jobseeker's first interview is over lunch, which would be unusual in BigLaw.

"They're substantive conversations over lunch, but the message is ... 'Who are you as a person? Would you fit in here,'" he said.

This month, Hangley succeeded in dismissing a False Claims Act suit against General Dynamics American Overseas Marine. In May, the firm won a transfer order allowing Rite Aid Corp. to join multidistrict litigation against AbbVie Inc. and Teva Pharmaceuticals Industries Ltd. for allegedly colluding with the maker of a generic cholesterol drug to keep the low-price med off the market.

Keker & Van Nest LLP

When Greenberg Traurig LLP — the third-largest firm in the U.S., according to a Law360 analysis earlier this year — was hit with a motion for sanctions in California federal court, it turned to Keker & Van Nest for representation, cementing the Bay Area firm's reputation as litigation specialists on par with firms of any size.

Founding partner John Keker, who prosecuted Col. Oliver North early in his career, has become an icon for white collar defense. His reputation and his charisma are part of the firm's appeal for talented attorneys, said Paige Drewelow a managing director in Kinney Recruiting LLC's San Francisco office. That talent spurs further success for one of the top litigation firms in the state.

"What makes them unique is they've got some of the best talent in the Bay Area and California," Drewelow said, adding the firm is a favorite of Supreme Court clerks looking for work in San Francisco, in part because associates are given more responsibility earlier in their career, and in part because of the prestige of the work itself.

"They get amazing work — white collar criminal defense and [intellectual property] litigation and that's pretty much it," Drewelow said. "They have a number of people who have gone on to be judges."

The firm has defended high-profile clients like "Star Wars" filmmaker George Lucas, Enron Chief Financial Officer Andrew Fastow, cyclist Lance Armstrong and Major League Baseball and its teams.

Zuckerman Spaeder LLP

With offices in Washington, New York, Baltimore and Tampa, Zuckerman rose to the top of the litigation

boutique world years ago.

"When I first started recruiting 10 years ago, people told me, 'You've got to keep them on your radar because they do really interesting, high-profile cases and attorneys love working with them,'" said Amy Savage, a senior director at recruiter Lateral Link.

The firm is known more for its work on behalf of individuals instead of corporations, Sisson said. Ex-Massey Energy Co. CEO Don Blankenship, who is facing charges related to an explosion that killed 29 employees, is one client. Zachary Warren, the former client relations manager at Dewey LeBoeuf LLP, who was indicted alongside Dewey executives on charges they deceived investors, is another.

"Zuckerman can be tasked with representing, say, a high-profile elected or appointed official who's done something idiotic," she said. "They tend to represent individual board members or executives rather than the corporate entity."

More recently, the firm is representing three former NFL players in a Third Circuit case regarding a settlement with the league over concussion claims.

Petrillo Klein & Boxer LLP

In 2012, Nelson A. Boxer, who had steered Alston & Bird LLP's white collar practice, joined two other former federal prosecutors, Joshua Klein and Guy Petrillo at their two-year-old firm. Petrillo Klein now has 12 attorneys and has proven a thorn in the side of the U.S. Securities and Exchange Commission, winning an injunction against the financial regulator earlier this month.

"These are first-chair attorneys who are very good in their practice areas," said Melissa Galett of Lucas Group's New York legal recruiting office.

The firm has attracted high-profile clients and talented associates largely on the reputations of its founding partners, she added.

"If they can take on the same issues with the same practitioners they could find at BigLaw at a lower structure or an alternative structure ... they're going to do it," Galett said of potential clients.

Lankler Siffert & Wohl LLP

Of LSW's nine partners, six are former federal prosecutors, according to the firm's website. That includes founding partners Frank H. Wohl, who was chief of the civil division and deputy chief of the criminal division in the U.S. Attorney's Office for the Southern District of New York, and John S. Siffert, who was also an assistant U.S. attorney in New York City.

"Another top litigation firm," Galett said. "Everyone has top academic credentials and very good first-chair trial experience."

The 22-attorney firm is known for white-collar defense and complex commercial litigation. In April, Derwick Associates executive Leopoldo Alejandro Betancourt Lopez, a LWS client, was dismissed from a \$1 billion bribery suit. Last year, the firm handed star U.S. Attorney Preet Bharara **his first loss** in an insider trading suit in five years.

Kellogg Huber Hansen Todd Evans & Figel PLLC

After splitting from the appellate department at Mayer Brown LLP, Michael K. Kellogg and Peter Huber

became two of the founding partners of the Washington-based firm, now a preeminent telecommunications litigation boutique, analysts said.

"It's certainly recognized for its excellence in litigation," Sisson said. "While there tends to be a telecommunications center to it, it's not exclusively that."

The firm contributed to boutiques' excellent showing in the 2015 Supreme Court term, winning both cases it argued there. After a remand from the Supreme Court in 2012, the firm won reinstatement of a \$45.5 million jury verdict in a Federal Circuit en banc case this month. And AT&T Inc. has enlisted the telecom specialists to fight the Federal Communications Commission's imposition of a record \$100 million fine.

Kobre & Kim LLP

With nine offices spanning three continents, New York-based Kobre Kim bills itself as "the global litigation boutique." Analysts agree the firm should be on the top of anyone's short list for bet-the-company litigation.

"They're the highest-end litigation boutique — I don't want to say in the world — but they're really high-end," Ufberg said. "I think if you would ask colleagues of mine at MLA or other recruiting firms, I think they would probably say Kobre Kim is the best litigation boutique in the world."

The firm won acquittal in November for former UBS AG executive Raoul Weil, who was accused of helping 20,000 U.S. clients hide \$20 billion from the Internal Revenue Service. The firm also represented Chevron Corp. in a suit seeking a consulting firm's cooperation in litigation over a discredited \$9.5 billion settlement in Ecuador.

Kobre Kim's success comes not just from its top-tier talent and propensity for high-stakes proceedings, but also its client relations, Sisson said.

"They're not only technically sound, but they're good at the client maintenance piece of it," she said.

--Editing by Erica Teichert, Shannon Henson and Kelly Duncan.