

GCs Name 24 Top White Collar, Securities Attys

By **Brian Mahoney**

Law360, New York (February 15, 2013, 8:48 PM ET) -- Corporate in-house counsel have selected 24 attorneys from the securities and white collar realm who they say have the legal know-how, communication skills and candor necessary to tackle their toughest legal and business problems.

The attorneys, named as part of the 2013 BTI Client Service All-Stars report from The BTI Consulting Group Inc. (Wellesley, Mass.), were nominated solely by corporate counsel based on their ability to deliver client services, with no prompting or law firm input, according to BTI President Michael Rynowecer.

In interviews with Rynowecer and several of the attorneys named on the list, communication, candor and good chemistry were the most common attributes of attorneys earning the respect and trust of general counsel facing securities or white collar advisory.

"Candor and a lot of very direct conversation will positively impact the client-attorney relationship," Rynowecer told Law360.

Those attributes may seem trite or easily achievable but they pay off in dividends, many attorneys said. And consistently maintaining a tight-knit relationship with clients is actually much harder than it sounds.

"It may sound flip, but really good client service goes back to communication — understanding what the client's issue is and how you can best serve the client," said Charles W. Schwartz of Skadden Arps Slate Meagher & Flom LLP, who leads the firm's Houston office and represented XTO Energy Inc. in connection with shareholder litigation seeking to enjoin Exxon Mobil Corp.'s \$41 billion acquisition of XTO in 2009.

Clients know they are dealing with a good communicator when attorneys answer and return phone calls promptly and draft emails that do more than simply alert general counsel to a securities litigation or business trend that relates to their business, several attorneys said.

Clients don't appreciate shortcuts either, many attorneys said, and they want to see the value of their outside counsel in even the smallest aspects of communications.

"You have to add value," said Marc Sonnenfeld of Morgan Lewis & Bockius LLP, who has handled major shareholder litigation for Hewlett-Packard Co. and other major corporations. "For example, if you forward an incoming email and only say, 'FYI see attached.' For a busy general counsel, that doesn't show you're adding value."

Securities clients also expect attorneys to concisely explain why new legal developments are relevant to their business.

"Knowing the client's business and taking the personal time — we call it investment time — to go out and meet with them and talk is important," said Dionne M. Rousseau of Jones Walker Waechter Poitevent Carrère & Denègre LLP.

For many securities and white collar attorneys, solid communication is the foundation for a trusting and candid relationship with their clients. But achieving results is what brings clients back to their firms and earns them new business.

"Doing it right over and over again without fail — that's what really builds the trust," Rousseau said. "The consistent responsiveness and consistency in solving problems over and over."

And understanding client problems in a daily context is where general counsel really see the value of outside counsel, according to Brad Brian of Munger Tolles & Olson LLP.

"Clients want problem-solvers," Brian said. "Even if the problem is a legal problem, they want you to know how it would play out in the context of a business. They don't care whether you write the greatest brief in the history of the western world if it doesn't solve their problem. They want a lawyer who has an understanding of their business and can get rid of the problem."

For white collar clients exposed to potentially costly criminal litigation, having an outside counsel who can create a strong compliance program is essential to a client-attorney relationship, according to Greta Lichtenbaum of O'Melveny & Myers LLP. But knowing when to pull back and allow in-house counsel to handle some parts of compliance also shows clients that you're interested in a long-term relationship that goes beyond the bottom line.

"I think it's so important to work well with the in-house counsel," Lichtenbaum said. "A lot of times, internal investigations are really expensive. You can save them money if you show them how to do the small stuff," Lichtenbaum said.

Making sure that every in-house counsel knows they are a priority is also essential to building a successful client relationship, especially in the securities realm, attorneys said. That requires an attorney who loves what they do: providing client service reliably, whenever it is needed.

"For every client I have, their issue is the most important issue in the world to me," said David B.H. Martin of Covington & Burling LLP. "The way to be a better service provider is to make sure that your client is the most important client of the moment."

The securities attorneys singled out by general counsel for stellar client service were Thomas E. McLain of Arnold & Porter LLP, Jeffrey J. Kalinowski of Bryan Cave LLP, John R. Pitfield of Choate Hall & Stewart LLP, David B.H. Martin of Covington & Burling LLP, Jeffrey J. Jones of Jones Day, Robert C. Micheletto of Jones Day, Dionne M. Rousseau of Jones Walker Waechter Poitevent Carrère & Denègre LLP, Craig Weinstock of Locke Lord LLP, Steven L. Manchel of Manchel & Brennan PC, Marc J. Sonnenfeld of Morgan Lewis & Bockius LLP, Charles W. Schwartz of Skadden Arps Slate Meagher & Flom LLP, Daniel E. Stoller of Skadden Arps Slate Meagher & Flom LLP, Douglas J. Clark of Wilson Sonsini Goodrich & Rosati PC, Robert J. Minkus of Schiff Hardin LLP, W. Scott Wallace of Haynes and Boone LLP, Chester E. Bacheller of Holland & Knight LLP, Gene J. Oshman of Baker Botts LLP, Risè B. Norman of Simpson Thacher & Bartlett LLP, Roxane F. Reardon of Simpson Thacher & Bartlett LLP, David A. Schuette of Mayer Brown LLP and James J. Junewicz of Winston & Strawn LLP.

The white collar attorneys singled out by general counsel for stellar client service were Greta Lichtenbaum of O'Melveny & Myers LLP, Brad D. Brian of Munger Tolles & Olson LLP and Lev L. Dassin of Cleary Gottlieb Steen & Hamilton LLP.

--Additional reporting by Gavin Broady. Editing by Katherine Rautenberg.

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