

## MVP: Morgan Lewis' Grace Speights

By **Cara Salvatore**

*Law360 (October 22, 2020, 3:54 PM EDT)* -- Grace Speights of Morgan Lewis & Bockius LLP helped PBS to victory in a #MeToo case involving talk show host Tavis Smiley, and has been counseling employers on how to respond to calls for racial equality in their companies, earning her a nod as a 2020 Law360 Trials MVP.

### **HER BIGGEST ACCOMPLISHMENT THIS YEAR:**

Speights represented PBS in a trial in which a jury in March rejected Smiley's claims that the network fired him because he was Black. The jury found instead that PBS cut ties because he had improper sexual relationships with subordinates, violating a "morals clause" in his contract. Smiley was one of several men in leadership positions toppled by misconduct allegations amid the #MeToo movement's nascence in late 2017.

The jury awarded PBS \$1.5 million, and in recent months, Speights said, "the judge ordered and awarded PBS an additional \$1 million in liquidated damages, for a total of approximately \$2.5 million."

"The reason it was a big win was, one, because we were a defendant and we were able to get a verdict and money on behalf of our client, but two, the morals clauses. A lot of companies, especially in the entertainment field, use morals clauses in their contracts, but our case was the first or at least one of the first to be tried before a jury," she said.

"The contract language says that Mr. Smiley and the Smiley companies would not do anything or engage in any type of conduct that could be detrimental to his reputation and brand or be detrimental and damage the brand of PBS. And we thought the language was pretty clear."

### **HER BIGGEST CHALLENGE THIS YEAR:**

Speights said many companies came to her for help after the police killing of George Floyd and the protests that followed. The nationwide reckoning also prompted many employees to make "demands of



their employers internally. And so as a result of that, we were retained a lot to help companies work their way through those issues," she said.

"Unlike gender discrimination and sexual harassment, companies generally didn't talk internally about race. Race is a very difficult issue to talk about internally among employees. It can be very uncomfortable talking about race. And a lot of leaders and managers within companies are not capable of or not trained to do that," Speights said.

She said this important but challenging work has taken up almost all of her time since the end of May.

#### **WHAT MOTIVATES HER:**

Speights said she's motivated by trying to help management do what is necessary to make their companies "safe, inclusive and respectful." She said that is how to make changes that ultimately benefit employees.

"I think back to my mom, who worked in a factory, and I went to work with her a lot when I was a kid. And I just remember sort of observing the factory setting and how awful it was. But to be able to now work with companies at the highest levels — because I'm dealing with CEOs and boards of directors to give them my advice on things that they need to do to make their workplaces safe, inclusive and respectful — that just keeps me going. Because it makes me feel as if I'm making a change," Speights said.

#### **HER ADVICE FOR JUNIOR LAWYERS:**

Speights said junior lawyers should be sure that they find a job they like enough to mentally withstand punishing hours, because that's what it means to be an employee in the legal world.

"And it may not be the first area of law that you start practicing in, and it may not be at the first place that you work," she said.

"I think that in order to do your best work and in order to work the long hours that we work, especially in Big Law, and in order for me now to have been able to do this for 36 years, you have to have passion that's driving you. Otherwise you're not going to be satisfied with yourself; you're not going to be happy with what you're doing. When you're not satisfied, you're not passionate, and you're just putting in the hours for a paycheck. That's just no way to live, from my standpoint," Speights said.

— *As told to Cara Salvatore*

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