

## Corporate Counsel Honor Favorite Litigators

By **Lisa Uhlman**

*Law360, New York (February 01, 2012, 6:46 PM ET)* -- Corporate counsel have singled out more than 50 litigators who come through for them in terms of client service, and many attorneys attribute that acknowledgement to an ability to assess clients' business needs and know how far they're willing to go in a case.

The 2012 BTI Client Service All-Stars report from The BTI Consulting Group Inc. (Wellesley, Mass.) lists 272 attorneys named by corporate counsel for their outstanding client service, 57 of whom are litigators.

In-house counsel were asked to name, unprompted, attorneys they consider to provide great client service.

Law360 spoke with some of the recognized attorneys, who by and large associate a successful litigation practice with being on the same page as clients and knowing what they want from their outside counsel.

And that, according to Jones Day's James Karen, hinges on one thing: collaboration.

"Everything I do, I try to do hand-in-hand, collaboratively with clients," Karen said.

"I try to involve them in every step of the process, I try to get as much information as I can to them, I try to understand their business objectives and I try to make sure that the decisions we make, we make together through consensus, where possible," he added. "We are paid to get into the facts and the law, to understand the issues, to understand the client's objectives and hopefully to bring value, and I think we do that through a lot of focus and working hand-in-hand with the client."

Collaborating and understanding clients' business needs requires a strong knowledge of a company and its philosophy, what's most at stake for corporate counsel in a litigation context.

"It's really about understanding the specific corporation and their business model, their philosophy, so when they're involved in disputes, you can better understand what's important to them in a heated, bet-the-company kind of dispute," Satoru Murase of Bingham McCutchen LLP said.

"For a businessperson or a person that's making decisions that could really impact the company, it's really helpful to give them that sort of strategic advice," he added. "It helps to give advice from in their shoes, thinking about how they're looking at it as well as [looking at it] as a lawyer."

Understanding the business is also crucial for a litigator in terms of knowing exactly how a client wants a case approached.

“Some clients are in for the long fight — there's a reason for them to litigate — while other clients have business needs that outweigh the litigation concerns,” Duane Morris LLP's Sandra Jeskie said.

“I think the most important thing for me or any litigating attorney is to really understand what drives the client and develop a strategy that best fits their needs,” she added. “It's different for every client.”

Meanwhile, some attorneys stressed the importance of simply treating clients well from a humanistic standpoint. According to Peter Zimroth of Arnold & Porter LLP, this aspect of cultivating relationships with clients, an understanding of basic human qualities such as courtesy, is just common sense.

“Quite often, my clients, or general counsel or CEOs, have lots of professional and personal pressures on them that you need to understand and respect, because this is not just about being a litigator; it's about being a lawyer. And if you don't understand what's motivating them, you won't be able to do your job,” he said.

“I've been involved in a fair number of bet-the-company cases, where the pressures are really tremendous on all the people involved,” he added. “So on top of all that [is] human understanding of what their needs are. I think it's important not only that you give the perception, but [also] that the perception be reality, that you'll go not just the extra mile, but the extra thousand miles, until you get the job done.”

While getting the job done, for a litigator, often means winning a case, a large part of keeping a client's business needs in mind is knowing when it's better for them to settle, which Jeskie said is a strategy that isn't as common as it should be for litigators.

“I think it's very important to be the best advocate you can be for your client and your client's position, while at the same time you must keep an open mind to settlement opportunities at every stage in the litigation,” she said.

“It is critical to understand what is driving the client and what they want to achieve in the litigation, and that usually requires meeting with the businesspeople as well as in-house counsel,” she added. “To best represent my clients I like to feel that I am not only their advocate but also a participant in the lawsuit with them, anticipating and assisting with business concerns that arise from the litigation.”

Also important is being able to clearly and confidently explain the risks and likelihood of success that a client faces in preparing for trial, a healthy sense of trust, and a strong knowledge of and skill in the substantive area of law, attorneys said.

And beyond all these factors, according to Murase, gaining client loyalty is really pretty simple.

“Winning cases always helps,” he said.

Attorneys honored as favorite litigators are Arnold & Porter LLP's Peter Zimroth, Baird Holm's Kirk Blecha, Baker & McKenzie LLP's John Murphy, Bartlit Beck Herman Palenchar & Scott LLP's Donald Scott, Bingham McCutchen LLP's Satoru Murase, Bracewell & Giuliani LLP's Douglas Daniels and Kevin O'Connor, Briggs and Morgan PA's Timothy Thornton, Bryan Cave LLP's Peter Herzog III, Calfee Halter & Griswold LLP's Albert Lucas, Chambliss Bahner & Stophel PC's William Aiken, Anthony Jackson and William Pickering, Cox Smith Matthews Inc.'s Roger Wilson, Curiale Hirschfeld Kraemer LLP's Reed Schaper, Davies Ward Phillips & Vineberg LLP's James Reid, DLA Piper's Gregory Hall and Joseph Kernen, Duane Morris LLP's Sandra Jeskie, Edwards Wildman Palmer LLP's David Kanter and Anthony Viola, Eversheds LLP's Paul Smith, Faegre Baker Daniels' Jacon Bylund, Faruki Ireland & Cox PLL's Charles Faruki, Foley & Lardner LLP's Brian McGrath and Michael Tuteur, Freshfields Bruckhaus Deringer LLP's Julian Makin, Freund Freeze & Arnold's Neil Freund, Frost Brown Todd LLC's Adam Hall, Gilbert LLP's Scott Gilbert, Gurnee & Daniels LLP's Steven Gurnee, Hunton & Williams LLP's Samuel Danon and Douglas Graner, Jones Day's James Karen and Matthew Lampe, Kilpatrick Townsend & Stockton LLP's James Gilliland, King & Spalding LLP's Richard Cirillo, Kirkland & Ellis LLP's Michael Baumann and Anne Sidrys, Lathrop & Gage LLP's Gary Cunningham, McDermott Will & Emery LLP's Michael Kendall, Miller Schirger LLC's Matthew Lytle, Morgan Lewis & Bockius LLP's Hugh Tanner, Morrison & Foerster LLP's Michael Jacobs, O'Hare Parnagian LLP's Richard Menchini, Parr Brown Gee & Loveless' Robert Clark, Reed Smith LLP's Scott Baker, Rose Law Firm's Amy Lee Stewart, Sessions Fishman Nathan & Israel LLC's David Israel, Shook Hardy & Bacon LLP's Marie Woodbury and Tristan Duncan, Sills Cummis & Gross PC's Peter Verniero, Simmons & Simmons LLP's Adam Cooper, Simpson Thacher & Bartlett LLP's Paul Curnin, Skadden Arps Slate Meagher & Flom LLP's Stephen Harburg and Jessica Miller, Valorem Law Group's Patrick Lamb, and Weintraub Genshlea Chediak Tobin & Tobin's Laurence Berman.

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