

2014

# PENNSYLVANIA LITIGATION DEPARTMENTS OF THE YEAR

**The Legal Intelligencer**

An ALM Publication

## TAKING THE TEAM APPROACH

### MORGAN LEWIS SUCCEEDS THROUGH PRACTICE COORDINATION

By **Gina Passarella**  
Of the Legal Staff

In the last two years, Morgan, Lewis & Bockius has achieved a \$101 million victory in a patent infringement case on behalf of a university, worked on a team representing Toyota in a multidistrict litigation related to sudden acceleration defects, got a shareholder derivative class action against a pharmaceutical client dismissed, resolved a seven-year litigation battle over environmental indemnity issues for a chemical company client and worked to get a whistleblower case against a medical device manufacturer client tossed, among other matters.

The firm's litigation department spans a large swath of specialties and industries, which was largely spawned by its repeat work for longtime clients that turn to Morgan Lewis for a variety of litigation needs.

"We enjoy developing relationships with clients and we've been fortunate to be able to build very deep and broad relationships with a variety of clients where we handle many, many different types of litigation and nonlitigation matters," litigation department chairman J. Gordon Cooney Jr. said. "And part of our culture is really to develop those strong client relationships where we don't want to just handle one case and then move on to something else."

While corporate work may seem to better lend itself to a continuous legal relationship of managing deal flow and corporate governance issues, repetitive litigation has become just as much of a reality for

2014  
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DEPARTMENTS  
OF THE YEAR  
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some large corporations.

"The reality today is there are certain industries where part of the cost of doing business for the companies is addressing litigation and so we do have relationships with

clients that are consistent customers of ours and where our job is not just to manage a particular piece of litigation, but to help develop risk-avoidance policies and litigation management strategies, as well as to handle the underlying litigation," Cooney said.

With so many subspecialties serving one client, Cooney said communication among the firm's attorneys is essential to ensuring clients receive a consistent message from the various people they interact with

— 2014 —

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from Morgan Lewis.

Philadelphia litigation group leader Eric Kraeutler said it is imperative for the firm’s various litigation practices and offices to work closely together.

When Morgan Lewis partner William P. Quinn Jr. led the firm’s team in representing the University of Pittsburgh in a patent-infringement case against a medical-equipment manufacturer, lawyers from the firm’s Pittsburgh, Philadelphia, San Francisco, Palo Alto, Calif., and Houston offices all pitched in. A U.S. District Court for the Western District of Pennsylvania judge entered a judgment in favor of the university for \$101 million.

In order to foster its office and attorney coordination, Morgan Lewis financially incentivizes it.

“Origination is important, but we put a real premium on making sure other people succeed,” Kraeutler said. “That comes in many forms, but when you give a colleague an opportunity to get a better result for a client because you involved other people, that is clearly rewarded.”

Aside from interoffice cooperation, Morgan Lewis attorneys also focus on interdisciplinary issues for clients. Many matters involve not just a piece of litigation, but could include government investigations, multidistrict litigation, internal reviews and more, Cooney said.

“The biggest challenges to companies these days require that outside counsel be able to work collaboratively not only with the client but with other law firms that are part of the legal team,” Cooney said.

Morgan Lewis did that when it teamed up with Reed Smith to represent Toyota in the unintended acceleration MDL in California. After helping the car manufacturer reach a \$1.6 billion settlement on

breach of contract issues, Morgan Lewis also helped defeat two class actions brought against Toyota over similar issues.

The firm’s work goes beyond just motion practice, with its litigators going to trial if need be.

After a year of litigation in a gender discrimination and retaliation case against client Dell Inc., Morgan Lewis partner Michael S. Burkhardt and his team successfully obtained a defense verdict in a jury trial.

Dell felt strongly about its anti-discrimination and equal employment opportunity policies and was counting on Morgan Lewis to secure a finding that it did not violate those policies. Not only did the jury find Dell acted appropriately, but it also found in the company’s favor on a counterclaim against the plaintiff regarding taking documents from the company when she left. ♦

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## MORGAN LEWIS BY THE NUMBERS

### Department Headcount

Firmwide	725
Pennsylvania	182

### Department as Percent of Firm

Headcount	50
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