

Rising Star: Mayer Brown's Archis Parasharami

By **Dan Packel**

Law360, Philadelphia (March 13, 2013, 4:48 PM ET) -- A key role in shepherding the landmark AT&T Mobility v. Concepcion case from the drafting of an arbitration agreement all the way to a favorable decision from the U.S. Supreme Court helped earn Archis Parasharami, a partner at Mayer Brown LLP, a place among Law360's five rising stars in class action law.

Parasharami, who assumed co-leadership of the firm's class action group at 32, has represented AT&T since his arrival at the firm in 2003. In the AT&T v. Concepcion case, he was a key member of a legal team that persuaded the high court to hold that the Federal Arbitration Act preempted state law rules declaring that the company's arbitration clause was invalid because it prohibited class actions.

"It was fantastic to get that resolution from the Supreme Court after all that hard work," Parasharami told Law 360. "I was part of the team that helped AT&T think through and draft the arbitration clauses, which the company adapted as the law changed and developed. We did so with the view of ultimately obtaining Supreme Court review."

In addition to his role in creating the arbitration clauses, Parasharami, 36, co-authored the briefs that ultimately went before the Supreme Court in the case.

But according to Parasharami, the structure of the initial arbitration clauses was just as important in achieving the final result.

"We were lucky enough to have a district judge who recognized that the arbitration agreement was extremely fair to consumers," he said. "Getting that finding from the district court was very helpful as we took the case upwards."

The case, which was decided in April 2011, continues to play a major role in Parasharami's practice, as he currently does a significant amount of work in setting up other companies' consumer arbitration clauses that are in line with the ruling.

"So much of the work that I do is not actually litigation, but rather done to prevent litigation from occurring," Parasharami said. "They say an ounce of prevention is worth a pound of the cure."

While Parasharami performs work for a wide range of clients apart from AT&T, he also represented the telecom giant in one of his other key recent victories, Hancock v. AT&T.

In this case, decided by the 10th Circuit in late 2012, would-be class plaintiffs argued that they had never entered into arbitration agreements in the first place. The case was the first time that the circuit addressed the question of so-called “clickwrap” agreements — in which the click of a button constitutes an assent to terms — in any detail.

“Most people accept in daily life that we enter into contracts all the time. Both consumers and companies rely on that relationship; it's been well established for a very long time,” he said. “But it turns out, there are not so many cases as you would think, for something so well-established in culture and business practice.”

The court ultimately ruled unanimously in AT&T and Parasharami's favor, finding that these agreements were legitimate.

Although the Hancock case touched on the growing world of e-commerce, Parasharami himself takes advantage of the Internet to move his practice forward, most notably through his role in launching Mayer Brown's Class Action Blog in the fall of 2012. He currently serves as one of two editors of the blog.

“Having that basic familiarity with social media that comes with my age made this an easy thing,” Parasharami said. “We're finding that clients, reporters and academics are using social media more and more. I anticipate the role of social media in the class action space is going to continue to grow.”

Parasharami's comfort with social media certainly plays some role in the present vitality of his practice, but he credits his mentors at Mayer Brown, particularly Evan Tager and Andy Pincus, with a far greater impact, by granting him more and more opportunities to advance.

“Don't be afraid of taking responsibility and taking on challenges,” he said, describing his own experience. “That's how you prove yourself to colleagues, clients and the courts. That pays real dividends.”

--Editing by Jeremy Barker.