

Illinois Powerhouse: Mayer Brown

By **Lauraann Wood**

Law360 (August 10, 2022, 2:02 PM EDT) --Mayer Brown LLP's deep understanding of Illinois' governmental needs has led it to become one of the favorite firms when state and local municipalities seek outside counsel, including for help negotiating the sale of the state's iconic-yet-beleaguered government office center in downtown Chicago.

With 380 attorneys — about a third of the firm's national headcount — located in its founding office, Mayer Brown's successes this past year have further cemented its longstanding relationship with both the city and state while it continues to bring value to clients across industry sectors. The firm's achievements in the past year have earned it a spot among Law360's 2022 Illinois Powerhouses.

And while it's nothing new for the firm to carry some of the government's heaviest legal loads, "each year brings something new" and serves as a reminder of how important it is to build and strengthen those client relationships in such a unique and diverse legal market, said Debra Bogo-Ernst, who was tapped to lead the firm's Chicago office last month.

"I think that it's always great to remember our roots here in Chicago," she said. "With the history that we have here, I think we have a unique understanding of the city and the way in which it operates."

Some of the firm's wins over the past year strike to the core of policymaking in the state. It represented the Illinois Republican House and Senate caucuses, which, along with the NAACP and the Mexican American Legal Defense and Educational Fund, successfully challenged a legislative district map that wasn't based on the latest census count.

Mitchell Holzrichter, a partner in the firm's government transactions and infrastructure investment practices, said, "I think we were able to make some pretty significant demonstrations that minority communities were being underrepresented in the map that's now being used for the election cycle," although the court ultimately accepted the legislature's second map.

The firm has also made significant moves in the financial space. For instance, it advised Chicago and its Civic Consulting Alliance not-for-profit partner last year on implementation and compliance requirements related to a multibillion-dollar allocation of federal funds under the American Rescue Plan Act.



Mayer Brown continued its work with the Firefighters' Pension Investment Fund on landmark consolidation of firefighter pension systems under legislation that the firm also helped to draft. The legislation also allowed for state police pension funds to be consolidated. The firefighters pension fund has consolidated 292 of the state's 300 firefighter pension systems, worth \$8 billion in securities and other assets, according to Holzrichter.

That's a "remarkable accomplishment," particularly because pension reform has long been a fraught issue for the state, Holzrichter said. Illinois has one of the nation's largest pension burdens, and lawmakers' efforts to reform its retirement funding system have largely been struck down by the state courts. The firm has also helped create the new firefighter pension investment fund as a new agency and beat a constitutional challenge to the legislation that authorized the consolidation in a case that will almost certainly be reviewed by the state Supreme Court.

The consolidation is significant because it brings what were separately managed funds under one central manager that will have the bandwidth to better manage those assets, Holzrichter said. The police and fire funds are diverse, and some are larger than others, but "none are nearly to the size and scale that are needed to have access to sophisticated investment strategies and realize the economy of scale and savings of investing a multibillion-dollar fund," he said.

The state's recent sale of Chicago's Thompson Center is more evidence of Mayer Brown's prowess in financial work. The firm is advising the state on the sale of the building to Google, which recently announced that it paid \$105 million for the building and plans to renovate it before moving there in 2026.

The deal was challenging because it involved several competing transactional considerations, such as navigating the state's need for both upfront payment and replacement space. Being able to draw on partner David Narefsky's 40 years of municipal finance experience and industry relationships helped drive the deal home, Holzrichter said.

Mayer Brown's government- and redistricting-related work are examples of how the firm often draws from its attorneys' expertise in several practice areas at once to meet a client's needs, Holzrichter said. The redistricting litigation involved heavyweights from the firm's government and litigation groups, for example, while the pension work brought members of its government, litigation and ERISA fiduciary groups to the table, among others, he said.

"We often transcend our practice groups," he added. "We like to tackle problems that are multifaceted."

Mayer Brown's litigation group has also carried heavy loads in the antitrust space. The firm is counsel to several companies facing anti-competitive allegations, including major turkey producer Cargill Inc. in a consolidated suit over alleged price-fixing and CDK Global in multidistrict litigation over accusations it monopolized the market for auto dealer data management software. Both cases involve antitrust cartel allegations, which accuse groups of companies of agreeing to either rig bids, fix prices or engage in other similar anti-competitive conduct.

The Northern District of Illinois is something of an epicenter for private antitrust litigation involving cartel allegations, due in large part to the Seventh Circuit's deep history of jurisprudence in that space, according to Matthew Provance, a partner in the firm's litigation and dispute resolution practice. Those kinds of cases can be labor-intensive because of their consolidated nature, but part of the firm's power

in handling that load comes from being able to call on litigators with deep subject-matter experience, he said.

"Many of our partners are jurists in the Northern District of Illinois, and we just have very, very deep ties to this jurisdiction. So, when a large ... big-ticket antitrust case is filed, I think we've always been able to position ourselves as one of the go-to firms" for that work, Provance said.

--Editing by Kristen Becker.

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