

CHICAGO LITIGATION DEPARTMENTS OF THE YEAR

A SPECIAL REPORT

In this issue, The National Law Journal spotlights litigation departments at law firms in Chicago. We asked top litigation practices to tell us about their operations—head counts and revenues, biggest wins and even their losses. The NLJ staff then pored over the information and selected the nine firms you'll read about in these pages. We also recognize firms with distinguished practices in intellectual property, insurance, mass torts and class actions, and white-collar defense. We highlighted two firms for their labor and employment work.

MAYER BROWN

MASS TORTS/CLASS ACTIONS

For Mayer Brown, there's no set formula for success when defending class actions and mass torts. Firm lawyers in Chicago last year delivered a string of victories by attacking each suit differently, finding and exploiting vulnerabilities in jurisdiction, standing, experts or facts.

"We don't just go through a standard checklist of claims and defenses," said Michael Olsen, who co-leads the firm's mass tort and products liability practice. "We search for a hook."

That approach lands Mayer Brown on the Chicago Litigation Departments of the Year list for its work in mass torts and class actions.

With 93 litigators in Chicago and more than 400 firmwide, Mayer

Brown can draw from a deep bench including technical specialists who work together to craft a defense. "The key in how we approach cases from the get-go is developing a multifaceted, national strategy," Olsen said.

Last year, firm lawyers won a decisive victory for AT&T Inc., which faced two consumer class actions in Illinois state court. The plaintiffs sought the refund of phone bill late charges covering an eight-year period—\$120 million—but a Mayer Brown team led by Demetrios "Jim" Metropoulos got both suits dismissed. One was tossed for lack of evidence, the other for lack of jurisdiction—decisions the Illinois Supreme Court declined to review, although the

dispute is still pending before the Illinois Commerce Commission. Opposing counsel Clinton Krislov of Krislov & Associates paid grudging respect to the firm, which he called "capable and at times arrogant." In response, a Mayer Brown spokeswoman said that the firm's lawyers "try at all times to maintain an impartial and respectful demeanor" with opposing counsel in court.

AT&T assistant general counsel April Rodewald lauded Mayer Brown for its "high-quality legal support. ... They are responsive, effective and have achieved many positive results for us," she said in an email.

Another big win was on behalf of auditor Moore Stephens Associated Ltd. of Hong Kong, which faced a

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MICHAEL OLSEN: Co-leader of Mayer Brown's mass tort and products liability practice, which includes 93 attorneys in Chicago.

securities class action in New York City federal court. Chicago partner Brian Massengill led the company's defense, undermining the plaintiffs' expert witnesses and countering with testimony that the audits met profession standards. As Olsen put it, "We essentially gutted the plaintiffs' expert." The court found no material factual dispute to present to a jury and granted summary judgment on all claims to Moore Stephens in June.

Firm lawyers won summary judgment on nearly all claims in three pending products liability suits against St. Jude Medical Inc.

in Minnesota federal court. The suits alleged defects in Riata defibrillator leads.

In addition, a Chicago-based team represents CitiMortgage Inc. in multidistrict litigation stemming from the federal government's Home Affordable Modification Program. In 2013, a federal judge in California, citing the "incredible variety of individual issues," refused to certify eight classes of 40,000 homeowners. A similar suit against JPMorgan Chase & Co. (not represented by Mayer Brown). received class certification and settled for \$500 million earlier this year.

—JENNA GREENE

KEYS TO SUCCESS

▶ The road to innovative and creative solutions is not a straight line. Clients look for a lawyer's ability to navigate whatever litigation or business challenge is thrown his way.

—ANDREW MAROVITZ

▶ Think about the end of your case at the very beginning of it. Talk to your client about what its end goal is—not just from a litigation perspective, but from a business perspective—and be agile enough to shift your strategy accordingly. —DANIEL RING

▶ The sum is greater than the parts. Clients look for continuity and expertise and keeping a core group of individuals up to speed not only on the specifics of a given piece of litigation, but on the details of the client's business, will serve both you and the client well.

—BRITT MILLER