

Pennsylvania Powerhouse: Morgan Lewis

By **Matt Fair**

Law360 (August 30, 2018, 3:40 PM EDT) -- Since its founding in Philadelphia nearly 150 years ago, Morgan Lewis & Bockius LLP has grown into one of the largest and most prominent global law firms, but its continued Pennsylvania presence is evident in work like its recent representation of The Hershey Co. in litigation over a billion-dollar acquisition.

Morgan Lewis, among the five firms chosen as Law360's 2018 Pennsylvania Powerhouses, was tapped earlier this year to defend Hershey against a challenge from Amplify Snack Brands Inc. shareholders over the company's \$1.6 billion valuation as part of a deal to be acquired by Hershey.

Eric Sitarchuk, a partner in Morgan Lewis' Philadelphia office and chair of the firm's white collar practice, suggested that Hershey's reliance on the firm to defend the acquisition made a sort of symbolic sense, given that over the years, both have grown from their roots in Pennsylvania to become global juggernauts.

"In many ways we're a Pennsylvania success story like some of the companies that were born and raised in the state but have expanded into true national and international powerhouses," he said. "While we have an enormously strong presence in Pennsylvania and always have, we've used that as a springboard to really become one of the most significant national, and now international, firms."

Morgan Lewis first opened up shop in Philadelphia in 1873 and quickly grew to represent some of the most prominent clients in the region at the time, including United Gas Improvement Co., which was the nation's first public utility.

Since then, the firm has exploded in size to encompass 30 offices across North America, Europe and Asia.

Back in its home state, however, the firm boasts two offices — one each in Philadelphia and Pittsburgh — with a total headcount of 308 attorneys.

"What is great is that we've retained our roots in Pennsylvania, but we've been able to leverage that to become a much stronger firm," said Barbara Shander, a partner in Morgan Lewis' Philadelphia office



who serves as deputy manager of the firm's private equity practice.

In Philadelphia, where the firm has 276 attorneys, Sitarchuk and Shander said the firm drew work from the region's robust health care and pharmaceutical industries.

On the other end of the state, meanwhile, they said an energy industry that's been revitalized in the last decade thanks to hydraulic fracturing and the Marcellus Shale formation had helped provide business to the firm.

The firm's Pittsburgh office includes 33 attorneys.

"The Pittsburgh office is very focused on energy and has some high-profile lawyers in that space," Sitarchuk said.

He said the firm was able to use its extensive Pennsylvania stable to help support work being done at its other offices around the country.

"We're sort of a net importer of legal fees here in the state," he said. "We have such a strong base of lawyers in Pennsylvania and a strong level of collaboration with our other offices that our Pennsylvania lawyers are doing work for clients all over the country."

The firm's success has made it a magnet for major talent, including former U.S. Attorney Zane Memeger, who rejoined Morgan Lewis last January after stepping down from a six-year stint as the top federal prosecutor in the Eastern District of Pennsylvania with the change in presidential administrations.

The firm's Philadelphia office also boasts former U.S. Attorney Kenneth Polite, who helmed the Eastern District of Louisiana under then-President Barack Obama before joining the firm in July.

In addition to its work defending Hershey's acquisition of Amplify Snack Brands, Morgan Lewis' handling of several other billion-dollar transactions for companies in the state helped land the firm on this year's list of Pennsylvania Powerhouses.

Last year, the firm represented the Philadelphia-area Harron Communications LP as it unloaded its cable systems, which operate under the brand MetroCast, to Atlantic Broadband for \$1.4 billion.

It also represented the Philadelphia-based Aramark Corp. as it shelled out \$1 billion to acquire the uniform and linen supply business AmeriPride Services Inc.

In the litigation sphere, Morgan Lewis represented Uber Inc. in Pennsylvania as it fought off an antitrust challenge from a trade group representing Philadelphia taxi drivers.

After notching a win on a motion to dismiss before a trial court judge in March 2017, the firm secured an affirmance of the ruling — the first of its kind by a federal appeals court — from the Third Circuit in April.

Moving forward, Shander said she expected that the state's abundant health care industry — anchored by the University of Pittsburgh Medical Center to the west and the University of Pennsylvania Health System to the east — and pharmaceutical sector would continue to drive legal work for the firm in the coming years.

"It's going to continue to be health care and life sciences," she said. "We've been in an economic upcycle cycle for a long time, and at some point that cycle is going to switch, but health care and life sciences are going to endure through all of it. These are areas where we have a great foundation, and they're going to continue to grow."

-- Additional reporting by Emma Cueto. Editing by Marygrace Murphy.