

## New Jersey Powerhouse: Morgan Lewis & Bockius

By **Martin Bricketto**

*Law360, New York (June 26, 2014, 3:37 PM ET)* -- Morgan Lewis & Bockius LLP established a two-attorney shop in Princeton, New Jersey, in 1992 because of the state's now-relaxed bona fide office rule, but a push to grow that location several years later boosted the international firm's work in the pharmaceutical industry and helped multiply its emerging-business clients, making it a New Jersey Powerhouse.

Steven Cohen, co-manager of Morgan Lewis' emerging-business and technology practice, was a rising partner in the firm's Philadelphia office when he was redeployed to Princeton in 1998. The firm — which was founded in 1873 and has 25 offices worldwide — had reviewed its client base of emerging companies and found that of approximately 200 businesses in the Mid-Atlantic region, only 11 were in Central and North Jersey, Cohen said.

“I think it was the realization that while we were very strong on the East Coast — we had 300 lawyers in New York, 300 lawyers in Philadelphia and 300 lawyers in Washington, approximately — the New Jersey marketplace wanted people local,” Cohen said generally about the decision to expand in Princeton, which ultimately landed the firm on Law360's list of New Jersey Powerhouses. “And even though we were strong in those big cities, we were finding that there were deals that were going on, there were cases that were going on where we felt we were the best law firm to handle them, but we weren't getting the look.”

Princeton remained an ideal location because the area has been a hub for startup businesses and also provided easy access to major pharmaceutical companies that have called the state home, according to Randall Sunberg, the office's managing partner and co-chair of the firm's life sciences transactions practice. Sunberg became the office's fourth attorney when he joined Morgan Lewis from Shook Hardy & Bacon LLP in 1999.

“We needed to really be on the ground in a strong way in New Jersey because of the depth and breadth of our firmwide practice with the pharmaceutical industry,” Sunberg said.

More boots on the ground has paid off for Morgan Lewis, which now has 35 attorneys in the state. Within 18 months of Cohen heading north, the firm's emerging-business clients in the area grew to about 110 for transactional work alone. That number has since more than doubled, to about 250.

“We're in New Jersey doing big things globally, but I'm also representing complete startups,” Cohen said. “If I believe in a business, I'll take on a business with a business plan and an idea and invest my time with it and help it grow.”

One such business was cloud-based software provider Corente Inc., a client that Morgan Lewis watched ripen until **Oracle Corp. acquired it** to keep up with rivals and capitalize on companies moving to Web-based data storage. That deal was announced in January.

Other recent transactions for the office reflect the firm's continued strength in life sciences, which the Princeton expansion was intended to support.

For example, Morgan Lewis client Merck & Co. Inc. in May **announced the sale** of its consumer products business to Bayer AG for \$14.2 billion, which would make Germany-based Bayer the world's second-largest manufacturer of over-the-counter drugs and help New Jersey-headquartered Merck become a research-focused biopharmaceutical maker.

As times in the pharmaceutical industry have changed, the Princeton office at 502 Carnegie Center is handling a larger variety of work, according to Sunberg, who is part of the team representing Merck in that deal.

"I think it has broadened from what it was initially for big pharmaceutical companies and startup companies that the firm was connected with through venture capital firms that we worked with," he said. "I think now it's much more broad-based in terms of expanding to European and Asian pharmaceutical companies that are establishing a U.S. presence, and often that is in New Jersey."

That trend is evident in Morgan Lewis' representation of Ireland-headquartered Amarin Corp. in a co-promotion agreement for the U.S. market with Kowa Pharmaceuticals America Inc., a subsidiary of Japan-based Kowa Company Ltd., for Amarin's flagship product Vascepa, which is used to treat hypertriglyceridemia. Amarin, which has its U.S. office in Bedminster, New Jersey, announced the deal in March.

Additionally, the office covers more digital health and medical device companies compared with a decade ago, according to Cohen, who illustrated that point with Princeton-based Agile Therapeutics Inc. and its development of a new patch, Twirla, for the delivery of birth control hormones. Morgan Lewis represented Agile as part of its initial public offering this year.

Both Sunberg and Cohen stressed the office's importance as a hub for transactional work firmwide. Cohen was part of the team that advised SK Capital Partners in last year's acquisition of Switzerland-based Clariant International Ltd.'s textile chemicals, paper specialties and emulsions businesses, which were combined into a new business, Archroma, that was expected to generate revenues of about \$1.3 billion.

"We're actually doing international deals out of New Jersey," Cohen said.

Employment law has been another strength for the Princeton office, and while its attorneys play an important role in the firm's renowned national practice of 280 attorneys — Richard Rosenblatt is the practice's operations partner, while Thomas Linthorst just wrapped up a term as its business development partner — they have left their mark on some high-profile Jersey cases.

Morgan Lewis attorneys Rene M. Johnson and Michelle Seldin Silverman helped Borgata Hotel Casino & Spa in Atlantic City secure a huge win last year in litigation brought by cocktail servers known as "Borgata Babes."

Suing under the state's powerful anti-discrimination law, the 22 female plaintiffs contended that the

company's appearance policies forced them to work in an atmosphere of sexual objectification and to adhere to standards based on gender stereotypes. However, Atlantic County Superior Court Judge Nelson C. Johnson in July ruled that the casino's dress and grooming rules were reasonable and within the bounds of the law.

Overall, Morgan Lewis' 14 labor and employment attorneys in Princeton last year handled 168 individual employment cases, 93 wage-and-hour disputes, 21 restrictive covenant and trade secret matters, and 91 Financial Industry Regulatory Authority matters that involved employment-related arbitration — among other work.

“Their practice really is varied, as ours is,” Sunberg said.

As Morgan Lewis nears 25 years in New Jersey, Sunberg cited litigation as a “focus of growth,” and the office saw prominent additions last year when litigators John McGahren and Stephanie Feingold jumped from Patton Boggs LLP.

Now the office's litigation practice group chair, McGahren was once the managing partner of Patton Boggs' New Jersey office, which saw its headcount shrink following a slowdown in post-9/11 work. The firm in February announced the closure of its Newark location, which was followed by Patton Boggs' eventual merger with Squire Sanders.

Those attorneys bolster a litigation team with a track record of significant wins in the state.

In one such case, the New Jersey Appellate Division last year **handed a victory** to Morgan Lewis client Jersey Central Power & Light Co. when it rejected a citizens' group's challenge against a substation that the FirstEnergy Corp. subsidiary constructed in the state's environmentally sensitive Highlands region. The court upheld the project's exemption from certain land use restrictions under the Highlands Water Protection and Planning Act.

While additions are welcome, one special attribute of the Princeton office is that more than two-thirds of its partners climbed up through the firm.

“You don't see that much at law firms anymore,” Cohen said. “We've developed a really good core group. We brought in really outstanding associates, and a lot of those associates have risen to the task.”

Attorneys stay with Morgan Lewis partly because of the industry-spanning opportunities available through its international platform, but Cohen and Sunberg said they think the culture of the firm and the Princeton office also plays a role. A saying from the office's former managing partner, Robert White, may best capture the spirit of that location, Cohen suggested.

“He had this theory: In a small office, you have to have 100 percent nice people, and he used to say that all the time,” Cohen said. “As we grew, we wanted 100 percent nice people, people who would work as a team, who weren't out for individual results, who would help us grow.”

--Additional reporting by Ed Beeson, Ama Sarfo, Karlee Weinmann and Abigail Rubenstein. Editing by Jeremy Barker and Edrienne Su.