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He's no Bruce Springsteen, but Seth Waxman rocked the legal world with key decisions on the death penalty and Miranda.

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New Stars, New Worlds

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Seth Waxman pushes hard for his morning workout, even harder for his clients. After serving as Clinton's solicitor general, he's become as in-demand as any appellate lawyer in the country. From death-row inmates to corporate giants, his practice can't be beat.

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Nine of the Lawdragon 500 New Stars shared with us their vision of the law. The portrait their collective stories paint is international, high-powered and fascinating.



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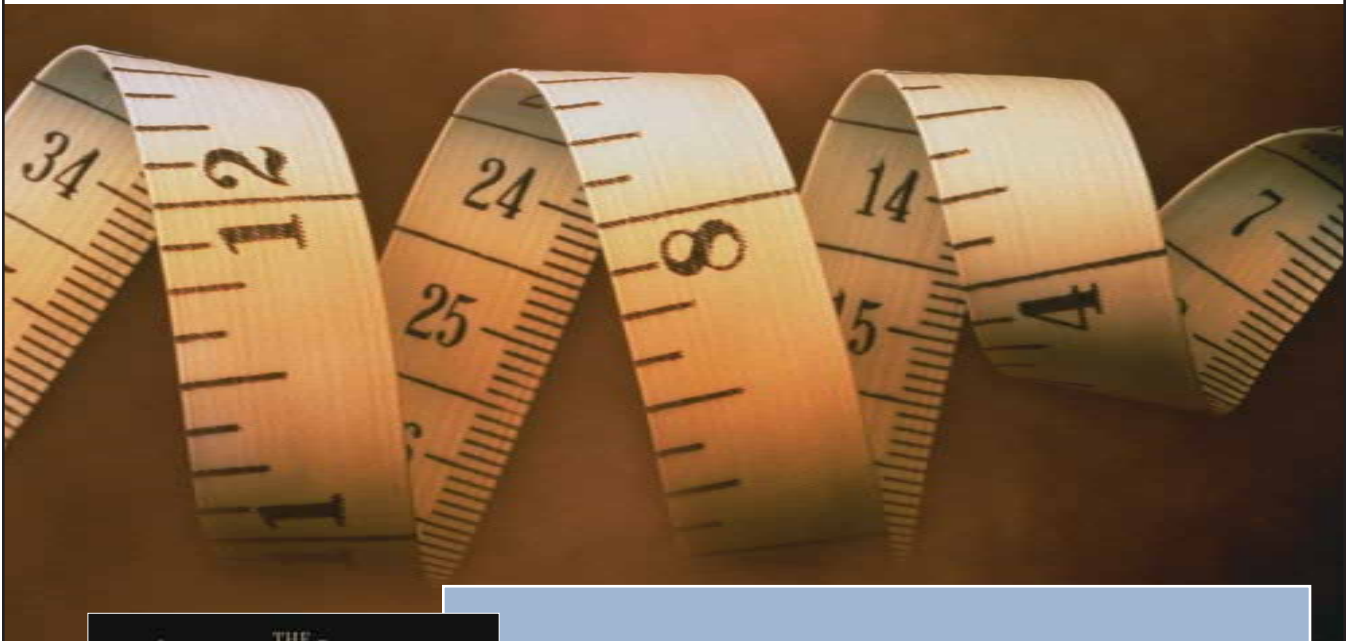
The freshest faces. The lawyers carrying the industry to new heights, new practices, new levels of excitement. The Lawdragon 500 New Stars, New Worlds.

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Only one Chicago-based law firm placed among the top five litigation departments in the U.S. in *The American Lawyer's* "Litigation Department of the Year" – Jenner & Block.

In this biennial competition, the Firm was lauded for "astonishing" victories, "hard-fought" settlements and courtroom wins for our clients. The magazine also praised our "extraordinary efforts" in providing pro bono services to the needy.

J E N N E R & B L O C K

From the Publisher

The majesty of the law derives, in part, from joining certainty with mystery. Our system is built on its heritage, how prior cases were decided, laws enacted. Its vitality stems from how it takes wing on new questions, developments and ideas.

For years, it's been lawful to detain enemy combatants and offer them up to military tribunals for justice. One morning, within hours, the world changes with decisions rebuking the most powerful among us and requiring new approaches and procedures.

As I write this, the staggering power of law to shift the prism has been putting on quite a show. Not just in *Hamdan v. Rumsfeld*, but on issues ranging from same-sex marriage (legal one moment, not the next) to tobacco liability (billions awarded by jurors, taken away by judges) to international relations (safe to invest in Asia, or not?) and corporate fraud (convicting Ken Lay, then facing his death).

The lawyers who fill the Lawdragon 500 New Stars, New Worlds will answer those questions in the decades to come. They are the ascendant 30-year-olds as well as the 50-year-olds hitting their lawyerly stride. They handle the biggest deals, the hottest companies and the snarliest trials. They are roughly one-quarter women and one-quarter people of color. And they bring an awareness of the economics of law practice possessed by no prior generation.

Lawdragon's criteria for future stardom do not rest on the rather outdated notion that one must hit one's mark under a certain age. That's pretty dumb if you ask us, and broadly unfair to women who may leave and re-enter the practice or those numerous scientists and doctors who are going to law school with enhanced expertise. And then there are the slackers ... So while a few of this guide's sen-

ior citizens may be edged out of the practice a year or so before others, it won't be without securing rights for virtual pets and creating financings as yet unimagined.

This summer, we also look at a few issues of the moment. First, the ongoing battles over "tort reform" that aim to limit damages as a means to curtail lawsuits. Second, the debate over efforts to add layers of oversight to the hedge fund industry. Lawdragon is utterly non-denominational, praising only great lawyers and well-reasoned argument, civilly conducted. If you'd like to write a piece sharing your perspective within that ambit, please contact editor John Ryan, john@lawdragon.com.

Finally, we offer a pair of classic pieces, focused on two individuals we guarantee you'll be reading about for decades to come. First, Tina Spee sits down with Roberta Kaplan of Paul, Weiss, Rifkind, Wharton & Garrison. She's a star litigator who's learned from the best. Earlier today, July 6, Kaplan lost her argument to the New York appellate court that marriage should be extended to same-sex couples. The road is long, and we'll be watching as she continues down it.

And then there's Seth Waxman. If you happen to be for the juvenile death penalty or — like some of my personal nearest and dearest — in favor of a reduced *Miranda*, he's probably not your favorite lawyer. And our piece about his approach to life, combining extreme physical pursuits with his courtroom brilliance, probably won't make you like him any more. I have to confess to being a fan. To me, he gives it up every day for what he believes in while showing that you can have a more vital law practice if you sustain a rich personal life. Born in the U.S.A., but happy to question it as well.

Enjoy,



Experience Counts

Bobbie McMorrow
with 24 years
serving the legal industry

&

Ralph Savarese
with 36 years

Congratulate
The Lawdragon 500
New Stars



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****Perrie Weiner** is a partner and international co-chair of the securities litigation practice at DLA Piper Rudnick Gray Cary US. **Nick Morgan** is of-counsel to the firm, and he was previously senior trial counsel in the Securities and Exchange Commission's Enforcement Division.

Correction: In the Spring Issue of Lawdragon Magazine, we incorrectly identified Frank Darras and Michael Bidart in their photo. Darras was pictured on the left; Bidart on the right. Lawdragon regrets the error.

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SHE'S A PRESSURE **JUNKIE**.
AND WHETHER IT'S HER INVOLVEMENT
IN THE GAY-MARRIAGE LEGAL FIGHT
OR HIGH-PROFILE CORPORATE SCANDALS,
SHE THRIVES ON LOOKING AT
THE **BIG PICTURE**.

COCKTAILS WITH...

ROBERTA KAPLAN

BY TINA SPEE

Roberta Kaplan walks into a dimly lit bar in midtown Manhattan on a warm June afternoon. She is on her cell phone, scanning the room for a table. An after-work crowd sips cocktails under the red glow of a mural wrapped around the room, a busy depiction of a famous horse race in Siena, Italy, for which the Palio Bar is named.

She stashes away her phone, takes a seat on one of the bar's burgundy velvet benches and orders a Ketel One martini, straight up with olives.

She will mostly ignore the drink as she talks to Lawdragon about her life as a high-powered litigator in the city that never sleeps. One imagines Kaplan, a partner at New York's Paul, Weiss, Rifkind, Wharton & Garrison, as never getting much shut-eye either.

Kaplan first toiled at Paul Weiss as a summer associate, in 1990, when she worked on a pro bono death penalty appeal in Huntsville, Texas. That was her first taste of trial work, and she was hooked. Kaplan became a partner at 32, during her seventh year at the firm.

Now 39, she juggles the legal troubles of corporate giants like American International Group Inc. and Morgan Stanley. Her practice spans a broad range of civil and criminal litigation, including securities, bankruptcy, regulatory matters and white-collar defense.

Kaplan was lead trial counsel for the California Public Utilities Commission in claims against Pacific Gas & Electric Company, which declared bankruptcy during the California energy crisis. She brokered the settlement deal that kept Pacific Gas under her client's regulation, paid back creditors and won rate decreases for consumers.

An important part of Kaplan's tenure at Paul Weiss has been chairing the women's initiatives committee, which under her leadership has created a mentoring program for women and day-care services for employees who are parents. Since 1998, Kaplan's first year as a partner, the number of female litigation partners in New York has increased from one to nine.

When it comes to nonpaying work, Kaplan's biggest effort — aside from raising her 10-month-old son with



Roberta Kaplan of Paul, Weiss, Rifkind, Wharton & Garrison in New York
By Hugh Williams

her domestic partner — has been as lead counsel to 12 couples asking the New York State Court of Appeals to legalize same-sex marriage.

The case, argued May 31, brought together four decisions in which lower New York courts concluded that state law precludes same-sex couples from marrying. The combined parties were awaiting an appellate decision when Kaplan chatted with Lawdragon. Three weeks later, on July 6, the court decided that same-sex unions are not allowed under state law.

“We hold that the New York Constitution does not compel recognition of marriages between members of the same sex,” Judge Robert Smith wrote for the 4-2 majority over an impassioned dissent by Chief Judge Judith Kaye. “Whether such marriages should be recognized is a question to be addressed by the Legislature.”

LAWDRAGON: Why is gay marriage a topic of interest to you?

ROBERTA KAPLAN: I believe that marriage for same sex-couples is really in a lot of ways the civil

rights issue of our time. Interestingly in our case we had the NAACP Legal Defense Fund put in a brief that basically said that the issues facing same-sex couples, while not the same, are in a lot of ways analogous to the kinds of civil rights issues that African-American organizations have long been fighting.

On top of that, being a lesbian in New York City, being someone who's had the kind of success I've been lucky enough to achieve in my life, I feel like I owe something back. And one thing I know how to do, I think, is how to litigate a case. There's no reason why the skills I've learned litigating cases in the securities fraud area couldn't be applied to the civil rights area.

LD: What are you arguing in this case?

RK: We argue in this case that we're New York. There are thousands of same-sex couples or families with children in New York. The state agrees that those families are good and loving parents to their children. And the state agrees that it would be good for the children, as well as the families, to have all the benefits of marriage. In that context, giving all the

benefits to one group and denying them to the other is irrational ...

This case is being fought in New York. It's not being fought, with all due respect, in the states of Mississippi and Texas. And the policy of the state of New York is very clearly against discrimination. This is a center, in a lot of ways in the country, for gay and lesbian life. The numbers are enormous here.

LD: What are you working on right now at Paul Weiss?

RK: Most of what I've been doing for the past couple of years now has been AIG. My career, as it's developed, has specialized in a lot of these big corporate scandals that have kind of rocked Wall Street and rocked the newspapers. ... The most recent incarnation of that is the work I've been doing for AIG.

AIG has faced almost a perfect storm of regulatory problems in frankly very different areas, from the way that its brokerage business was being done to the way its financial statements were being presented. Paul Weiss has worked on all those matters from day one, and they're all unfortunately very complicated and very interrelated. A lot of my job has been frankly being the keeper of the big picture.

I think the company has very much recovered. For the last couple of years it's been hard. But it's on the right track. It's a new company. I think the settlements we reached with the government were very, very favorable. And it was worth all the long, hard hours and sleepless nights for both us and the company to get through.

LD: How do you handle that pressure, or does it come naturally to you?

RK: That's part of the problem, I think, is I'm a bit of a pressure junkie. It's clearly part of my job, I clearly like the excitement of what I do and when things tend to fall off, part of me feels like, "Well, what's wrong?" I'm not working hard enough or I'm not tense enough. The honest to God truth is I probably should do healthier things. I like to cook on weekends when I have time, and see friends and go to the beach. But I probably should be doing yoga or something like that. It would probably be healthier for managing the stress.

LD: What else do you like to do in your spare time?

RK: New York is such a fabulous city. One of the advantages of not being a pro bono lawyer or a civil

rights lawyer and being the kind of lawyer I am is that you can have the resources to really enjoy it. I really like to take advantage, when I can, of the theater, try to go to a lot of the shows, the opera, try out all the new restaurants that get written up. In order to put up with all the stuff in New York that's hard, in terms of the crowds and the aggravation, I think you also have to take advantage of those kinds of things.

But I will be honest with you. Since our son was born, I can't say I've taken advantage of anything other than changing diapers and burping.

LD: Are there mentors that have been important to your career?

RK: I'm glad you asked. Being a litigator is really a job about people. The best litigators, I think, are people who are — it sounds sappy — but are people who get along with people and are persuasive and have charisma. And for that reason, I think that having mentors is really incredibly important. It really can't be overestimated, and I've been very, very lucky in that respect.

Marty London, the greatest trial lawyer who's ever lived, who retired this year, has been a phenomenal mentor to me. Everything I've learned to do, I've learned from Marty ...

I was also very lucky in that I had some really important female mentors. And not a lot of women lawyers get that, because frankly there aren't that many female lawyers that have risen through the profession. I clerked for Chief Judge Kaye, and she's been a wonderful mentor to me. Obviously, we haven't spoken a lot recently because of the case, but I clerked for her, and hopefully after the case, our relationship will resume.

Also Colleen McMahon, who was the first woman litigation partner at Paul Weiss and is now a federal district judge in the southern district, was also a great mentor to me. It's really important if you're a young woman lawyer to get that, because, while Marty London was fabulous, one of the hard lessons I had to learn is that I can't do a cross examination the way Marty London does a cross examination. For better or for worse, there are things that you have to learn to do differently as a woman, and it was great having role models like Judge Kaye and Colleen to help.

LD: Was there a case that you felt was instrumental to you becoming a partner at Paul Weiss?

RK: The *Sumitomo* case. It seems funny today, but at the time, which was 1995, 1996, *Sumitomo* was the biggest corporate scandal that had ever happened. I actually was just finishing my clerkship for Judge Kaye and was visiting my parents and got a phone call at my parents' house from Marty London. And I said, like, "Why is Marty London calling my parents' house?"

In 1998, Japan's Sumitomo Corp. agreed to pay \$150 million to settle class actions filed in the U.S. against the company over rogue copper trading. Yasuo Hamanaka, a copper trader, received an eight-year prison term for running up losses of \$2.6 billion in what was then the world's biggest unauthorized trading scandal.

I was asked to go with a team of people to Tokyo, Japan, and actually work there for a year, which was incredibly unprecedented at the time. The idea of American lawyers back then going into a Japanese company, in fact a very conservative Japanese company, and running an investigation and working with people and interviewing people and looking at documents was almost unheard of.

It was an incredible experience, in terms of the cultural difference between the lawyers who were there and our client, the issues that were present, just the sheer logistics of having an enormous number of personnel — paralegals, lawyers — living in Tokyo the whole time. I wasn't there when they made the decision about

my partnership, but I like to think that the work I did on that case had something to do with making partner.

LD: What are you looking forward to in your career?

RK: I don't know where the world will take us in terms of what will be the next area of interest to the regulators or the plaintiffs' bar. I can't predict that. But I think I would like to continue to do the work that I'm doing. I would like to read the articles in the Wall Street Journal every day and to be working on the cases that are of the most moment in the financial press or in the press. I personally wouldn't make a lot of changes. I'm pretty happy where I am. I maybe need to do a little more yoga.

The morning the New York State Court of Appeals decided against her clients in the gay marriage case, Lawdragon reached Kaplan by e-mail for her reaction.

LD: How do you feel about the court's decision?

RK: The Court of Appeals' decision is extremely disappointing and today is a sad day for all New Yorkers who believe in the constitutional guarantee of equal protection of the laws. ... The next battle will be before the New York Legislature, and we are confident that the legislature and the new governor will enact a marriage statute in this state, which serves as the home to many thousands of same-sex couples and their children. ■



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BAD MEDICINE

MEDICAL MALPRACTICE SUITS ACCOUNT FOR THE TINIEST FRACTION OF HEALTH CARE COSTS. WITH MORE DOCTORS THAN EVER, POLITICIANS PUSHING TORT REFORM ARE PRESCRIBING A BAD REMEDY FOR AN IMAGINED DISEASE.

BY BLAKE BAILEY

I am a personal injury trial lawyer in Texas. My clients' access to the courts and their ability to fight large corporate interests, including insurance companies, depends on their ability to contract with me on a contingent basis. In other words, I don't get paid unless I win their lawsuits. For pure economic reasons I have always been reluctant to take on an expensive, complicated case unless I determine it has strong merits. This has always been true in medical negligence cases because they are time-consuming and demand large cash outlay.

I decided to represent injured parties who need a champion in the courtroom because it seemed like a noble cause. I also felt I could do a public good by acting as a check and balance to encourage reasonably safe products, prudent conduct in the workplace and on the roads, and conscientious professionals. Trial by jury, I have always believed, should be the great equalizer.

Efforts to cap monetary damages and other "tort reform" measures, such as recent legislation in my home state, compromise this fundamental right. Supporters of tort-reform initiatives claim that special protection for medical providers is necessary to avoid a diminishing of the doctor population and to stop rising, outrageous medical costs. But on what evidence could anyone exercising intellectual integrity base such a claim?

There is no credible national study showing a decrease in doctors. The doctor population is increasing impressively. According to a 2004 American Medical Association report, the number of physicians practicing in the U.S. grew 203 percent from 1965 to 2003 — four times faster than the population growth. The number of high-risk practices grew dramatically during the same time period. Applications for residency training positions by medical school seniors hit a 20-year high in 2006, according to information provided by the American Association of Medical Colleges.

President Bush said in a speech in 2004 that lawsuits were "driving docs out of business," yet it is undisputed that malpractice costs amount to only .0062 of our nation's health care costs — less than two-thirds of a penny of a health care dollar. Ironically, the insurance industry tries to prove there is a crisis by citing the huge premiums it charges doctors and hospitals without any statistical basis justifying their rates. Historically, states that pass "tort reform," including Texas, have not been rewarded by lower insurance premiums.

The lack of economic impact of medical negligence cases is not a new revelation. Texas has been no exception to the national experience. The Tonn study, in 1992, financed by the Texas Trial Lawyers Association, Texas Medical Association and the Texas Hospital Association,



Associated Press



Associated Press



By Hugh Williams

Tort reform measures have sprung up in states across the country in recent years and at the federal level. TOP: Two doctors illustrate the pro-tort reform sentiment with a sign outside the state Legislature in South Carolina. ABOVE: Texas Gov. Rick Perry signs the Texas tort reform measure into law. LEFT: Attorney Blake Bailey is a staunch opponent of tort reform.

Where is the evidence that there is a crisis that justifies this attack on our civil justice system? Why should doctors and hospitals be afforded more protection than the rest of us?

found no medical malpractice crisis and concluded that “changing the medical professional liability system will have minimal cost savings impact on the overall health care delivery system in Texas.”

Most recently, a study reported in the July 2005 Journal of Empirical Legal Studies entitled “Stability, Not Crisis: Medical Malpractice Claim Outcomes in Texas, 1988-2002” concluded that there was an overall picture of stability which did not justify legal reform in Texas.

Nevertheless, in 2003, voters here passed Proposition 12, which amended Texas’ constitution to allow the legislature to cap one type of damages in civil cases. The measure made constitutional the damage cap in medical malpractice cases that state lawmakers had passed earlier in the year. Since then, supporters of the reform have held it up as a model of tort-reform that other states and federal lawmakers can follow.

But the malpractice legislation is a classic example of power over reason, castrating the protection of Article I Section 3 of our state constitution, which mandates that no individual or group of individuals be allowed special rights or privileges over other citizens, and Article I Section 15, which guarantees the right to trial by jury.

Texas, as in other jurisdictions, tries to make a victim whole by allowing money damages if it is found that a doctor or hospital breached the recognized standard of care and foreseeably caused injury to the patient. The damages allowed in a medical negligence case are the same for which each of us is accountable if we negligently hurt someone, such as in an automobile accident.

One category of damages is economic. It can be figured by an accountant gathering some data and making projections of earnings, or earning capacity, and medical expenses.

The other category is “human damages,” or, as the insurance industry wants to call them, “noneconomic

loss.” Human damages are pain, anguish, disfigurement, physical impairment or the loss of a relationship with a close family member killed or profoundly injured.

Under the current malpractice law in Texas this is capped at \$250,000 in almost all cases. This cap doesn’t stop frivolous lawsuits. Its effect is on the meritorious ones with overwhelming human damages. The net good is for the insurance industry.

People skeptical of awards for human damages say that money can’t replace quality of life and should not be considered by a jury. Yet compensation for the cost of burying your child wrongfully killed, and nothing else, does not meet the sense of justice that our courts should provide. Certainly the right to trial by jury should not be inhibited without compelling state or national interests. Where is the evidence that there is a crisis that justifies this attack on our civil justice system? Why should doctors and hospitals be afforded more protection than the rest of us?

Statistics show the disingenuous nature of the lawmakers, but it is the individual examples that explain the unfair impact of damages caps. True life examples such as a child transformed into a rag doll due to septic shock resulting from untreated infection at an IV site, a woman who loses her arm because of an inappropriate administration of Phenergan, and a mentally disabled woman raped by a nurse’s assistant in a nursing home, all are limited to a minimal recovery because of the preponderance of human damages in such cases.

Insurance companies will say they are pressured to take settlement offers from injured patients because juries tend to award patients more than their cases are worth. The reverse has been my experience. Defendants normally win their cases, and juries are much more likely to award a conservative amount than an excessive one. Many times good cases settle for less than their value because the injured patients are less able to afford the risk of trial than a large insurance company.

In Texas, the professionals being driven out of the arena are not the doctors but competent attorneys who have the ability to represent someone injured in a sophisticated case.

If a new medical malpractice client came into my office and I determined she was one of the people who deserved a day in court, I would have to hire an expert in the same field of expertise as the defendant and provide 60 days' notice before even being allowed to file a lawsuit or conduct discovery. After I file suit, I must provide a detailed expert report within 120 days from the date of filing, armed with a maximum of two depositions. Peer review at a hospital of a negligent act of a doctor — regardless of how egregious — is forever secret. The doctor or hospital will automatically have colleagues who will assist in the defense. My fees and expenses must come out of the victim's recovery and can not be mentioned to the jury.

In Texas, the professionals being driven out of the arena are not the doctors but competent attorneys who have the ability to represent someone injured in a sophisticated case. Many of my fellow attorneys refuse to look at any case if it is a post-tort reform medical malpractice case.

Do the vast majority of doctors who practice competently and ethically really want the last vestige of check and balance taken out of the system? The Texas Board of Medical Examiners is at best lax in weeding out the doctors who should not be practicing. Of doctors in Texas found to have provided substandard care, incompetence or negligence, 3 percent received a revocation or suspension of their license, according to a July 2002 press release by the consumer watchdog group Public Citizen.

In the 2003 campaign leading to the passage of the Texas medical malpractice tort reform, insurance campaigners promised a 17 percent to 19 percent reduction in premium costs. What wasn't pointed out was profits of the insurance companies went up 225 percent between 2002 and 2003. After tort reform's passage, Governor Rick Perry bragged about Texas Medical Liability Trust reducing its premiums 12 percent, but he neglected to mention the previous 140 percent in increases it pushed past the Texas insurance commissioner.

The function of insurance premiums is dependent on investments the insurance companies are making and the political power they have with the state insurance commissioners. The effect of lawsuits comes in a distant third.

After the passage of medical malpractice caps, the various insurance companies attempted to raise their rates again, flying in the face of their promise for a premium reduction if the measure passed. The Texas Medical Liability Insurance Underwriting Association sought a 35.6 percent increase, and GE Medical Protective filed for a 39 percent increase.

It wasn't until after Bohn Allen, the new president of the Texas Medical Association, Dan Gattis, a Republican from Georgetown and vice chairman of the House Civil Practices Committee, and Dan Lambe of Texas Watch and others raised unmitigated hell that premiums were reduced marginally. The appearance of reduction was helped by taking some of the coverage off the table. If you talk to Texas doctors, they will probably tell you their premiums went down all right, but so did their coverage. Be assured that the rates will rise once the furor is over.

Now the federal politicians have been persuaded by doctor, hospital and insurance groups to violate the equal protection and right to trial by jury provisions of the Seventh and 14th Amendments to the United States Constitution by pre-empting what is left of rights of injured patients in favor of doctors and hospitals. That's the bad news. The good news here is that patients' rights have been so devastated in Texas by state law, there isn't really anything else that can be done to hurt a victim of medical negligence by federal pre-emption.

Trial by jury is the American right Thomas Jefferson held in higher esteem than the right to vote. It is a right that exists only if we have a sense of fairness for all who come to our courts to be heard. Courts resolving issues of human suffering must be given the power to grant justice for all individuals and not just for the powerful. ■

Hedging Your Bets

Increased regulation of hedge funds is unwise and unnecessary, doing little to deter fraudulent behavior and impairing funds already confined by sufficient regulations and private lawsuits.

By Perrie Weiner and Nick Morgan

Hedge funds have garnered more headlines and regulatory attention in the last year than almost any other segment of the financial services industry. Most recently, the D.C. Circuit Court of Appeals struck down a new Securities and Exchange Commission requirement that hedge fund advisers register with the commission. Before the ink was dry on that opinion, certain factions in Congress were clamoring for additional legislation to authorize the SEC to do what the court would not permit.

But will additional regulation really bring better protection to investors, or will they simply shackle a nimble industry with costs and obligations that will drive some funds out of business and deprive the capital markets of valuable participants?

From the vantage point of lawyers who represent a number of hedge funds in private litigation, SEC investigations, and criminal proceedings, we have seen how the current regulatory framework applies to hedge funds and why additional regulation not only is unnecessary but also could actually harm investors and markets.

Hedge funds, generally understood to be pooled investments that are administered by professional managers and available to sophisticated, high net-worth investors, are already subject to numerous state and federal securities laws. Any additional regulatory requirements would not add appreciably to investor protection. They would only serve to add operating expenses that would cost hedge funds, and their investors, valuable dollars that could better be put toward maximizing returns on investment.

SEC Commissioner Paul Atkins has opposed the adoption of new hedge fund regulations, pointing out that the SEC staff's own 2003 Hedge Fund Report concluded that there is "no evidence indicating that hedge funds or their advisers engage disproportionately in fraudulent activity." In a separate report, the SEC staff also concluded "requiring hedge fund managers to register as investment advisers would not seem to be an appropriate method to monitor hedge fund activity."

One reason for these conclusions is the extent to which the SEC already regulates hedge funds. Take, for example, the current SEC enforcement trend involving hedge funds and PIPEs, which are private investments in public equities. In these transactions, hedge funds agree to purchase securities from publicly traded companies in private transactions, and the public companies agree to file a registration statement with the SEC that will permit the hedge funds to resell those securities to the public at a later date. The public companies receive an immediate infusion of cash and shift some of the risk associated with fluctuating securities prices onto the hedge funds.

Numerous hedge funds and their investment advisers are being investigated by the SEC in connection with PIPE investments. In particular, the SEC is looking into dozens of instances in which the hedge funds participated in a PIPE but sold shares in the public companies before the public announcement of the PIPE by the company.

These investigations are originating from SEC enforcement offices across the country and are directed at hedge funds of all sizes. No new regulatory framework allows the SEC to conduct these investigations. Yet, the



Associated Press



By Hugh Williams

ABOVE: SEC Commissioner Paul Atkins, pictured at an SEC meeting, has been an opponent of increased hedge-fund regulation, which has been a divisive issue within the Bush Administration. By some estimates, hedge funds account for 30 percent of trading each day on the New York Stock Exchange, which is pictured in the background. LEFT: Author Perrie Weiner believes additional regulation is unnecessary.



Background: Associated Press

Calls for greater regulation of hedge funds usually follow sensational accounts of scandals ... Those advocating greater regulation ... seem to imply that had greater regulation existed, no scandal would have occurred.

SEC has not had any difficulty locating or identifying hedge funds for purposes of these investigations. The SEC has not required the use of examination staff to periodically inspect hedge funds' books and records. Instead, the SEC relies on the same old tools it always has had to police the securities industry: investigatory subpoenas and aggressive application of the anti-fraud provisions of the federal securities laws.

In addition, any fund that has over 100 owners already is required to be registered as an investment company, and any fund adviser with more than 15 clients is generally required to register as an investment adviser. Those investors who believe that the benefits of registration with the SEC (and the greater oversight that comes with that registration) outweigh the costs of such registration already have many highly regulated options from which to choose. Indeed, some of our hedge fund clients have considered voluntarily registering as investment advisers to attract a larger customer base.

As important, more regulation will not stop those who commit fraud.

Calls for greater regulation of hedge funds usually follow sensational accounts of scandals, frauds and mismanagement, such as the problems involving Long-Term Capital Management and Bayou Management. These are the names of two hedge funds often cited as evidence of a need for greater regulation. Each suffered a collapse or near collapse after scandals involving poor management or outright theft. Those advocating greater regulation as a result of these scandals seem to imply that had greater regulation existed, no scandal would have occurred.

Tell that to the investors in Hoover Capital Management, QMA Investment Management, or Investment Advisor Group — all registered investment advisers, all subject to heightened government scrutiny, and all tangled up in SEC enforcement actions in recent years involving misappropriation of client funds. Merely requiring registration with the SEC as an investment adviser is hardly a shield for investors against fraud and mismanagement. Greater regulation also does not necessarily aid in detection of fraud in the first instance.

Contrast the hedge fund industry with the mutual fund industry. The mutual fund industry could hardly be more regulated by the SEC. An entire regulatory scheme, the Investment Company Act of 1940 and related rules, is devoted to the industry. The SEC has an examination staff that periodically and for cause examines mutual funds; and investment companies generally are not only required to disclose reams of information but also prohibited from engaging in activities such as short selling and trading on margin.

Despite all of this regulation, the mutual fund industry is hardly free from scandal. The SEC is still prosecuting those who facilitated the market timing and late trading scandals by permitting some mutual fund customers to “time” their trading in and out of funds and execute trades after the close of market. Despite the SEC's oversight of the mutual fund industry, the involvement of a certain state attorney general was needed to uncover the scandal.

While a more persuasive case can perhaps be made for paternalistic regulation in the mutual fund context, where you have individual “mom and pop” types of relatively unsophisticated investors, hedge funds are held by high net worth, accredited and sophisticated investors. Additional regulation makes little or no sense, particularly to the high net worth individuals who would have to absorb that added layer of expense. And the mutual fund market timing scandal makes clear that additional regulation is no panacea against fraud.

The “shelf space” scandal — involving not one, not two, but three different highly regulated groups (registered investment advisers, mutual funds and securities brokers) also argues against greater regulation of hedge funds. In the typical shelf-space scheme, registered investment advisers to mutual funds used millions of dollars in brokerage commissions, i.e. fund assets, to pay brokers to provide preferential marketing of the mutual funds, i.e. “shelf space.” Whatever one may think of the merits of the SEC's enforcement program in this area, one thing is clear: The allegedly fraudulent conduct involving tens of millions of dollars went on for years apparently without notice or rebuke from the regulators overseeing the participants.

The bottom line here is that any notions that increased regulation of hedge funds will necessarily stop the next Bayou Management are fantasy. Determined fraudsters will evade even the most onerous bureaucracy, while innocent hedge funds (and their clients) are left to shoulder the appreciable costs associated with that bureaucracy.

It's also clear that hedge funds will adapt to greater regulation. Shortly after the near collapse of Long-Term Capital Management in 1998, Federal Reserve chairman Alan Greenspan testified to Congress that, "It is questionable whether hedge funds can be effectively regulated in the United States alone ... Given the amazing communication capabilities available virtually around the globe, trades can be initiated from almost any location. Indeed, most hedge funds are only a short step from cyberspace. Any direct US regulations restricting their flexibility will doubtless induce more aggressive funds to emigrate from under our jurisdiction."

In the age of quicksilver capital, greater regulation will push at least some hedge funds offshore. Those funds that do not move offshore will adapt in other ways in response to whatever regulatory scheme is imposed. Recall that the hedge fund industry itself took off in the 1990s in part as a result of just such an adaptation to regulations that limited the investments available to more established financial institutions, such as banks and life insurance companies.

Increased regulation will cause hedge funds to restructure or alter their operations so that they can continue to seek higher returns that may be precluded by restrictive regulation. The hedge fund industry's reaction to the SEC's recent attempt to require registration is instructive. The registration requirement included various exceptions, including one that applied to funds that locked up investments for more than two years. Predictably, many funds asked their clients to agree to a two-year lock-up period. Voila, no registration requirement.

Finally, the role of private litigation in regulating hedge funds should not be overlooked.

Many hedge fund managers might be amused at the suggestion that because they are not registered with the SEC, they are not subject to oversight. As David Rocker, managing partner for New Jersey-based hedge fund Rocker Partners, put it in testimony before Congress, "Fund investors, especially in mature funds such as ours, impose tremendous demands on managers with whom they choose to invest, including, among many other things, that the fund has formal compliance policies, appropriate restrictions on employee trading, some amount of investment transparency, specific risk management techniques, operational proficiency, and a whole host of other protective requirements ... [T]hose managers that do not or can not provide these protections to the investor marketplace generally do not succeed or survive."

Clearly, when investors demand protection against fraud, they can and most certainly do get it. Hedge fund clients and other market participants also have recourse to the courts when they feel that the funds have not lived up to their legal obligations. The risk of private litigation deters certain hedge fund activities just as certainly as government regulation. Though our firm and others have been quite successful in defending hedge fund clients against many of these claims, the private plaintiffs bar has continued to advance new legal theories on behalf of those who feel aggrieved by hedge funds.

Despite setbacks on a range of claims, plaintiffs' lawyers (contingency or otherwise) show no signs of abandoning the legal tools available for pursuing hedge funds in court. Hedge funds have to conduct themselves against this ever-present backdrop of potential private litigation aggressively pursued by sophisticated plaintiffs' counsel continually devising new legal theories and seeking new hedge fund defendants.

The hedge fund industry does not need additional regulation. Hedge funds are scrutinized by the SEC, by hedge fund investors, and by private plaintiffs' counsel, among others. Any additional regulations would not preclude future scandals; they would merely impose unnecessary and burdensome operating costs on those hedge funds that are unable to move or adapt to the regulations in order to provide the flexibility and ingenuity demanded by some of today's investors. ■

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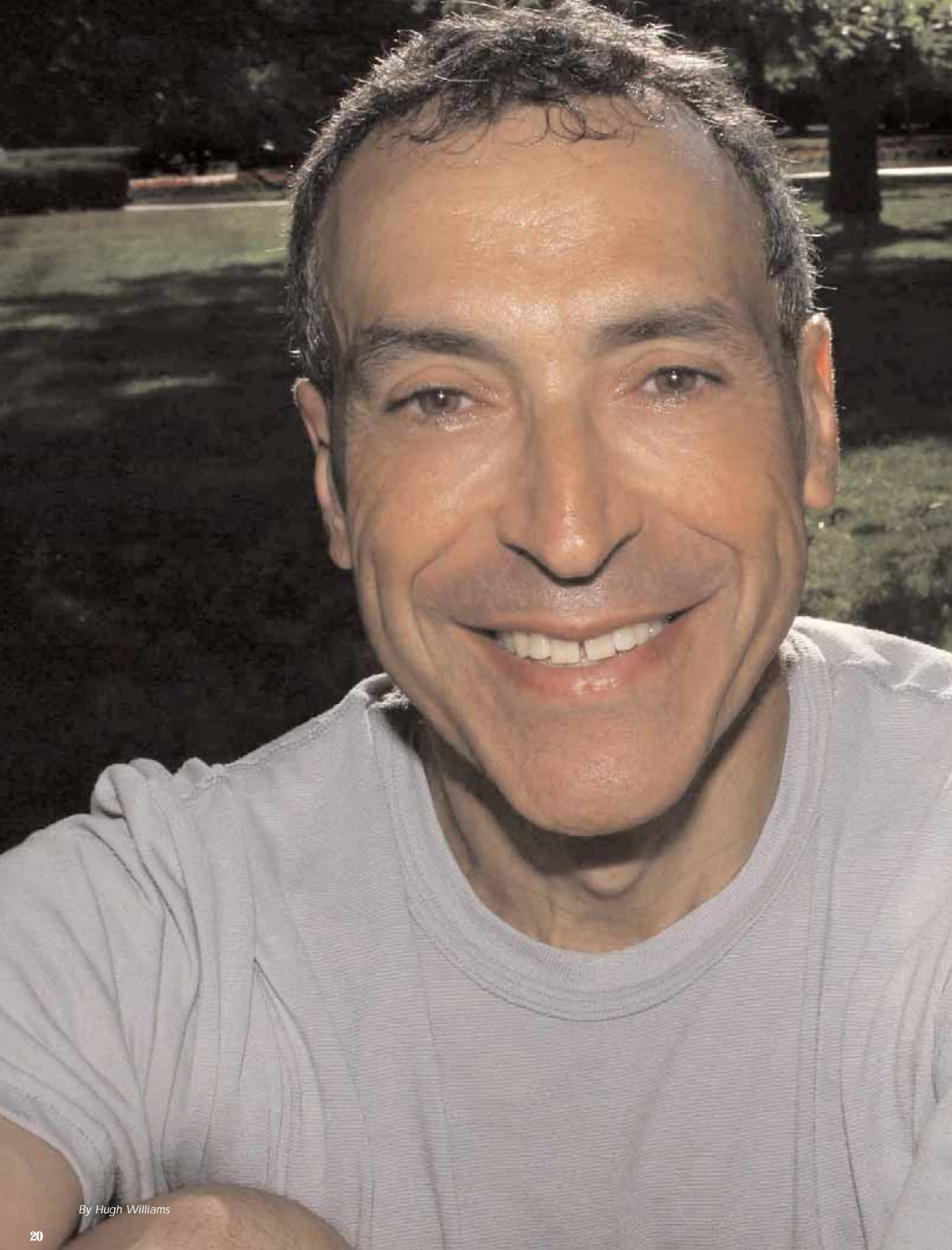
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By Hugh Williams



BORN TO RUN

BY JOHN RYAN

It doesn't get any better than this.

Late May, breezy, bright and crisp, 60 degrees in the nation's capital.

Seth Waxman throws back an espresso at the Cleveland Park Starbucks and crosses Connecticut Avenue, heading down into Rock Creek Park.

He “runs, rides, rows or swims” nearly every day before heading to the downtown D.C. law firm of WilmerHale, where he co-heads the appellate and Supreme Court practice group. He’s shed 40 pounds he gained working in the Justice Department from 1994 to 2001, the last four as President Clinton’s solicitor general, the so-called 10th justice of the American legal scene.

His teaching at Georgetown University Law Center is on his mind this morning. He’s a member of the faculty due to teach sovereignty in the fall. His syllabus isn’t exactly done.

“We just had a going away party last night for a colleague of mine that is leaving the firm to be a professor,” Waxman says, descending into the park’s shaded world. Cars cloud the main thoroughfare, and Waxman has eyed a turn-off to a quiet route.

“She’s leaving now to prepare for the fall, and was surprised to learn that I hadn’t really started working on my course,” he continues. “She said, ‘You know, you just can’t do these things overnight.’”

We merge onto a paved path and settle into a 10-minute mile pace. He’ll go for six miles, an even hour, giving an interview the entire time — and doing the vast majority of the talking. Waxman is a great talker; he makes his reputation and living that way. It simplifies my role as a jet-lagged but jogging reporter.

He switches the topic to music. He loves music, mostly rock. He grew up in Hartford, Conn., playing keyboards and percussion, at times in a high school rock band with his buddies. He considered joining a conservatory, but headed to Harvard University, where he got his bachelor’s degree en route to Yale Law School. Friends are trying to get him to join their band. He doesn’t have the time.

But that reminds him of a talk he gave at the Supreme Court in 2000, when he was nearing the end of his term as solicitor general. The “SG” defends acts of Congress and coordinates appellate litigation for the entire federal government, deciding which cases to take on appeal

and which legal positions to take — often choosing between competing positions from various segments of the sprawling U.S. bureaucracy.

An older woman from the crowd of D.C. denizens raised her hand during the Q&A session, he recalls. Who might be one of his professional heroes?

Bruce Springsteen.

Standing there in the Supreme Court, that’s who came to mind.

“I’m a terminal Bruce Springsteen fan,” Waxman shrugs as beads of sweat begin to form on his face.

He has tickets to a show later in May, at which Springsteen will perform songs from “The Seeger Sessions,” his take on folk icon Pete Seeger. Waxman hasn’t bought the CD yet; he wants to hear the songs live first.

“He’s just someone I could always relate to,” Waxman says. “I mean, he’s about my age, and he’s always seemed to stand for something.”

Honest, but a lead balloon in those quarters.

“The reaction seemed to be, ‘Who on earth is Bruce Springsteen and what does he have to do with the Supreme Court?’”

Waxman’s OK with that. He’s not out to impress anyone, having long ago established his ability to do that in the highest ranks. He’s crafted the career he wants: a chance to shape the law and take the cases that matter to him, all while living a rich personal life.

Waxman joined the Justice Department after 15 years as a successful D.C. trial lawyer, though one with limited Supreme Court experience. Now he’s about as in-demand as any private appellate specialist in the country, handling a mix of high-profile pro bono and paying work.

He’s the hottest ticket in Supreme Court advocacy after eliminating the juvenile death penalty and preserving *Miranda* rights.



By Hugh Williams

But to understand **Seth Waxman**, don't write off the kayaking, family treks to Tibet and Bruce Springsteen.

“Seth became extremely gifted at putting matters in ways that catch the Supreme Court’s attention — at pitching to the sweet spots of the justices.”

— **Miguel Estrada**

He got the juvenile death penalty tossed out last year in *Roper v. Simmons*, a landmark 5-4 decision in which the court reversed its position from 1989.

He secured the constitutionality of the Bipartisan Campaign Reform Act for clients John McCain and Russell Feingold, the senators who sponsored the bill, in a 2003 decision that concluded one of the most closely watched High Court disputes of the past decade.

And, he represents corporate clients like Monsanto and the Walt Disney Co. as well as various governmental bodies, providing general litigation and counseling services in addition to his appellate expertise.

It’s no surprise to anyone who watched Waxman as solicitor general that he’s created a thriving private appellate practice. He lost almost as many cases as he won as SG, but that isn’t the point; losing comes with defending laws that a majority of the justices don’t like. Even in defeat, the justices demonstrated high regard for him, says Miguel Estrada, who co-chairs Gibson, Dunn & Crutcher’s appellate group with Theodore Olson, President Bush’s first solicitor general.

“Seth became extremely gifted at putting matters in ways that catch the Supreme Court’s attention — at pitching to the sweet spots of the justices,” says Estrada, who also worked under Waxman in the solicitor general’s office. “They developed a great deal of confidence in him. They continue to treat him with a great deal of respect and show him a deference that they show maybe just a handful of other lawyers who go before them.”

That’s the real reason Waxman’s name is on the shortlist for high-stakes appeals, whether the client is the general counsel of a giant corporation or the director of a group opposing the death penalty. Success in this practice rests less on substantive expertise than on the skill set of writing the meticulous, well-positioned brief, of sparring with the justices.

Perfect for Waxman, who can’t linger in any one area for too long. He’s fascinated by everything. “It’s actually a very interesting case” is his standard way of starting to talk about a client matter. (And, “Anyway, that’s probably more than you wanted to hear” is a common way of ending a five-minute riff.)

Exercise is the same for him. He is swimming less these days, running and biking more, after injuring his shoulder while skiing earlier in the year — an injury he thinks he may have aggravated during extreme yoga, when the heat is turned up and the body is ultra-limber. A few years back, he was running less after sustaining quad injuries windsurfing and mountain biking.

“At age 54, I don’t want to wear out any particular part of my body before the other ones wear out, which is why I try to alternate sports,” he says.

He’s a “free spirit,” acknowledges Jamie Gorelick, a partner at WilmerHale who’s been his friend since their days at Harvard.

“He’s always been the same way: adventuresome, with a lot of personality,” she says. “He’s always had a real love of life.”

Rather than heading straight to law school after graduating from Harvard in 1973, Waxman went to Kenya. He won a fellowship to produce a photographic essay of an African village. After arriving, he discovered the only way to really immerse himself in a village was to either teach or practice medicine. He taught English, math, physical education, history, literature and geography. Naturally, he took four weeks off to volunteer picking cotton in the fields of Israel because the workers were off fighting in the Yom Kippur War.

We jog down a path that is rough and wet in spots, requiring us to slow to a near walk. If dropped here blindfolded, you wouldn’t know if you were in or even close to a major city. It is peaceful, inviting Waxman’s introspection about his most controversial case.

In *Dickerson v. U.S.*, he chose to not defend an act of Congress — as solicitor generals are generally obligated to do — and instead to defend the *Miranda* rights of a bank robbery suspect whose factual guilt was little in question. The case brought to a head the 30-year war between the Justice Department and conservative factions that disdained the landmark 1966 decision.

In 1968, Congress passed Section 3501 of the Criminal Code, which allowed a confession to be admitted as evidence even if the suspect hadn't received his *Miranda* warning — so long as the confession was voluntary. Section 3501 had languished for decades with the Justice Department abiding by *Miranda* and the Supreme Court applying it as precedent.

The issue boiled over when accused bank robber Charlie Dickerson won suppression of part of the fruits of his confession in the nation's most conservative judicial circuit, the 4th U.S. Circuit Court of Appeals. Senior U.S. District Judge James Cacheris had suppressed the confession because the FBI agents failed to *Mirandize* Dickerson. On appeal, the Justice Department did not defend Section 3501 — and in fact prohibited the local U.S. attorney's office from arguing on its behalf. The 4th Circuit relied on amicus briefing by University of Utah professor Paul Cassell on behalf of the Washington Legal Foundation to foment its ruling allowing Dickerson's statement admitted.

"Fortunately, we are a court of law and not politics. Thus, the Department of Justice cannot prevent us from deciding this case under the governing law simply by refusing to argue it," wrote 4th Circuit Judge Karen Williams for the court. In her opinion, she also wrote that the Justice Department's policy "may have produced — during an era of intense national concern about the problem of runaway crime — the acquittal and the nonprosecution of many dangerous felons, enabling them to continue their depredations upon our citizens. There is no excuse for this."

The stage was set for the U.S. Supreme Court to decide whether Congress could lawfully override *Miranda*. Waxman says that the solicitor general should defend an act of Congress whenever respectable arguments can be made in support of the act's constitutionality. However, he believed 3501 could not be reconciled with *Miranda*.

Attorney General Janet Reno agreed. She and Waxman rode to the White House together and explained their decision to the president, with whom Waxman enjoyed a good working relationship.

Clinton gave Waxman the green light to defy Congress, saying "I did not get elected to overturn *Miranda*."

With the SG on the side of *Miranda*, the Supreme Court appointed Cassell to defend 3501. The opinion issued by the court just three months after the case was argued put an end to the debate.

"Congress may not legislatively supersede our decisions interpreting and applying the Constitution," wrote Chief Justice William Rehnquist, no fan of *Miranda*. Despite that, he crafted a 7-2 majority for the administration — but not without a blistering dissent from Justice Antonin Scalia, who accused the majority of giving itself an "immense and frightening antidemocratic power."

"After that," Waxman says of Rehnquist's decision, "a lot of the criticism directed at me over the case went away."

For lawyers, real-life drama doesn't get much better than that. How could his next job be anything but a disappointment?

Waxman was stewing over that very question during a late lunch at Galileo, an Italian restaurant downtown. He had just finished meeting with TV Watch, a coalition of groups and individuals that oppose government control of programming. Waxman is handling ABC's challenge of an FCC fine imposed when Dennis Franz' "NYPD Blue" character Andy Sipowicz said "bullshit." Waxman was having a policy discussion with the group about his client's and the other networks' basis for challenging the FCC.

After the Clinton administration ended, Waxman was more than a little burnt out. He took six months off to relax, teach and go on a diet. Then he considered four options: joining a non-profit organization as general counsel, taking a similar job for a corporation, teaching full time or practicing at a law firm.

Waxman couldn't picture himself as a full-time scholar.

"I don't even like reading law-review articles, never mind writing them full time," he confesses over a mozzarella salad. "I also came to realize that, having grown up as a litigator, it's really hard for me to produce work product without a deadline — and, more to the point, a deadline that affects somebody else's life and not just mine."

Waxman fends off a server who wants his plate; he wants the last slices of mozzarella and tomato before moving on to his fish entrée.

He liked the idea of returning to a collegial law-firm environment while creating his own mix of paid and unpaid legal work. That's the deal he struck with Wilmer Cutler & Pickering, before joining as a partner in 2001. (The firm became WilmerHale after it merged with Boston's Hale and Dorr in 2004.) Waxman spends about 50 percent of his time on paying clients; and a quarter apiece on pro bono work and teaching.

"It's the best of all worlds," he says, forming a smile. "It also keeps me from addressing the fact that I probably have a very severe undiagnosed attention-deficit problem."

Waxman has always felt some anxiety about where to devote his legal efforts. Out of law school, he didn't know whether to join the Justice Department's civil rights division or to try private practice. After a clerkship with U.S. District Judge Gerhard Gesell, in D.C., he opted to get trial experience at the litigation boutique of Miller Cassidy Larroca & Lewin.

With the support of firm partners, Waxman jumped on a slew of pro bono cases from the get-go. The first one he took as lead counsel haunts him. He represented Jack House, a man on Georgia's death row, who was convicted of killing two 7-year-old boys. Waxman won a ruling from a federal magistrate judge that House was denied effective assistance of counsel. The district court judge overseeing the case denied the habeas corpus petition, but Waxman succeeded in getting the 11th U.S. Circuit Court of Appeals to order the writ.

Among other problems with the case, Waxman says, was that House's lawyer left the courthouse during his client's testimony — just so he could plug a parking meter.

In addition, House, a father of two young daughters, did not have a criminal record. New witnesses and blood tests also supported the man's claims of innocence. But when local prosecutors decided to retry the case, House took a plea deal that took the death penalty off the table and gave him the hope of parole. Waxman says his client could not face the possibility of execution and never seeing his daughters again.

"I was mortified, because this guy was innocent," Waxman says. House, never granted parole, remains in prison.

Perhaps no victory in Waxman's career, though, can loom larger than *Roper v. Simmons*, in which he won a ruling that executing juveniles is cruel and unusual

punishment. Just 16 years earlier, the high court held in *Stanford v. Kentucky* that such executions were lawful.

Christopher Simmons' crime was heinous. He and another perpetrator kidnapped a woman from her home, bound and gagged her and threw her from a bridge into the Meramec River in Missouri. Simmons was 17 at the time.

Waxman credits his victory, in large part, to advances in the scientific understanding of juvenile brains that developed after *Stanford*. The medical establishment accepted that a 17-year-old does not have a fully developed brain or sense of responsibility. The American Medical Association, the American Psychological Association and other groups filed briefs in support of Simmons.

It also helped that in 2002, the court had outlawed the death penalty for mentally retarded people in *Atkins v. Virginia*. In briefs and arguments, Waxman pointed to evolving standards of decency as evidenced by the many states that had done away with juvenile death sentences, making it a true rarity in America, as it is in the rest of the world.

Justice Anthony Kennedy, who had sided against Kevin Stanford in 1989, cited this argument in his majority decision favoring Simmons: "Our determination that the death penalty is disproportionate punishment for offenders under 18 finds confirmation in the stark reality that the United States is the only country in the world that continues to give official sanction to the juvenile death penalty."

"It was a huge victory," says Virginia Sloan, the founder and president of the Constitution Project, which assisted Waxman with the case. "It was so important that Seth argue this case, because there's nobody who knows how to litigate better before the Supreme Court than him. And he didn't have to take the case."

Sloan has known Waxman since the late 1970s, when she worked on the House Judiciary Committee and Waxman testified before the committee on habeas and criminal-appeals issues, drawing on his pro bono experience at Miller Cassidy. In recent years, he's worked with Sloan's group by testifying against reforms that would streamline the habeas process. His opinion is invaluable, Sloan says, because Waxman is a top expert on the issue and has the respect of both sides of the political aisle.

A regular stream of pro bono work kept Waxman at Miller Cassidy — where he eventually became the firm's



Associated Press



TOP LEFT: Spectators lined up outside the Supreme Court in October 2004 in anticipation of the arguments over the constitutionality of the juvenile death penalty. ABOVE: Janet Reno, pictured with President Clinton at a press conference, accompanied Waxman to tell the president the solicitor general's office should defy Congress. LEFT: Senators John McCain, left, and Russell Feingold celebrate the decision upholding the Campaign Finance Reform Act, which Waxman secured for his clients.

managing partner. If not for that, he likely would have made an earlier jump to government service. At Miller Cassidy, he mixed white-collar criminal defense and civil litigation involving the government. Waxman got his first Supreme Court case in 1992, with *Withrow v. Williams*.

That year, the court appointed Waxman to represent Robert Williams, who was convicted of murder in Michigan but had prevailed in his habeas petition before the 6th U.S. Circuit Court of Appeals. Waxman got the justices to affirm and conclude, by a 5-4 vote, that Williams' confession was involuntary and in violation of *Miranda*.

The day foretold many such days to come. Oral arguments were held on the day that Waxman's future boss, then-Gov. Clinton, was elected to the presidency. His

opponent was Principal Deputy Solicitor General John Roberts, the present chief justice of the Supreme Court.

Estrada worked under Roberts at the time, and remembers watching the arguments. He was struck by Waxman's intensity and obvious passion for his client.

Waxman remembers making a few introductory points before the justices interrupted him with questions; the rest is a complete blur to him now.

"But as soon as the red light went off, my first reaction was, 'I want to do this again,'" he says.

He didn't have to wait too long for that chance. Clinton selected Reno as his attorney general and she, in turn,

“It’s the best of all worlds. It also keeps me from addressing the fact that I probably have a very severe undiagnosed attention-deficit problem.”

— **Seth Waxman**

lured Gorelick to be her deputy attorney general. Gorelick recruited Waxman into the Justice Department in 1994 as an associate deputy attorney general. Two years later, Waxman took the role of principal deputy solicitor general under Walter Dellinger. When Gorelick left, Waxman became Reno’s deputy and when Dellinger left, he became acting solicitor general. By the time Clinton formally nominated him for solicitor general, Waxman held three titles at the Justice Department.

“I may have been the only person in the government who genuinely was reporting to himself,” he says.

Despite the politically tense atmosphere of the time, the Senate Judiciary Committee unanimously approved Waxman’s nomination. The full Senate confirmed him by a voice vote, all within a matter of weeks, in the fall of 1997. It didn’t hurt that Republican Sen. Orrin Hatch, from Utah, the chair of the judiciary committee, was a former client of Waxman’s.

Lawyers also credit his ease of confirmation with his reputation as a straight-shooter who puts the law above politics. Estrada, who remained in the solicitor general’s office under Clinton, says that Waxman lived up to his good name.

“He ran a professional, nonpolitical office that just tried to get the job done,” he says. “I was a conservative Republican working for him under Clinton, and I don’t think I remember even having the slightest political discussion with Seth as it related to a case.”

Jeffrey Lamken, who also worked under Waxman, was impressed by his boss’s boundless supply of energy.

“I was constantly amazed at the quantity of information we had to push his way to satisfy his appetite and curiosity, to make sure he understood everything he possibly could about a case,” says Lamken, who now heads the Supreme Court and appellate practice at Baker Botts. “That’s crucial before the Supreme Court because you never know where the justices will go with their questions.”

Of course, that doesn’t always lead to victory. Waxman’s tenure as solicitor general was marked by a Supreme Court at the height of its federalism phase. The court was actively tearing down laws enacted by Congress, reining in the federal government in favor of state’s rights.

Waxman took his share of those cases on the chin — always by a 5-4 majority, always winning over the same dissenters, Justices Stephen Breyer, Ruth Bader Ginsburg, David Souter and John Paul Stevens. The court’s orientation on federalism gave Waxman little chance of victory, Estrada says. His predecessors, Kenneth Starr and Dellinger, lost their fair share of federalism cases, as well.

“I think in many of those cases Jesus Christ could have come down and argued these cases, and I don’t think the outcome would have changed,” Estrada says.

Waxman recalls a particular low point, June 23, 1999. That day he lost three cases involving the sovereign immunity of states; in all three, the 5-4 majority sided with state agencies that were sued in federal courts. Waxman was vacationing in Martha’s Vineyard with his family when the FedEx package with the decisions arrived from his secretary. He took only the dissents to the beach that day.

“My wife wondered why I was so happy,” Waxman says. “I said, ‘These are the dissents. They’re marvelous.’”

He loves winning, but losing those cases never got under his skin. That’s because Waxman competes against himself — in work and in play. He was never big on team sports. There’s no traditional winning or losing in his self-imposed regimen of running, biking, swimming and kayaking. It’s just about pushing yourself, looking for a challenge, doing your best.

The same can be said for an advocate, in Waxman’s mind. Coming one vote short before an established court isn’t a stain on the solicitor general. Not if he did his best, which Waxman believes he did.

"Do I, in hindsight, when all is said and done, really feel like I wrote the best brief and did everything I could to fully prepare and present my case to the court? The answer to those questions is very nearly always 'Yes.'"

Waxman lost plenty of other big cases as solicitor general. For example, he failed in his defense of the line-item veto, a big legislative aim of the administration, which the High Court struck down in a 6-3 vote. Overall, Waxman estimates he won 15 or 16 of the 30 total cases he argued in the solicitor general's office.

The same lesson applies in private practice. While he overwhelmingly gets successful results these days, he still loses his share of cases. Last year, Lamken won a unanimous decision against Waxman on behalf of Rancho Palos Verdes, Calif., which had blocked a resident from building a cellular tower on his property. Mark Abrams had turned to Waxman to argue that he could sue the city for damages under federal civil rights law.

With a chuckle, Lamken says the case is a perfect example of how most disputes turn on their legal merits and not the lawyers involved.

"The law was on our side," he says.

We move from lunch to a conference room at WilmerHale, where Waxman has time for a few more questions as today is relatively slow. Yet he had already held six meetings on pending cases before his 11:30 a.m. meeting with TV Watch.

Among his clients is TiVo, which has retained Waxman to defend on appeal its recent trial victory over EchoStar for infringing on TiVo's time-warping patent. He is representing the National Resources Defense Council in its suit against the EPA for allegedly failing to adequately regulate the pesticide methyl bromide. Though the D.C. Circuit found the NRDC didn't have standing to bring the suit, the group is filing a petition for an en banc rehearing. Waxman also is working on litigation strategy for Monsanto following its loss before the U.S. Court of Appeals for the Federal Circuit, which upheld the Patent and Trademark Office's decision not to issue patents for small fragments of cloned DNA in plants, called expressed sequence tags.

Waxman credits his colleagues at WilmerHale for his ability to handle such a vast range of cases at any given time. The quality of their work gives him peace of mind.

"I'm now actually working with a whole group of people who are smarter than me and better writers than me," he says. "Last week alone I took on three new cases, and now they're staffed with a team that lets me sleep at night."

A few minutes after 4 p.m. an apologetic Waxman has to get back to work. He is a little late for a conference call with another client, the National Association of Attorneys General, whose massive tobacco industry settlement he is defending. Evening meetings are also on the schedule.

Which is why we found ourselves jogging and talking in Rock Creek Park at 7 the next morning. "It's just a great way to start the day because, no matter what else happens, I feel like I've accomplished something," he says.

Several weeks later, we talk again. He had spent the previous week hiking in Yosemite and biking in Napa and Sonoma. The year before, he took his family — wife Debbie Goldberg, two sons, 25 and 17, and a daughter, 20 — on a three-week excursion to Tibet. Later this year, he and Debbie are kayaking in Alaska.

Throughout, we talk almost as much about exercise as about his cases and career. The parallel between his compulsion toward diverse and challenging pursuits on both frontiers is obvious. But work is not a game to Waxman. He's not grinding it out in the high-stakes appellate world only for himself, for some type of fix — the professional equivalent of skiing off a cliff or jogging more miles.

I ask him about the Springsteen show. He describes it as "totally refreshing, exuberant and joyful." He says it was a "musical revival" of sorts, with the audience "transported, taken to another place."

That's why he admires the Boss, who is legendary for his live performances, for giving his all each night. With Springsteen it's a matter of principle; he does it for his audience.

And that's how Waxman views working for his clients, litigating the hell out of their cases, each a live set, Monsanto's DNA fragments and a juvenile on death row bearing equal interest and weight. It's the life of a serious advocate, one who doesn't have a favorite case, or a favorite Springsteen album.

"He really gives it his all every time he goes out there to perform," Waxman says. "That's pretty much what I try to do." ■

THE LAWDRAAGON 500

NEW STARS, NEW WORLDS

By Katrina Dewey

The future of American law was born in Saigon.

In April 1975, the two-year old son of a South Vietnamese judge, deprived of his position by communist leaders, was huddled with his family onto a helicopter and airlifted to safety by the U.S. Army. The next day, Ho Chi Minh City was born and a spirit was forged that would become a two-time national debate champion on his way to law school graduation at 22 and hot young partner status at 33.

Born in Tustin, Calif., too, where a father who painted cars raised a child with a rare determination. She learned Mandarin and made her way to partnership at the nation's most revered law firm where she's creating private equity deals not seen before. And in High Point, N.C., where the son of a teacher and a hosiery executive snagged the Hoop Dreams of the legal profession, creating one of the nation's leading basketball practices at one of D.C.'s finest firms.

Not so much children of a place but of a time in which law evolved from defining the establishment to serving as the force of change. They carved the path to the new heights of the legal profession, in which they have created a true meritocracy.

Of the 500 new stars selected by Lawdragon, we chose nine to interview. Their group portrait is not that of soulless money machines grinding out the hours for a bit more ka-ching. Nor is it that of prior generations who glided through private clubs where business was conducted often, as not, to the exclusion of women, Jews and minorities.

They are seven months pregnant, have no children, have four — the last one born on a day evidence objections were due, handled by e-mail. They all are in private practice and work for firms where partners can earn \$1 million or more a year. Virtually none of them set out on a mission to be a big-firm partner.

They specialize in really big deals, shareholder lawsuits, hedge funds, sports, outsourcing and intellectual property. They see their job as synthesizing knowledge of the law with acute awareness of the businesses and industries they represent. Each is incredibly astute at the business side of the law practice.

They are worldly in their experience and views — much of which they've learned on the job. They see the future of the law as international. That's where they play.

Jimmy Nguyen is the child of the dispossessed judge. On arrival in Southern California's Little Saigon, Jimmy's father took the California bar, hoping to reclaim his profession. He could not overcome the English requirement. Instead, he became a hospital orderly and eventually a mailman. Jimmy's mother, too, worked for the post office.

It didn't need to be spoken; Jimmy knew his father wanted a son who was a lawyer. Today, he is an entertainment and IP partner at Foley & Lardner in Century City. He created a business plan and started an entertainment practice leveraged on the convergence of digital technology. "I didn't have any help creating business," he says, though certainly there were mentors. "I forced myself out of my comfort zone."

His breakout matter was representing Los Angeles Magazine, for which he enjoined a competing food and entertainment festival to one the publisher sponsored. Though it wasn't the most complicated matter, it led to work for the client, which owns television, radio and publishing entities nationwide. Since then, Nguyen's worked on battles over neon art, robot toys, online gaming and cartoon characters.

He wants to be seen as a thought leader who thinks about issues not just as a lawyer, but as someone trying to provide business sense.

"As long as you're yourself, amazing, rich opportunities will find you," he says. "I'm destined to do some important things, not just in the law but in life, in the community, for the social good. All the things I'm doing now are stepping stones to that."

Julie Spellman Sweet grew up just down the road from Nguyen, in Tustin, Calif. In junior high school, she decided to be a lawyer, though she had never met one. She also debated in school, and was surprised after a summer associate stint that she didn't like litigation.

She was undaunted by the dearth of women in corporate practice, including at Cravath Swaine & Moore, where there was a sole female corporate partner. Spellman Sweet wanted to run meetings and create things.

It's fair to say she's succeeded. In the first trimester of her first pregnancy, she finalized the structure of Kohlberg Kravis Roberts & Co.'s \$5 billion IPO of a private equity investment fund, the first of its kind. She snagged the deal in part because of the private equity expertise crafted in

2005 for Ripplewood Holdings, which did a \$904 million IPO of its Japanese and European holdings.

"I really fell in love with the work," she explains, recalling the all-nighters that started as soon as she joined Cravath. "I am a geek. I still like getting into a good contract. I like the nuts and bolts of the law."

Her ascent has been fueled by her time in Asia. She spent two years early on in the firm's newly opened Hong Kong office, gaining a level of engagement she might not have seen at that juncture in her career had she been another associate in the home office.

She returned to Hong Kong as a partner in 2002 and was part of the management decision to close the office. While there, she taught at Beijing University and worked on a groundbreaking deal with the Chinese government. Not bad for someone raised in a family in which no one had a passport.

Duncan McCurrach had said when joining Sullivan & Cromwell that he was interested in branch offices. In the age of Crocodile Dundee, the young dealmaker was offered Australia. He called his fiancée, a small-town girl from upstate New York, who scurried to the library and checked out eight books about Australia. They greeted him on the coffee table when he got home at 2:30 a.m.

McCurrach assumed the posting was a great personal opportunity and was neutral to negative professionally. Instead, it proved "professionally astounding," he says. The firm's market share of U.S. law work in Australia is huge because it was the first firm to open there. So whether Qantas needed financing or the nation's phone system needed to be privatized, McCurrach got the deal because of his expertise from the New York market.

"Any big deal out of Australia, we did," he says. One of three lawyers in the office, he got huge administrative and client-development experience as well as tremendous interaction with senior lawyers in New York. He returned to the U.S. after two years to make partner, then went back to Australia for six years.

His most interesting deal came from an invitation to attend a small dinner with executives of a cruise ship company, P&O Princess, which had a deal to merge with Royal Caribbean, until Carnival Cruise lines challenged it. McCurrach offered up his two cents partway through the evening and got the deal to handle a dual listed company

combination. The CFO of Princess later became the CFO of Dubai Ports, and kept McCurrach in mind.

He was out buying his wife a new car one day, and got a call. "We need you to sell the U.S. ports," the CFO said.

"The secret to longevity is things kept changing," McCurrach says. "I didn't stay in one place or comfort zone."

Sean Murphy is preparing for a multibillion-dollar trial challenging practices in the \$8 trillion mutual fund industry on behalf of American Century Investment Management. This will be the 36-year-old Milbank, Tweed, Hadley & McCloy partner's second billion-dollar trial.

The case will set the bar for the battles in the industry, which is under attack by regulators and plaintiffs' lawyers who see it as rife with fraud and self-dealing. Murphy believes mutual fund litigation is just in its infancy given the huge piles of money it offers. He believes mutual fund litigation is his calling. "You really need to love it. If it's just a grind for you, you won't go far."

Murphy grew up in Rochester, where his father was a lawyer. He worked in construction to pay down his law school loans. He had never even visited New York City when he got a call from James Benedict, then a partner at Rogers & Wells, who, like Murphy, had graduated from St. Lawrence University. Benedict wanted him to apply at the firm.

Murphy made his first trip to the city at 22 years old, staying at the Drake Hotel. He finished his interviews around 4 in the afternoon and wanted to say he had done the Big Apple. So he put his wallet in his front pants pocket, careful to keep his hand on it as he walked around the block three times.

He joined the firm, again with an eye to paying off his loans. "Once you've represented Merrill Lynch, you can't go back," he says.

The world is flat, and one of the lawyers expanding that horizon infinitely is **Dan Mummery** of Latham & Watkins. He's built the New York Yankees of outsourcing as a testament to entrepreneurial marketing.

Raised in Coral Gables, Fla., he was destined to join the family profession of medicine, except for a small fear of needles. A general law practice, though, seemed just the thing. So he joined Milbank Tweed, happy to do deals for

some of its massive financial institution clients, like Chase Manhattan Bank. Such companies were just beginning to think about unusual arrangements for some of their departments, like technology. Not long after Chase outsourced its IT, McDonnell Douglas sought Milbank's help for a similar deal and the practice exploded.

"I got religion" he says of the practice he's now run at three firms. Outsourcing is a lawyer's dream, offering interdisciplinary intricacies and huge dollars at stake, he says.

Because you're selling assets, transferring employees and creating long-term revenue streams, the deals often climb into the billions. And no business will not outsource when they find a market where tremendous overall savings can be achieved — first Mexico, now India, next China and perhaps African nations thereafter. Also in his sights: huge growth in the outsourcing of human resources, accounting and other business processes not core to a company.

His practice allows him to see and experience the interconnectedness of business as it crosses boundaries of every type. He wants his children, who are being raised in Silicon Valley, to learn Mandarin. "I feel like we're touching the impact of globalization every day."

Who doesn't want to be **James Tanner**? Raised in High Point, N.C., "The Furniture Capital of the World," his mom was a teacher and his father was a human resources executive for a hosiery company.

He's a partner at Williams & Connolly, one of D.C.'s most elite firms, where he represents Grant Hill, Tim Duncan, Shane Battier and Chamique Holdsclaw. "My son thinks I know every famous person in the world," Tanner says. That's partly because some of his clientele stop by the Tanner home to play a little nerf pick-up with Evan, 8, and Lauren, 5.

He credits the success of their sports practice to partner Lon Babby, once general counsel to the Baltimore Orioles, with whom he's built a top-flight basketball practice that's expanded to baseball and now has its sights set on tennis. "I like the idea of taking a young person coming out of college and guiding them through their professional career and watching them evolve as a businessperson and decision maker," Tanner says.

The practice can be cutthroat, though, with competing agents scrutinizing every move for an in to nab coveted clients. "You're living in a fishbowl. The frustrating thing

is some other agents are willing to do things to get clients we would in no way consider doing.”

Meredith Kotler is transporting Silicon Valley securities litigation magic to New York. After a rapid ascent through the vaunted U.S. attorney’s office for the Southern District of New York, Wilson Sonsini Goodrich & Rosati cherrypicked her to export its stardust.

Kotler’s interest in understanding the rules that govern us led her to Israel, where after college she studied Jewish biblical texts for a year, knowing she was headed back to the U.S. for law school. After a judicial clerkship, she secured a slot with the U.S. attorney despite having less than the required two years experience by agreeing to handle immigration matters. That gave her the opportunity to handle her own caseload and argue before the 2nd U.S. Circuit Court of Appeals.

She also served as lead government counsel in the gigantic WorldCom litigation, representing the handful of federal agencies that were WorldCom creditors. Her job was to ensure the government’s phone service wasn’t disrupted and to make sure consumers were protected.

That attracted the attention of Wilson Sonsini securities litigation czar Boris Feldman. “I loved the opportunity of taking this incredible west coast brand and developing its business here,” she says.

She since has worked to replicate a team of wonderful lawyers who are great at what they do and learn from one another. She’s helped get several huge cases dismissed, including a securities class action against Synopsis.

Kotler also defeated two preliminary injunction motions to enjoin Guidant’s \$24 billion merger with Boston Scientific. That case was the culmination of all her skills, she says. Wilson Sonsini got the call on Monday to be in court on Friday and she had four days to put together the direct and cross examination of witnesses that would green-light or doom a huge deal.

“You work hard and show yourself to be the best at what you do. You never have the option to be anything other than that,” she says.

Jerry Silk and **Erik Sandstedt** of Bernstein Litowitz Berger & Grossmann have been a dynamic duo for the past four years, helping nail huge awards, like a recovery

of \$6.15 billion in the WorldCom securities litigation and the \$3.12 billion recovered in the Cendant securities case.

Silk joined the firm after getting his MBA at Wharton and a few years at Weil, Gotshal & Manges. Sandstedt came through Latham & Watkins, where he came under the wing of Sean Coffey and Michael Chertoff, whom he followed to the U.S. attorney’s office in New Jersey and then onto the Justice Department in D.C., where he served as Chertoff’s chief of staff.

He played a key role in managing the legal questions attendant to the federal government’s response in the weeks following 9/11. Eventually, though, he found himself broke, with a family, in a practice that redefined stress on a daily basis. Coffey, a naval officer, showed up around that time in his dress whites and suggested Sandstedt move to the plaintiff side — just like Coffey had after leaving Latham.

He had barely put down his briefcase when Silk called him to help out for six weeks in London. They needed to take 30 depositions in the Independent Energy securities litigation, which ultimately settled for more than \$50 million. Both lawyers had sons who were just beginning to walk, and both learned on that trip that if they didn’t win, they wouldn’t just miss those crucial steps. They wouldn’t get paid. It was a good lesson in law firm economics.

Silk’s first assignment on joining the firm had been drafting the lead plaintiff’s complaint in the Cendant litigation, working directly with the legendary Max Berger. His first week, he worked Saturday, Saturday night and all day Sunday. There was no air conditioning. He thought, “What have I done?”

But he was also in the midst of the biggest SEC fraud case in decades, one that resulted in a settlement so big it is often exempted from shareholder litigation statistics. It also resulted in a change in plaintiff tactics, seeking not just money, but changes in corporate governance.

Both foresee changes on the horizon in law practice, including the migration of corporate America to contingency firms that know how to be a plaintiff. They also acknowledge the shift in plaintiff securities practice that is afoot with the criminal indictment of Milberg Weiss Bershad & Schulman. With Bernstein Litowitz’s “client driven” bent, however, they don’t see long-term harm to their clients. “Greed is a growth industry,” they say. ■

Edward Adams Fulbright & Jaworski (Houston) “Teddy” has **first-chaired** contract disputes, product liability and torts trials in federal and Texas courts. **Jane Adams** Cooley Godward (San Diego) A leader in life sciences, she forms and **strengthens** ties with biotech and pharmaceutical companies for her clients. **Kenneth Adams** Dickstein Shapiro (Washington, DC) Legendary since his Exxon Valdez work, he recovered \$2 billion for store chains stung by a **global** vitamin-tablet cartel. **Rachel Adams** Howrey (Washington, DC) Also a registered lobbyist, she applies solid **IP skills** for computer, semiconductor and telecom clients. **Anand Agneshwar** Arnold & Porter (New York) Besides working on his firm’s **trailblazing** pharmaceutical team, Agneshwar makes pro bono work his signature. **Darren Aitken** Aitken Aitken (Santa Ana, California) He works **wonders** in aviation cases, insurance bad faith, personal injury, product liability and commercial torts. **Jeffrey Albinson** Marshall Dennehey (Tampa, Florida) The ex-company president and prosecutor **aids** lawyers, accountants and engineers who face loss of license. **Michael Album** Proskauer Rose (New York) This Sarbanes-Oxley **savant** knows foreign business acquisitions, work force restructuring and exec compensation. **Elizabeth Alexander** Lieff Cabraser (Nashville, Tennessee) She sued Caterpillar for retired workers over claims of broken health-care and pension **promises**. **Frederick Alexander** Morris Nichols (Wilmington, Delaware) His opinion carries **weight** in Delaware’s corporate-heavy courthouses.



Jessie Beeber

By Hugh Williams

Arif Ali Fulbright & Jaworski (Washington, DC) Speaking five languages helps Ali represent 30-plus countries; he even won a **medal** from Bahrain. **Arif Alikhan** Justice Department (Washington, DC) A leading prosecutor in IP infringement, he is poised to **swoop in** on cybercriminals. **David Allinson** Latham (New York) AMC Entertainment, **Goldman Sachs**, JP Morgan and LS Power Equity Partners rely on him for deals. **Michael Alonso** Jones Vargas (Reno, Nevada) One of gaming law's giants, he **excels** in administrative, government, land use and lobbying law. **Gregg Alton** Gilead Sciences (Foster City, California) An ex-corporate maven at Cooley Godward, he guides a **fast-rising** maker of medical devices. **Linda Ammons** Widener School of Law (Wilmington, Delaware) Widener's new **dean** made her name in Ohio, where she served on influential state commissions. **Kenneth Anderson** Loeb & Loeb (New York) Check your **iPod** for his clients: the Beastie Boys, Ben Folds, Dixie Chicks, Phish and Will Smith. **Bradley Andreozzi** Mayer Brown (Chicago) He shielded Ernst & Young from Fruit of the Loom's **wrath** and reps USA Track and Field in arbitration. **David Andril** Vinson & Elkins (Washington, DC) He **negotiates** energy-sector acquisitions for BG Group, France-based Total S.A. and Duke Energy. **Jonathan Anshell** CBS (Los Angeles) For reaching CBS' top-lawyer slot before age 40, he receives CSI-level **ratings**.



By Hugh Williams

Thomas Dupree

Justin Antonipillai Arnold & Porter (Washington, DC) A **pro** in court, he hits homers in director/officer, bankruptcy, commercial and securities. **Judith Archer** Fulbright & Jaworski (New York) The onetime AT&T government affairs standout hits the **bull's-eye** in contracts, IP and telecom cases. **David Asmus** Baker Botts (Houston) The ex-Pennzoil **geophysicist** battles for Burlington Resources, Japan Energy, Newfield Exploration and Occidental Petroleum. **Michael Avenatti** Greene Broillet (Santa Monica, California) Before recent eight-figure **verdicts**, he cut his teeth representing Don Henley and Glenn Frye. **Tracy Bacigalupo** DLA Piper (Baltimore) For pharmaceuticals sharing patents or Internet companies selling billions in **stock**, she's one of the best. **Marcia Backus** Vinson & Elkins (Houston) She **juggles** billion-dollar energy and resource-company deals with aplomb. **Bradford Badke** Ropes & Gray (New York) This imaginative litigator **protects** patents covering blood glucose sensors, coronary stents and surgical staplers. **Kraig Baker** Davis Wright (Seattle) Need to know where Internet law's **defining** lines are drawn? Ask him; Yahoo, Reuters and Broadcast.com do. **Lisa Banks** Katz, Marshall & Banks (Washington, DC) Now an employment pro for plaintiffs, she beat back Horizon, **Sears** and UPS while at the EEOC. **James Barker** Latham (Washington, DC) Spectrum auctions are the turf of this rep for cell-phone, direct-broadcast **satellite** and wireless cable firms.

Marsha Barr Heimberg & Zohar (Los Angeles) Barr landed \$3 million settlements for two **plaintiffs** who claimed severe brain damage due to health-worker negligence. **Scott Barshay** Cravath (New York) **Chevron**, Credit Suisse, IBM and United Airlines crave his corporate law insight, especially for M&A. **Andrew Bart** Jenner & Block (New York) A music law giant, he **safeguarded** the record companies' rights to monetize artists' performances and recordings. **David Bassett** WilmerHale (Boston) A patent litigation **legend**, he goes to bat for Biogen, Calgene, Procter & Gamble and Raytheon. **William Baxley** King & Spalding (Atlanta) Georgia's **giants**, from Coca-Cola to SunTrust Bank, turn to Baxley for M&A advice. **Rick Bays** Locke Liddell (Houston) This **cybercowboy** wrangles some of the best usage agreements and software-license deals around. **Brian Beard** Wilson Sonsini (Austin, Texas) Another techno-savvy Texan, Beard has raised hundreds of millions in funding for **emerging** startups. **Otto Beatty** Baker Hostetler (Columbus, Ohio) The creditors' rights **crusader** in bankruptcies also counsels small businesses and entrepreneurs. **Lucien Bebachuk** Harvard (Cambridge, Massachusetts) This **prolific** law professor covers the trends in escalating executive pay. **Robert Becker** Manatt (Palo Alto, California) He follows IP wins against the likes of Microsoft with a **victory** that enjoined 321 Studios from selling DVDXCOPY software.



By Hugh Williams

James Nguyen

Jessie Beeber Frankfurt Kurnit (New York) From “Harry Potter” to “The Wind Done Gone,” she **handles** some of the stickiest (and most interesting) copyright cases. **Suzanne Bell** Wilson Sonsini (Palo Alto, California) An outsourcing **insider**, Bell scores big wins for Agilent Technologies, Google and Williams-Sonoma. **Serge Benchetrit** Willkie Farr (New York) This high-flying finance attorney helped **Swiss Re** line up \$6.8 billion to acquire GE Insurance Solutions. **Stephen Berkman** Winston & Strawn (San Francisco) He advises **Yahoo** about data-center collocation agreements and helps Harrah’s develop a House of Blues destination. **Jill Berliner** King Purtich (Los Angeles) This hard rockin’ music lawyer keeps things **copasetic** for clients Foo Fighters, the Offspring and more. **Debbie Berman** Jenner & Block (Chicago) A **defender** of First Amendment rights, she blazed trails in the disclosure doctrine for trade secrets. **Michael Bernard** Dykema Gossett (Detroit) He’s an **advocate** for Avail Networks, BullsEye Telecom and Jebco Manufacturing. **Fred Bernstein** Proskauer Rose (Los Angeles) Past president of Columbia Tri-Star studio, he creates, finances and exploits **branded** entertainment. **Mark Bettencourt** Goodwin Procter (Boston) The tech **titan** reps software, network and health care companies from angel phase through IPO. **Ivy Bierman** Loeb & Loeb (Los Angeles) She stops Hollywood labor strikes before they start and cuts **pioneering** multimedia deals between studios and guilds.



By Hugh Williams

Clare O'Brien

Brian Bilzin

Bilzin Sumberg (Miami) Handles huge real estate work, including air rights to Miami's famed Fontainebleau Hotel.

Timothy Bishop

Mayer Brown (Chicago) A high court superstar, he's a top advocate for Dean Witter, GM and Oracle.

Victoria Bjorklund

Simpson Thacher (New York) Built an impressive practice repping charitable institutions, including Doctors Without Borders.

Nigel Blackaby Freshfields (Paris) Takes on Latin American cases involving alcoholic beverages, energy, financial services, telecom and tobacco.

Andy Block Legal Aid Justice Center (Charlottesville, Virginia) Guides the Justice Center's legal programs, including a labor-law clinic that helps thousands of farmworkers each year.

Jerry Bloom White & Case (Los Angeles) Australia, Brazil, China, Indonesia, Mexico, Pakistan, the Philippines and Turkey.

Energy regulation work doesn't get broader. **Cornell Boggs** Coors Brewing Company (Golden, Colorado) Famed for opening the 2002 Winter Olympics to Anheuser-Busch

ads, he recently joined Coors. **Hale Boggs** Manatt (Los Angeles) He helped Blue Falcon Networks soar with \$8.5 million in third-round financing.

Angelo Bonvino Paul Weiss (New York) He helped Sports Authority sell for \$1.3 billion and Ralph Lauren buy back

U.S. Polo Jeans. **Jeannette Boot** WilmerHale (New York) She hand-crafts derivative transactions for hedge funds and institutional investors.

Colleen Boothby Levine Blaszak (Washington, DC) The former FCC standout **advises** IBM, Microsoft and GE Capital in regulatory and litigation matters. **David Boston** Willkie Farr (New York) Telecom's **leading light** for Latin America, he paved the way for Telefonos de Mexico to acquire AT&T Latin America's assets. **Theodore Boutrous** Gibson Dunn (Los Angeles) Cracked the Michael Jackson trial wide open for the **media**, then counseled embattled Time reporter Matthew Cooper. **Kali Bracey** Jenner & Block (Washington, DC) Protects MCI from the FCC while helping policyholders fight insurers over **lead paint** and mold. **Jeffrey Bramlett** Bondurant Mixson (Atlanta) He won \$192 million for workers and defended Stewart Finance against unfair-loan **claims** from elderly customers. **Henk Brands** Paul Weiss (Washington, DC) Thanks to his High Court work, the cable-modem lines of Time Warner and other service providers aren't open to **rivals**. **Daniel Bretz** Brady Hathaway (Detroit) FTD, Spirit Airlines and country clubs love his **skill** defending management. **David Brittenham** Debevoise & Plimpton (New York) The M&A hotshot **structured** a private equity group's \$15 billion acquisition of Hertz. **Ruth Hill Bro** Baker & McKenzie (Chicago) The data-protection pro **bulletproofs** clients concerned about "smoking gun" e-mails, e-harassment and cybersmears. **Todd Brody** Morgan Lewis (New York) **Swatted down** claims that Wachovia and Evergreen Investment Co. improperly enhanced their mutual funds' "shelf space."



By Hugh Williams

Aurene Martin

Patricia Bronte Jenner

& Block (Chicago) When not recovering millions on insurers' policies, she improves women's rights in Azerbaijan. **Jay**

Brown Levine Sullivan (Washington, DC) This erstwhile journalist ensured reporters could access court records pertaining

to *U.S. v. Moussaoui*. **Lisa**

Brown American Constitution Society (Washington, DC) The executive director reported critically on DC's services to the homeless. **Rick Buchanan**

NBA (New York) As NBA GC, he douses big fires (bargain agreement renegotiations) and small ones (Ron Artest). **Susan Burger** Rush Law Group (Nashville, Tennessee) She makes

beautiful courtroom music for U2, Neil Young and the George Gershwin and Bob Marley estates. **Antoinette Bush** Skadden (Washington, DC) Northpoint Technology and the

Senate Commerce Committee's ex-lawyer guides broadcast, cable and telecom clients. **Keri**

Lynn Bush Lewis Brisbois (Costa Mesa, California) Orange County's leading labor lady safeguards AT&T, California regents, H&R Block and Wells Fargo. **David Cabello**

Wong Cabello (Houston) Past GC of Compaq and Questia Media, he knows the IP/patent world inside out. **Anthony Cabot** Lewis & Roca (Las Vegas) The co-founder

of the International Masters of Gaming Law Association has created four books on the field.

Kevin Calcagnie Robinson Calcagnie (Newport Beach, California) He brings home big wins, from L.A. County's \$3.3 billion settlement with Big Tobacco on down.

Richard Capelouto Simpson Thacher (Palo Alto, California) Guided Veritas' **merger** with Symantec and Agilent's sale of semiconductor products. **Craig Cardon** Sheppard Mullin (San Francisco) Trusted by Hollywood on anti-piracy, he reps Digital Envoy in its trade secrets **tussle** with Google. **Mark Carpenter** Faegre & Benson (Minneapolis) He **built** a monthlong cattle genetics case in Minnesota, then handled Florida crop-damage mitigation cases. **Dale Cendali** O'Melveny & Myers (New York) Follow the lead of J.K. Rowling, **Victoria's Secret** and Twentieth Century Fox: Trust Cendali with your IP. **Meryl Chae** Skadden (Los Angeles) Real estate clients AIMCO, Babcock & Brown, NorthStar Capital and the Standard Hotel **rave** about her. **Robert Chambers** Smith Currie (Atlanta) The engineer handles legal **blueprints** for dams, bridges and airport runways. **Carmen Chang** Wilson Sonsini (Palo Alto, California) She structured SMIC's acquisition of a Motorola factory that was the **first** M&A ever under new Chinese law. **Howard Chao** O'Melveny & Myers (Shanghai, China) He helped a Morgan Stanley fund **land** \$1.3 billion in Huarong Asset Management loans. **David Chapin** Ropes & Gray (Boston) Berkshire Partners, Goldman Sachs and Morgan Stanley **trust** him with sensitive finance matters. **Leigh Chapman** Warner Bros. (Burbank, California) Captains the company's defense of class actions and made TV writers' rooms **safe** for bawdy discussions.

Chad King



By Hugh Williams



By Hugh Williams

James Tanner

Guy-Uriel Charles University of Minnesota (Minneapolis) The star has built **expertise** in constitutional and election law, plus politics and race. **Neel Chatterjee** Orrick (Menlo Park, California) EBay, Lucasfilm and Logitech International all wanted him to **protect** their rights. **David Chaumette** Shook Hardy (Houston) Housing discrimination, commodities fraud, product liability: Houston companies with problems **seek** his help. **Wilson Chu** Haynes and Boone (Dallas) Asia Holdings, Charter Communications and Intactix International consider Chu a securities **standout**. **Jamie Chung** California State Auto Association (San Francisco) Before her new job, she structured MAID's \$420 million **purchase** of Knight Ridder Information. **Thomas Cifarelli** Cifarelli Law Firm (Santa Ana, California) He's notched six consecutive school-negligence **victories**, from \$1.5 to \$12 million for plaintiffs. **Dane Ciolino** Loyola University of New Orleans (New Orleans) The former Cravath **star** wrote an influential paper on strict liability in copyright. **Shauna Clark** Fulbright & Jaworski (Houston) A **stalwart** for management, she comes through for Baylor College of Medicine, Waste Management and YRC Worldwide. **Richard Clary** Cravath (New York) Defends heavyweights **IBM**, Time Warner Cable and Netscape. **John Coates** Harvard (Cambridge, Massachusetts) A professor since age 33, he examines the political and legal angles of corporate **takeovers**.

Jay Cohen Paul Weiss (New York) A securities/antitrust superman, he muscled **megadeals** for Time Warner Entertainment, Movielink and Capitol Records. **Robin Cohen** Dickstein Shapiro (New York) She **garners** huge insurance claims and heads her firm's Big Apple office. **Christopher Cole** Manatt (Washington, DC) Cole **foils** claims of false advertising, like Miller Brewing not being American-owned or "Mosquito Halo" products ineffectively repelling critters. **David Cole** Georgetown (Washington, DC) He's litigated **huge** First Amendment cases about flag burning and federal art funding. **Gregory Coleman** Weil Gotshal (Austin, Texas) His High Court work earned Mid Atlantic Medical reimbursement from ERISA clients who **won** independent settlements. **Christopher Collins** Holland & Knight (Washington, DC) When foreign governments need land in DC, they **call** Collins. Churches, colleges and hotels do, too. **James Comey** Lockheed Martin (Bethesda, Maryland) Now at Lockheed, he refused to **certify** parts of the NSA's domestic wiretapping program as deputy U.S. attorney general in 2004. **Kathryn Conde** Nutter McClennen (Boston) Her IP **smarts** allow her to X-ray clients' ideas; her antitrust experience shows how best to defend them. **Victoria Cook** Frankfurt Kurnit (New York) From indies to Hollywood, she has **top** clients (LJ Films, Rachel Boynton), credits ("Screwed") and projects (NY Underground Film Festival). **Heather Corken** Fulbright & Jaworski (Houston) **Cleans** the slate for clients buying environmentally-sensitive sites, from Superfund fields on down.

Lee Covington Squire Sanders (Washington, DC) The insurance **expert** clears the road for clients facing compliance issues, transactions, lawsuits or public policy issues. **Erin Cox** U.S. Attorney's Office (Dallas) Cybercriminals **beware**: Cox's wins include the DOJ's first-ever verdict against a pharmacy web site using federal "drug kingpin" laws. **Trey Cox** Lynn Tillotson (Dallas) Credit Suisse First Boston and Stone Products both **admire** his rock-solid defense work. **Lucia Coyoca** Mitchell Silberberg (Los Angeles) This multimedia **marvel** won big for Royal & Sun Alliance Insurance and Yard House Restaurants. **Eric Cramer** Berger & Montague (Philadelphia) The antitrust **ace** specializes in class actions against pharmaceuticals for blocking entry of lower-priced alternative medicines. **Susan Creighton** Wilson Sonsini (Reston, Virginia) Previous director of the FTC's Bureau of Competition, she won **critical** consent orders for Biovail, Bristol-Myers Squibb and Perrigo. **Thomas Croft** King & Croft (Atlanta) With a **strong** academic and Internet background (StopLossLaw.com), he crafts commercial-law solutions. **David Cruz** USC (Los Angeles) Law professor by age 33, Cruz has **penned** strong arguments about gay marriage and discrimination. **Guylyn Cummins** Sheppard Mullin (San Diego) If your access, libel or other First Amendment **rights** are being denied, call her. **Robert Darwell** Sheppard Mullin (Los Angeles) Focus Features and USA Networks **trusted** Darwell; so did Disney when it split from the Weinstains.



By Hugh Williams

Victoria Cook

Page Davidson Bass Berry (Nashville, Tennessee) He helped @Plan, HealthStream and O'Charley's **hatch** their IPOs. **Eberley Davis** Stoll Keenon (Lexington, Kentucky) Former GC of two energy companies, Davis displays **strength** in asset sales and property leasing. **Michael Dayan** Cleary Gottlieb (New York) A standout in the firm's **stellar** banking practice, he gets it done in derivatives deals especially. **Warren de Wied** Fried Frank (New York) Burlington Resources used him for its \$35 billion **merger** with ConocoPhillips; BellSouth and Goldman Sachs trust him, too. **Robert Dehney** Morris Nichols (Wilmington, Delaware) This **pro** at public sector restructuring has served Oakwood Homes, Rouge Steel and Thaxton Group in bankruptcies. **Robert DeLaMater** Sullivan & Cromwell (New York) Previously firm honcho in Hong Kong and Tokyo, he collects "deal of the year" **honors** like baseball cards. **Ross D'Emanuele** Dorsey & Whitney (Minneapolis) A health-care attorney and co-author of HMO guidebooks, he has defended juvenile **death row** defendants pro bono. **Victor Diaz** Podhurst Orseck (Miami) Made his **mark** with a \$187 million judgment against the Cuban government for shooting down a civilian plane. **Jack DiCanio** Skadden (Los Angeles) A member of the LAPD's Rampart review panel, he **counsels** Gateway's former president in an SEC enforcement action. **Peter Dichiara** WilmerHale (Boston) The engineer **helps** communications, data storage and nanotech clients obtain and enforce IP.



Trey Cox

By Hugh Williams

Ross Docksey Sonnenschein Nath (Chicago) The ex-Army officer **guides** Fortune 500s in outsourcing IT, finance and personnel functions. **Scott Doran** Vorys Sater (Columbus, Ohio) The wetland whiz **handles** Superfund, toxic tort and environmental issues raised by real estate developments. **Craig Dowdy** McKenna Long (Atlanta) He's a **dandy** for big energy, election or telecom-related deals cooking in Atlanta. **Kevin Downey** Williams & Connolly (Washington, DC) His white-collar defense work benefited the former **CEOs** of Fannie Mae and Freddie Mac. **Thomas Dupree** Gibson Dunn (Washington, DC) On Matthew Cooper's defense team, he also got the High Court to **void** a \$290 million personal injury award. **Daralyn Durie** Keker & Van Nest (San Francisco) A **favorite** of Comcast Cable and Google, she guarded Genentech from a Chiron patent infringement claim. **John Dwyer** Cooley Godward (Palo Alto, California) Once third-highest at the **DOJ**, he reps Morrison & Foerster, chip-maker nVidia and Pacific Gas & Electric. **Ricardo Echeverria** Shernoff Bidart (Claremont, California) He **won** seven-figure verdicts for wildfire and wrongful-death victims, plus a software company. **LizabethAnn Eisen** Cravath (New York) She counseled underwriters **financing** Hexion Specialty Chemicals and Reddy Ice Holdings. **Larry Eisenstat** Dickstein Shapiro (Washington, DC) Provides **supercharged** defense for utilities and independent power producers.



Dale Cendali

Ivor Elrifi Mintz Levin (Boston) He was **patent** counsel to Modex Therapeutics and CytoTherapeutics before moving to Mintz Levin. **Craig Emanuel** Loeb & Loeb (Los Angeles) With one of **Hollywood's** strongest Rolodexes, he reps Gary Oldman, Leelee Sobieski and directors Robert Rodriguez and Alex Proyas. **Christine Enemark** Covington & Burling (Washington, DC) She helps broadcasters **spin off** new enterprises, like PBS's new preschooler channel and National Geographic's eponymous cable network.

Cletus Ernster Cletus P. Ernster III, P.C. (Houston) He's filed 100-plus **cases** against Dillard's for discrimination against black customers. **David Esquivel** Bass Berry (Nashville, Tennessee) An antitrust **ace** for Big Tobacco, he also won \$6 million for five Salvadorans who accused Nicolas Carranza of murder and torture. **Dawn Estes** Gardere Wynne (Dallas) She has **branded** cybersmear, e-commerce and domain name disputes as her turf. **Julie Evans** Wilson Elser (New York) She **knows** toxic torts, including chemicals, defective conditions, latex and mold claims. **Steven Fabrizio** Jenner & Block (Washington, DC) He opened **fire** against eDonkey, Kazaa and other file-trading sites. **Robert Faiss** Lionel Sawyer (Las Vegas) He **imparts** his gaming wisdom wholesale via a professorship at UNLV's law school. **David Feher** Dewey Ballantine (New York) When the NYSE switched to digital valuations and Avon **touted** its bath oil as insect repellent, they used his advice.

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Noah Feldman NYU (New York) An Islamic-politics scholar trained at Oxford, Feldman writes **influential** think-pieces and teaches constitutional and regulatory law. **Brian Ferrall** Kecker & Van Nest (San Francisco) He fixes matters for file-server companies; BlueArc, C-Cube Microsystems and TSMC find him **fantastic**. **Kenneth Ferree** Sheppard Mullin (Washington, DC) Previously a top insider at PBS and FCC, he **lines up** big media-law deals. **Alice Fisher** The U.S. Department of Justice (Washington, DC) Terrorists and Enron officers alike **fear** Fisher, who heads the the department's criminal section. **Eric Fjelstad** Perkins Coie (Anchorage, Alaska) This Northern light handles permitting for **energy**, forestry, mining and heavy infrastructure projects, plus contaminated sites and project decommissioning. **Thomas Flanagan** Stanley Flanagan (New Orleans) The legendary litigator scored **big wins** for Entergy New Orleans, BizCapital Business and more. **Keith Flaum** Cooley Godward (Palo Alto, California) Adobe merging with Macromedia, eBay buying Skype, Siebel **sidling up** to Oracle: he makes big deals happen. **Kenneth Florin** Loeb & Loeb (New York) An **all-star** with advertising, film and music, Florin helps producers leverage branded content across many platforms. **Kari Ann Fonte** Montiel Davis (Miami) Immigration **leaders** among the Florida bar say she's tops. **Nixon Fox** Vinson & Elkins (Austin, Texas) **Advisor** extraordinaire to Austin startups and equity investors, he spearheaded the city's World Congress on Information Technology.



By Hugh Williams

Matthew Lerner

Robert Fram Heller Ehrman (San Francisco) Hits **grand slams** for tech clients Computer Associates, MCI and Texas Instruments. **Hope Freiwald** Dechert (Philadelphia) This product liability pro was key in Merck's **Vioxx** win last year in New Jersey. **Andrew Friedman** Covington & Burling (Washington, DC) **Tops** in tax for all four major sports leagues, Sotheby's, Sun Life Financial and Yahoo. **Joseph Frumkin** Sullivan & Cromwell (New York) Raised the bar on **telecom** mergers with Cingular's purchase of AT&T Wireless and SBC's buy of AT&T proper. **John Gaffney** Cravath (New York) Helped Rogers Wireless **rescue** Canadian telecom Microcell and Time Warner Books wrangle top dollar from Clyde & Co. **Paul Gallagher** Cohen Milstein (Washington, DC) He **punishes** alleged price-fixers, such as auction houses, explosive makers and corn syrup concerns. **Sergio Galvis** Sullivan & Cromwell (New York) The securities whiz helped Brazil's Camargo Correa **buy** Argentina's Loma Negra, and China's Sinopec get \$385 million worth of Ecuador's OCP. **Robert Gans** Bernstein Litowitz (San Diego) Helped plaintiffs **beat** Clarent Corp.'s former founder and reeled in a \$217 million settlement from Arthur Andersen. **Sergio Garcia** Fenwick & West (San Francisco) The former biopharma GC accompanied SF mayor Gavin Newsom on **biotech** talks with China. **James Garner** Sher Garner (New Orleans) He **wins** for Akzo Nobel Chemicals, Clemco Industries and the University of New Orleans Foundation.

John Gartman Fish & Richardson (San Diego) The IP **wunderkind** founded his firm's Silicon Valley office by age 32 and San Diego by 36, and he reps pro golfer Phil Mickelson.

Steven Gartner Willkie Farr (New York) He's Warburg Pincus' **magic man**, having secured its acquisition of Telmark and MV Multikabel, plus its investment in Builders First Choice.

Seth Gelblum Loeb & Loeb (New York) Broadway's biggest finance lawyer **helps** everyone: playwrights, music publishers and financiers. **Paul Geller** Lerach Coughlin (Boca Raton, Florida) The derivatives star **landed** eight-figure settlements from Intermedia, Morgan Stanley and Prison Realty Trust.

Heather Gerken Yale (New Haven, Connecticut) A **media** darling in *Bush v. Gore*, she traded her election-law post at Harvard for Yale. **Michael Gillespie** Debevoise & Plimpton (New York) He **helped** Jim Henson Co. sell the Muppets and did a \$1.3 billion restructuring for Brazil's Globopar.

Beth Ginsberg Stoel Rives (Seattle) She **counsels** everyone from fishers and loggers to port authorities and hydro-electric plants. **Diane Golden** Katz Golden (Santa Monica, California) The **trophy** cases of her clients house Oscars, Emmys, Tonys and Golden Globes.

Linda Goldstein

Manatt (New York) Her expertise in structuring sweepstakes, minimizing Internet marketing **risks** and constructing online casinos is unequalled.

Sandra Goldstein Cravath (New York) From Hilton to McKesson, her practice has earned her the **spot** as the firm's managing partner for litigation.



Yakub Hazzard



By Hugh Williams

Reid Wilson

Thomas Goldstein Akin Gump (Washington, DC) The trial star launched **SCOTUSblog** and preps Harvard and Stanford law students for the High Court. **Karlene Goller** Los Angeles Times (Los Angeles) The paper's protector, when not **prying open** bureaucrats' zipped lips, lobbies to expand First Amendment freedoms. **Carlos Goodman** Bloom Hergott (Beverly Hills, California) A **hero** in Hollywood, he gets it done for Quentin Tarantino, Paul Greengrass, Darren Aronfsky and Christian Bale. **David Gossett** Mayer Brown (Washington, DC) A pro bono presence and co-founder of the Green Bag law review, he unanimously **won** his first High Court case by age 33. **Evan Gourvitz** Fross Zelnick (New York) Trample on the copyright interests of **PepsiCo**, DC Comics or the Edgar Rice Burroughs estate? Not if he has anything to say about it. **Heather Grahame** Dorsey & Whitney (Anchorage, Alaska) The environment and telecom **talent** steers clients dealing with the FCC, federal and state lawsuits, plus state utility commissions. **Lynn Grayson** Jenner & Block (Chicago) Formerly Illinois' top disaster-response lawyer, she tells clients how to **perform** environmental due diligence and defend natural resource claims. **Mary-Laura Greely** Mintz Levin (Boston) Also head of her firm's private company group, Greely gets notable **gains** for antitrust, M&A and securities clients. **Karen Green** WilmerHale (Boston) Green shines for **Big Pharma**, medical device makers and other health-care companies. **Eric Greenspan** Myman Abell (Los Angeles) His entertainment **clients** include Christina Aguilera, Jack Johnson, Rob Zombie, screenwriter David Koepp and food network star Giada DeLaurentis.

Joseph Grier Dreier (New York) Fountains of Wayne, Diana Krall, Bob Mould and Wilco all sing the **praises** of this mighty music attorney.

Joshua Grode Liner Yankelievitz (Los Angeles) He **lines up** nine-figure deals to launch video game projects and finance films. **Susan Grode** Katten (Los Angeles) This Grode inks huge deals: for **Simpsons** creator Matt Groening, plus the team behind SpongeBob SquarePants. **Joseph Gromacki** Jenner & Block (Chicago) He did huge Hughes Electronics **deals**: its sale by GM, then the \$6.6 billion sell of one-third of Hughes to Rupert Murdoch. **David Guedry** Jones Day (Dallas) Handles Texas-sized commercial and **outsourcing** deals for EDS, the Houston school district and CGI Group. **Ron Gunzberger** Broward County Property Appraisers Office (Fort Lauderdale, Florida) Already **big** in real estate, he crossed into new world recognition for Politics1.com. **Andrew Hachey** Nixon Peabody (Boston) A **master** at steering mutual funds past rocky shores, he once served as VP/senior counsel at Putnam Investments. **Thomas Hagemann** Gardere Wynne (Houston) The former assistant U.S. attorney provided **cover** for executives from Arthur Andersen, Duke Energy and Enron. **Michael Haggard** Haggard Parks (Coral Gables, Florida) Noted for **winning** back-to-back verdicts topping \$100-million in pool drowning suits, he also snagged \$21 million in a cell-phone distraction verdict. **Daniel Halem** Proskauer Rose (New York) Orlando Cabrera, Carlos Beltran and Vladmir Nunez all learned to **respect** Halem when he represented their teams in salary arbitrations.



Stuart Liner

By Hugh Williams

Natalie Hanlon-Leh Faegre & Benson (Denver) Engineered Data Products, McData and USA Hockey all **rely** on her IP expertise. **Monique Harden** Advocates for Environmental Human Rights (New Orleans) An environmental-justice star before Katrina, she **raised hell** over the government's slow response. **Christopher Harnett** Ropes & Gray (New York) Biotech company Dyax, pharmaceutical Forrest Labs and industrial gas leader Praxair rely on his commercial **expertise**. **Philip Harris** Jenner & Block (Chicago) He held back numerous product liability and commercial disputes for **GM**, at trial and on appeal. **Dean Harvey** Vinson & Elkins (Dallas) The ex-software consultant structured the **outsourcing** of an energy retailer's \$300 million call-center operation. **Susan Hassan** Skadden (Chicago) She repped Ameritech in its \$62 billion merger with **SBC** and led Scientific-Atlanta's \$6.9 billion sale to Cisco. **Benjamin Hattenbach** Irell & Manella (Los Angeles) The IP **pro** has litigated disputes involving Compaq, ECI Telecom and Pitney Bowes. **Gerald Hawxhurst** Quinn Emanuel (Los Angeles) Handles huge matters for **Viacom**, Paramount and NBA and NFL owners. **Yakub Hazzard** Alschuler Grossman (Santa Monica, California) He switched from repping studios to **creatives** such as Berry Gordy, Incubus and Weezer. **Susan Hendrickson** Arnold & Porter (McLean, Virginia) She does acquisitions, licensing and strategic alliances for **AOL**.



Wilson Chu

Raymond Henney

Honigman Miller (Detroit) He **shields** corporations against customer disputes, shareholder class actions and investigations by the SEC. **David Hickey**

Winston & Strawn (Los Angeles) A globetrotting commercial/arbitration ace, he's solved **huge** disputes conducted by British, Indonesian, Philippine and other foreign conglomerates. **Ryan Higgins**

Rusty Hardin & Associates (Houston) Plenty of gaming and sports-star clients, a

big hand in a World Trade Center trial: not bad for the young star. **Eric Hilfers** Cravath (New York) A top **tax** man, he solves problems for Mandalay, Patina Oil & Gas and Sprint. **Curt Holbreich**

Howard Rice (San Francisco) Sportswriter-turned-lawyer, he **counts** Bay Meadows Race Course, the NCAA and the Oakland Raiders as clients. **Jerome Holmes**

Crowe & Dunlevy (Oklahoma City) The white-collar defense attorney may be headed to Colorado's federal appellate **bench**. **Mark Holscher** O'Melveny & Myers (Los Angeles) Once

the scourge of Heidi Fleiss, he **aids** corporate officers, doctors and hospitals in fraud trials and probes. **Jeffrey Horwitz** Proskauer Rose (New York) Bear Stearns, Credit Suisse and J.P.

Morgan **rely on** his corporate guidance. **Geoffrey Howard** Bingham McCutchen (San Francisco) He handled Oracle's e-discovery issues in its hostile **takeover** offer for PeopleSoft. **Linda Edell Howard**

Adams and Reese (Nashville, Tennessee) She **safeguards** Charlie Daniels, SHeDAISY and the Tennessee Ernie Ford estate.

By Hugh Williams

John Hueston U.S. Attorney's Office (Houston) He won **praise** for his skillful prosecution of Ken Lay and Jeff Skilling in the federal Enron trials. **Keith Hummel** Cravath (New York) This longtime litigator quarterbacked **Israeli** corporation Medinol's \$750 million pay-day from Boston Scientific over breach-of-contract claims. **Angela Humphreys** Bass Berry (Nashville, Tennessee) An erstwhile CPA, she does health-care companies' heavy lifting in **M&A**, joint ventures and securities matters. **Kelly Hunsaker** Fish & Richardson (Redwood City, California) Trained at Microsoft's **elite** Advocacy Academy, she has defended Microsoft, Adobe, Apple Computer and Bank of America. **Jonathon Hunter** Liskow & Lewis (New Orleans) He helps **Gulf Coast** energy clients lease federal land for extracting oil and gas. **John Hurvitz** Covington & Burling (Washington, DC) The life sciences **star** has served as lead counsel for AstraZeneca, Medarex, Schering-Plough and other biotech behemoths. **Andrei Iancu** Irell & Manella (Los Angeles) Once a Hughes Aircraft engineer, he **piloted** TiVo and Immersion to \$74 and \$82 million verdicts, respectively. **Douglas Ing** Watanabe Ing (Honolulu) Mr. Land and Water on the islands, Ing is the **cornerstone** of his firm's regulatory practice. **Russell Jackson** Skadden (New York) When advertising class actions threatened Anheuser-Busch and **Compaq**, they turned to him. **Paul Jennings** Bass Berry (Nashville, Tennessee) He **guided** Capital One and Regal Cinemas through restructurings.

Julie Pearl





By Hugh Williams

Philip Weems

Jeh Johnson Paul Weiss (New York) He scores arbitration **wins** for Citigroup, R.J. Reynolds and Armstrong World Industries. **Jennifer Johnson** Covington & Burling (Washington, DC) She's strategized with Raycom Media, the New York Times Co., and **CBS** and NBC affiliate groups. **Matt Johnson** Ziffren Brittenham (Los Angeles) He reps **Tyra Banks**, Ice Cube, Michael Keaton and the Hughes Brothers. **Mark Johnston** Levine Blaszak (Washington, DC) With experience in Japan and Belgium, he does **contracts** for large telecom users and computer network operators. **Thomas Johnston** Girardi & Keese (Los Angeles) He **triumphs** in trucking cases: \$14 million from a Texas truck operator, plus wins against Kmart and Toys "R" Us. **Amanda Jones** Bradley Arant (Jackson, Mississippi) She wins big **victories** for silica-exposure and insurance defendants. **Dustin Jones** Snell & Wilmer (Phoenix) His client list (Centex, KB Homes, National Homebuilders) **ignites** Phoenix's hot housing market. **Robin Joyce** Bass Berry (Nashville, Tennessee) Eyeing media convergence, she expanded her music practice (e.g. Al Green) to film producer Alan Greenspan and high-tech VC **giant** Dale Jensen. **Raj Judge** Wilson Sonsini (Palo Alto, California) He speaks Hindi, Punjabi and Urdu, and he's done **IPOs** for CyberMedia, Infosys and Ramp Networks. **Jonathan Kagan** Irell & Manella (Los Angeles) He litigated **key** patents for ASM Lithography, Stac Electronics and Texas Instruments.

Mitchell Kamin Bet Tzedek (Los Angeles) He **fights** for the elderly, Holocaust victims and underprivileged tenants. **Shawn Kasserman** Corboy & Demetrio (Chicago) He **landed** seven-figure injury settlements for a rescue worker pinned between two vehicles and a carjacking victim. **David Katz** Wachtell Lipton (New York) Also an M&A professor, he **hammered** out Lucent's side of the \$13 billion merger with Alcatel. **Wayne Katz** Proskauer Rose (New York) When sports leagues expand — the NBA's Raptors and Hornets, hockey's Predators, Blues and Wild — Katz does the **heavy lifting**. **Jay Kelley** Vinson & Elkins (Houston) Kelley handles pipeline problems, liquidized natural gas **losses** and more for British Gas and other energy clients. **Michael Kellogg** Kellogg Huber (Washington, DC) Guides NorthPoint and other telecom clients, while **luring** ex-Supreme Court clerks with unprecedented hiring bonuses. **Deborah Kelly** Dickstein Shapiro (Washington, DC) A labor-law winner for **AT&T** and Barton Protective Services, she also developed her firm's PolicyPartner online service. **James Kelly** Dickstein Shapiro (Washington, DC) The finance attorney **shaped** a government loan-guarantee program to boost private funding of health-care construction. **Katherine Kendrick** DreamWorks Animation (Glendale, California) After moving from DreamWorks proper, she keeps this **legal department** humming. Next up: "Shrek the Third." **Roger Kennedy** Oracle (Redwood Shores, California) A former Lockheed Martin engineer, he crunches the numbers for Oracle's growing patent **portfolio**.

Timothy Kenny Fulbright & Jaworski (Minneapolis) At 37, he's already coordinated IP litigation **abroad** and conducted 100 federal IP cases and trademark board proceedings. **Lisa Kincheloe** Georgia Lawyers for the Arts (Atlanta) Took a 50 percent pay cut to join GLA and owns a firm that represents Southern bands, **songwriters**, producers and writers. **Chad King** Hughes Luce (Dallas) Also the blogger behind PrivacySpot, he provides **premium** IP coverage for Blockbuster, CNET Networks and TravelWeb. **Douglas King** Bryan Cave (St. Louis) King **scored** for Washington University over ownership of biometer collected by a former professor. **Katherine King** Kean Miller (Baton Rouge, Louisiana) The Louisiana Energy Users' Group counsel before the state's public service commission for more than 10 years, King **reigns** in Louisiana energy. **Marshall King** Gibson Dunn (New York) King litigates for **Merrill Lynch**, Empire Blue Cross & Blue Shield and foreign arms of Deloitte Touche. **Gregg Kirchhoefer** Kirkland & Ellis (Chicago) His transactional **expertise** has no borders: A Canadian firm relied on him for an alliance that turned on non-U.S. law. **Peter Klee** Luce Forward (San Diego) This lead Southern California defense counsel for the Allstate Group **shields** insurers from bad-faith suits and other torts. **Adam Klein** Katten (Chicago) Batting cleanup for the **ChiSox**, Oakland A's and the NHL's St. Louis Blues, he also represents Miller Brewing in NFL sponsorships. **Kerry Konrad** Simpson Thacher (New York) Blazed trails in **IP** litigation for Lotus Development Corp., Dun & Bradstreet and Universal Music.



By Hugh Williams

Kali Bracey



By Hugh Williams

Paul Gallagher

Linda Kornfeld Dickstein Shapiro (Los Angeles) Insurers find her **incredible**, especially Gosnell Builders Corp., whose judgment she got the court of appeal to reverse. **Barbara Kosacz** Cooley Godward (Palo Alto, California) Kosacz is a **phenom** for pharmaceuticals Aspreva, Bayer and Exelixis. **Daniel Kotin** Corboy & Demetrio (Chicago) The personal injury **star** wins millions for med-mal and auto accident victims. **Meredith Kotler** Wilson Sonsini (New York) Avaya, Deutsche Bank, Guidant and Lipman Electronic Engineering all **picked** Kotler for their commercial/securities suits. **Stephen Kotran** Sullivan & Cromwell (New York) The M&A veteran has come through for **AmEx**, Bank of New York and Eastman Kodak. **David Kramer** Wilson Sonsini (Palo Alto, California) **Google's** lead counsel also advises Plumtree Software, Real Networks and XO Communications. **Jonathan Kravetz** Mintz Levin (Boston) A core member of his firm's technology practice, he **advises** Oxigene and numerous European tech concerns. **Donald Kunz** Honigman Miller (Detroit) The Handleman Co., Taubman Centers, plus REITs and tech companies use Kunz for securities **work**. **William Lafferty** Morris Nichols (Wilmington, Delaware) Cox Communications, Fox Entertainment and Solar Capital **lean on** him for M&A. **William Lamb** LeBoeuf Lamb (New York) Energy deals he's **brokered** involve Central Vermont Public Service, PetroKazakhstan and Portland General Electric.

David Lande Ziffren Brittenham (Los Angeles) His meteoric music-law career gains oomph from clients such as Alicia Keys, Eve, Hillary Duff, **Nelly** and Shakira. **Robert Lawrence** Davis Graham (Denver) This dynamo takes on **hazardous materials** transportation, criminal conservation matters, vapor intrusion, voluntary cleanups and more. **Joseph Leccese** Proskauer Rose (New York) The sports-finance **star** advises the NBA on its \$1 billion line of credit, plus sports M&A. **Mark Lemley** Stanford (Palo Alto, California) Few IP law professors get to teach the subject to federal and state judges; Lemley leads that **rarefied** pack. **Matthew Lerner** Goldberg Segalla (Albany, New York) Also a **rising** appellate, insurance and IP attorney, he writes the highly popular New York Civil Law blog. **Brian Levey** eBay (San Jose, California) He helped massage eBay's acquisition of **PayPal**. **Adam Levin** Mitchell Silberberg (Los Angeles) **Hollywood** players — Elektra Records and the makers of "Friends" — turn to him to defeat discrimination claims. **Jason Levine** McDermott Will (Washington, DC) Holds the line for Asarco against natural-resource-damages **claims**, and Covance Laboratories against PETA protesters. **Denise Lewis** Honigman Miller (Detroit) The real estate pro landed a \$350 million headquarters for **Compuware** and a \$6.2 million renovation for the TechOne startup incubator. **Steven Lewis** Lewis Longman (Tallahassee, Florida) He stays laser-focused on **sovereign** submerged lands and endangered species cases.

David Lindsey Clifford Chance (New York) This international **all-star** in arbitration handles contracts and construction projects world-

wide, especially in Latin America. **Stuart Liner** Liner Yankelevitz (Los Angeles) Liner handles **millions** in commercial litigation while ensuring nobody at his successful firm bills more than 2200 hours annually.

Barry Littman Weinstein Co. (Los Angeles) This ex-Miramaxer helped Weinstein Co. hit the ground **running** with animated offerings “Hoodwinked” and the forthcoming “Escape from Planet Earth.” **Allen**

Lo Juniper Networks (Sunnyvale, California) Lo handles IP, contracts and more for **Juniper Networks**, maker of connectivity hardware.

Gary Locke Davis Wright (Seattle) What practice areas does an ex-governor pick after office? Whichever ones he wants: namely **China**, ener-

gy and governmental relations. **Nicki Locker** Wilson Sonsini (Palo Alto, California) She shut down shareholder lawsuits against Guidant,

McAfee and Salesforce.com. **Judy London** Public Counsel (Los Angeles) This Immigrants’ Rights Project director **leads** efforts for immigrants seeking asylum, as well as abandoned and abused children.

Karen Loudon Morris Nichols (Wilmington, Delaware) Corporate/IP counsel to **Medtronic** and Extreme Networks, she’s also

president of Delaware Volunteer Legal Services. **Jane Love**

WilmerHale (New York) Already a Ph.D. in molecular biology, she loads up her IP clients with cross-disciplinary **insights** and strategies. **Timothy**

Macdonald Arnold & Porter (Denver) This litigation **maven** can switch from securities fraud to torts to bankruptcies.

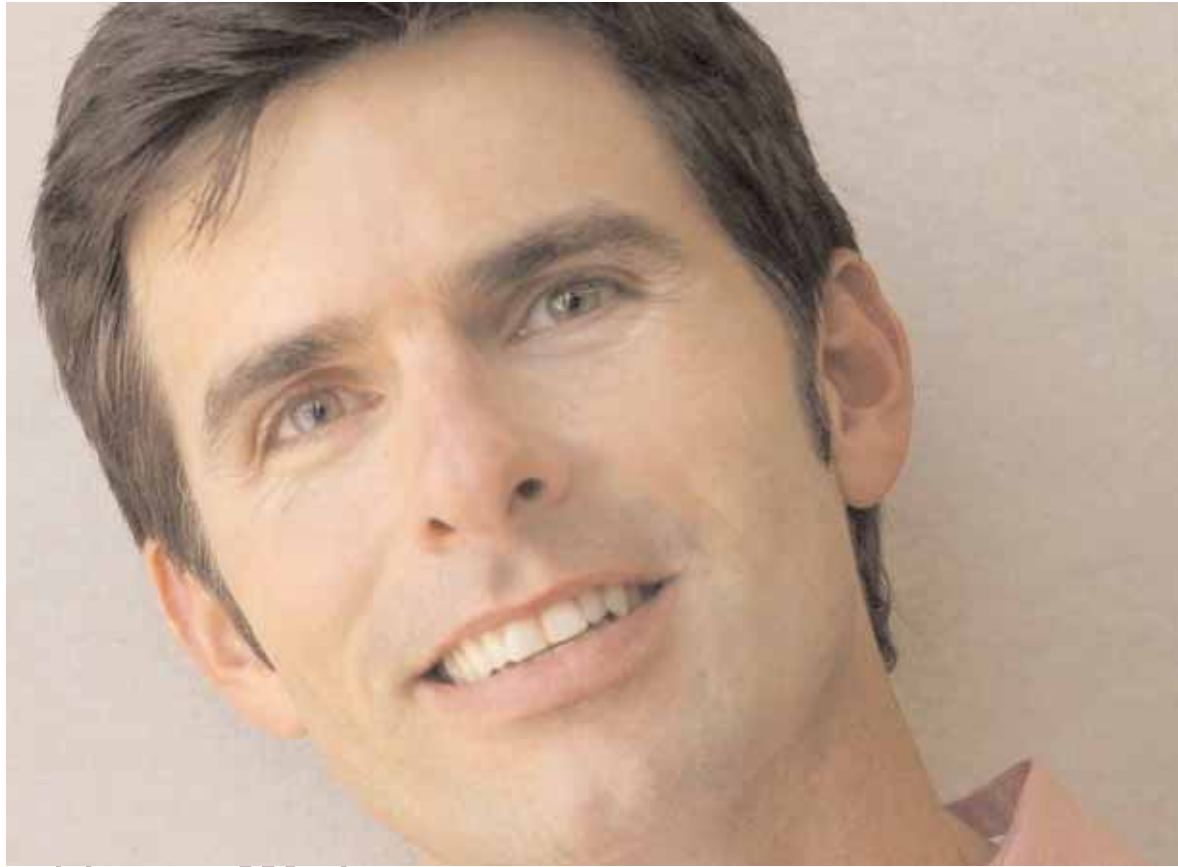


Lucia Coyoca

By Hugh Williams

Rick Madden Skadden (Los Angeles) He **facilitated** the sales of MGM, General Nutrition Centers and Sylvan Learning Systems. **Lisa Madigan** Attorney General (Springfield, Illinois) One of **few** women to become a state Attorney General — and she did it by age 36. **Max Madrid** Modrall Sperling (Albuquerque, New Mexico) He nails **wins** for clients, including cities, school districts and teachers' credit unions. **Amy Manning** McGuire Woods (Chicago) An antitrust and complex litigation **double threat**, she tackles cartel, monopolization and monopoly leveraging, and price fixing cases. **Steven Marks** Podhurst Orseck (Miami) This aviation attorney helps clients soar, nabbing \$25 million and \$4 million **paydays** for crash victims this year. **David Marriott** Cravath (New York) Bank of America, Bristol-Myers Squibb, **IBM** and Qualcomm all count on him. **Mike Marshall** Marvel Comics (Beverly Hills, California) With "Ghost Rider" and "Spider-Man 3" on the way in 2007, he will stay busy **protecting** Marvel's interests. **Aurene Martin** Holland & Knight (Washington, DC) A **trailblazer** for Native American casinos, she made her mark as senior attorney for Minnesota's Oneida tribe. **John Martin** Baker Botts (Dallas) His work for EDS alone (its \$27 billion split from GM, its eight- and nine-figure acquisitions) keeps him **busy**. **Katharine Martin** Wilson Sonsini (Palo Alto, California) Apple, Juniper Networks, PalmOne and Sun Microsystems all prove she's heir to the Sonsini **throne**.

Carlos Martinez Proskauer Rose (New York) International transactions are his mark: the **acquisition** of Pepsi Genez and IPOs for Porto Seguro and CanTV. **Pedro Martinez-Fraga** Greenberg Traurig (Miami) He prosecuted **Pinochet** for Chile's people and juggled proceedings in the Dominican Republic and Italy. **Jeff Marwil** Jenner & Block (Chicago) He's one of bankruptcy's **best**, as shown by his work in the Kmart, UAL, KB Toys and FV Steel cases. **Terri Mascherin** Jenner & Block (Chicago) **Marvelous** for WorldCom, MCI and Honeywell, she also makes the case for death row prisoners. **Gary Mason** The Mason Law Firm (Washington, DC) Diet drugs, synthetic Stucco, the Exxon Valdez spill: he turned all of these into big **recoveries**. **Michael Mavrides** Bingham McCutchen (New York) A **hero** for hedge funds, he closely advises offshore investors and derivative developers. **Eric McCarthy** Latham (Washington, DC) McCarthy moves fast in **cartel investigations** abroad, plus product liability defense for sporting-goods concerns. **Niall McCarthy** Cotchett Pitre (Burlingame, California) He makes a difference for elderly abuse **victims**; four California counties tapped him on their behalf. **Duncan McCurrach** Sullivan & Cromwell (New York) Dubai Ports World, Princess Cruises and Exxon all **salute** his M&A expertise. **Don McDermott** Baker Botts (Dallas) He's a **mover and shaker** for Accenture, Kinko's and Morgan Stanley.



Alonzo Wickers

By Hugh Williams

Vincent McKnight Ashcraft & Gerel (Washington, DC) Proficient in personal injury, med-mal and labor discrimination, he **shields** qui tam plaintiffs like no other. **Ellen McLaughlin** Seyfarth Shaw (Chicago) She complements her busy labor litigation practice by **advising** managers on employee training and education. **Joan McPhee** Ropes & Gray (Boston) This white-collar whiz **defends** clients charged with bank fraud, export control violations, health care fraud and RICO problems. **Marcellus McRae** Gibson Dunn (Los Angeles) An **expert** on criminal business investigations, he frequently turns up on "CNN Talkback Live." **Patricia Menendez Cambo** Greenberg Traurig (Miami) Clients seek her **skill** for privatization as well as establishing an international presence. **Mark Menting** Sullivan & Cromwell (New York) He's the guy for Cullen/Frost, Riggs National and Regions Financial in **M&A** matters. **Jaime Mercado** Simpson Thacher (New York) A trilingual **talent** for America Movil, CPFL Energia of Brazil and Celulosa Arauco y Constitucion. **Katerina Milenkovski** Porter Wright (Columbus, Ohio) A Superfund and environmental-cost recovery guru, she **negotiates** with the EPA and DOJ. **Ruth Milkman** Lawler Metzger (Washington, DC) Her FCC experience **matters** for telecom, wireless and satellite-communications clients. **Laura Beth Miller** Brinks Hofer (Chicago) She **saved** truck manufacturers and Progressive Casualty Insurance from infringement claims.



By Hugh Williams

Daniel Halem

Scott Miller Sullivan & Cromwell (New York) He put together billion-dollar deals for Fiat's split from **GM** and Alcan's hostile takeover of Pechiney. **Zia Modabber** Katten (Los Angeles) Also a Chevy Chase defender, he has **protected** Michael Jackson from defamation, wrongful-termination and lost-profits claims. **Sandra Montgomery** Bingham McCutchen (Los Angeles) She speaks **cross-border** bankers' language, not to mention French, Korean, Portuguese and Spanish. **Mark Morton** Potter Anderson (Wilmington, Delaware) He represents companies, executives and directors in all aspects of his state's **complex** corporate laws. **Robert Mowrey** Alston & Bird (Atlanta) He **wins big** in Clean Water Act, hazardous waste and corporate compliance cases. **Benjamin Mulcahy** Sheppard Mullin (Los Angeles) He counts ABC Cable Networks, **Focus Features** and Showtime Networks as clients. **Daniel Mummery** Latham (Menlo Park, California) American Express, BellSouth and **Chase Manhattan** find his outsourcing work outstanding. **Sean Murphy** Milbank (New York) Not only did Murphy **deflect** \$3 billion in Enron-related claims against client Alliance Capital, he won them \$1.2 million in advisory fees. **Christopher Murray** O'Melveny & Myers (Los Angeles) Monumental in media/entertainment law, he **engineered** Yahoo's partnership with the NBA and EMI's music delivery through MP3.com. **Scott Musoff** Skadden (New York) Merrill Lynch's **must-have** man for securities class actions, he reps Washington Mutual and Tower Semiconductor.



By Hugh Williams

Edward Adams

John Nakahata Harris

Wiltshire (Washington, DC) The telecom **talent** drove AT&T, BellSouth, SBC and Verizon to create the CALLS interstate pricing plan. **Wendy Neal** Snell

& Wilmer (Phoenix) A **master** with clients in agriculture-focused biotech, hydrometallurgy, power systems and semiconductor manufacturing. **Matthew Neco**

Stirling Bridge (Los Angeles) Taken aback by the *Grokster* decision, he still **presses** for privacy rights and the free exchange of ideas.

Laura Nemeth Squire Sanders (Cleveland) She reps the Cleveland Browns franchise in business, **finance** and real estate. **Bradford Newman** Paul Hastings (Palo Alto,

California) Newman defended **Yahoo**, Agilent and Cypress Semiconductor in high-profile employment matters. **James Nguyen** Foley & Lardner (Los Angeles) Wins precedent-

setting cases for Clarendon Insurance and Interactive Classified Networks with his IP, entertainment and commercial **know-how**. **Blair Nicholas** Bernstein Litowitz (San Diego) The

securities fraud specialist nabbed **wins** for shareholders of Clarent and Gemstar. **Amy Nickin** Frankfurt Kurnit (New York) Her **media** client list includes rapper Method Man,

screenwriter Jason Smilovic and music-video director Kazuaki Kiriya. **Raymond**

Nimrod Jenner & Block (Chicago) He nabs patent-infringement wins for Johnson & Johnson, **Dow Chemical** and Medtronic. **Megan Norris** Miller Canfield (Detroit)

Employers love her **defense** against defamation, disability discrimination and sexual harassment.

Patrick Northam Greenebaum Doll (Louisville, Kentucky) Also strong in divestitures and M&A, he nailed down a **billion-dollar** rural cooperative's hostile takeover. **Vern Norviel** Wilson Sonsini (San Diego) The ex-general counsel of Perlegen Sciences and Affymetrix knows genomics and **nanotech** inside and out. **Jonathan Nuechterlein** WilmerHale (Washington, DC) VoIP users across America can thank him; his 9th Circuit Court **arguments** helped the popular technology soar. **Clare O'Brien** Shearman & Sterling (New York) Recent **megadeals** for Boston Scientific, SunGard Data and Thomson Corp. show her merger prowess. **James O'Callahan** Girardi & Keese (Los Angeles) A mover in California's Vioxx trials, he has his eyes on potentially billions in plaintiffs' **verdicts**. **Phillip Oldham** Andrews Kurth (Austin, Texas) Industrial power consumers call him **ratemaker** for his regulatory work affecting electricity service and rates. **Holland O'Neil** Gardere Wynne (Dallas) **Brilliant** in bankruptcies, she gets creditors (Mirant Corp. and Ponderosa Pine Energy Partners) what they're owed. **Ben Orlandski** Manatt (Los Angeles) IPOs, bond offerings, hybrid securities: he **gets it done** for Mattel, Herbalife and Thrifty PayLess. **David Orta** Arnold & Porter (Washington, DC) A pro bono champion, he **advocates** for pharma giant Wyeth and El Salvador. **Amy Ortner** Loeb & Loeb (Los Angeles) Warner Music Group and Snocap Inc. **call on** this leading architect of music-content deals.



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People, Resources, Excellence...**Results**



By Hugh Williams

Suzanne Bell

Allen Overby Bass

Berry (Nashville, Tennessee)

Formerly an SEC attorney, he's

on-point for financial and

securities clients. **Mark**

Overstreet Stites &

Harbison (Frankfort, Kentucky)

This public-utilities paragon

challenged a state law regu-

lating how client Kentucky Power

would "drop load" during an emer-

gency. **Michael Page**

Keker & Van Nest (San Francisco)

Grokster and **Napster** would

have fared worse if not for Page's

performance. **Keith Pagnani** Sullivan & Cromwell (New York) He helped UnitedHealth

Group **acquire** John Deere Healthcare and Andrx plan its sale to Watson Pharmaceuticals.

Timothy Pakenham Alston & Bird (Atlanta) Pakenham's a **plus** for Strategic

Hotel Capital and those planning the Georgia Aquarium. **Patricia Paoletta** Harris

Wiltshire (Washington, DC) Previously an FCC big wheel, she provides **guidance** for wireless

telecom and homeland-security companies. **Kenneth Parsigian** Goodwin Procter

(Boston) He **defends** civil and criminal clients against mass tort, product liability and RICO

claims. **Elizabeth Patrick** Kilpatrick Stockton (Atlanta) The erstwhile construction

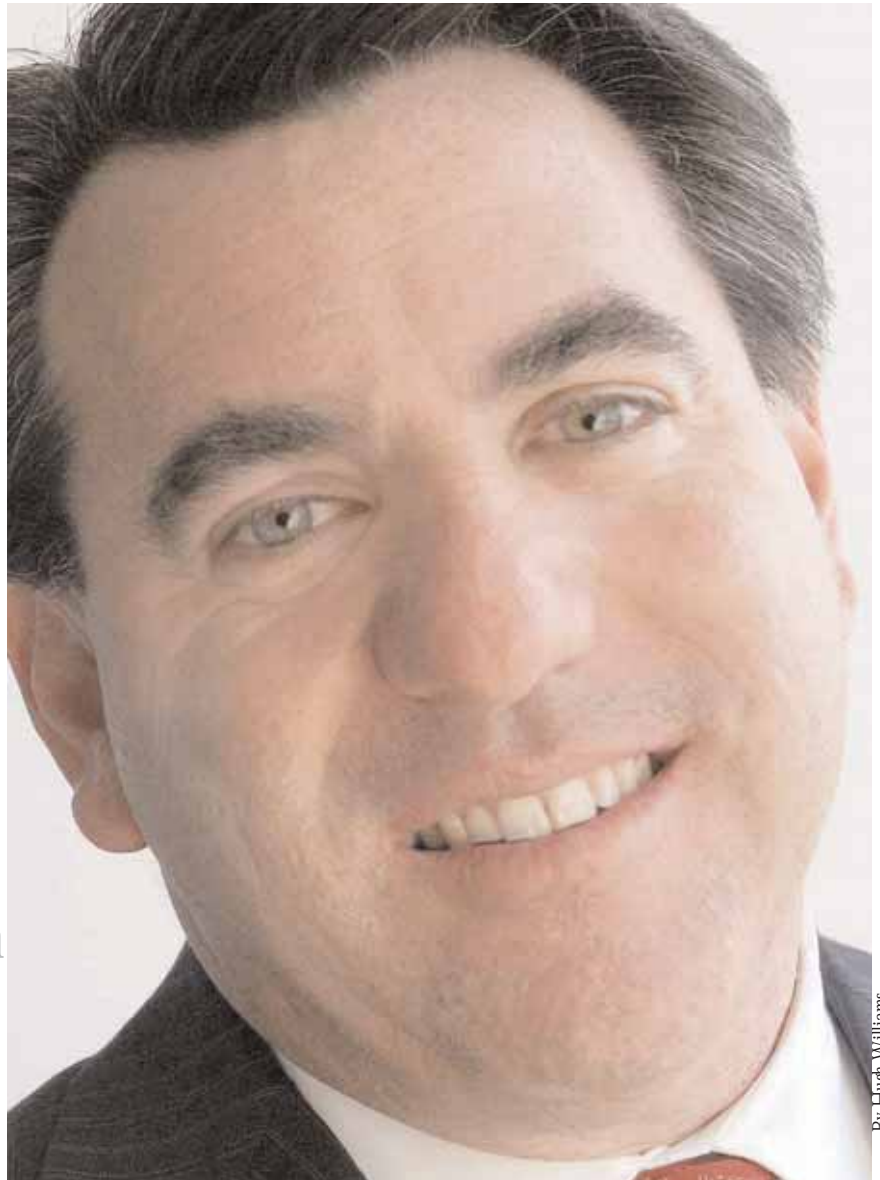
project manager handles **contracts** to build hospitals, power plants, sports venues and gas

pipelines. **Julie Pearl** Pearl Law Group (San Francisco) She's built one of the state's leading

firms providing **immigration** help to businesses. **Steven Peikin** Sullivan &

Cromwell (New York) He packs a **punch** for embattled institutions and their senior execs.

Richard Pepperman Sullivan & Cromwell (New York) Primed for firm leadership, he springs securities **wins** for Microsoft, MBNA and Morgan Stanley. **Rafael Perez** Cozen O'Connor (Newark, New Jersey) Call him a four-tool man: he **handles** bond work, borrowers, trustees and underwriters equally well. **Thomas Perrelli** Jenner & Block (Washington, DC) Noted for helping DC voters in a redistricting brouhaha, he fixes telecom and First Amendment **problems**. **Brad Peterson** Mayer Brown (Chicago) His outsourcing contracts **value** \$4 billion for the Fortune Global 50 since 2004. **Charles Peterson** Pillsbury Winthrop (Washington, DC) He helps clients get government funding for new **energy tech** like hydrogen cells and new nuclear reactors. **Karen Peterson** Allison MacKenzie (Carson City, Nevada) Skilled in commercial, environmental and water rights, she helps **telecom** clients cope with Internet growth. **Richard Pettus** McDermott Will (New York) **Fabulous** for Big Pharma, his fans are Glaxo Group, TAP Pharmaceuticals and TM Patents. **Clara “Zazi” Pope** Warner Bros. (Burbank, California) No mere media **maestro**, she also travels abroad pro bono on behalf of Human Rights Watch. **Jeffrey Porter** Mintz Levin (Boston) Discharges and hazardous-waste disposal are a cinch for this **guru** in environmental compliance and permitting issues. **Marya Postner** Cooley Godward (Palo Alto, California) With three biology degrees, she presses complicated **claims** for biotech clients.



Stephen Berkman



By Hugh Williams

Dawn Estes

Charles Powell Haynes and Boone (Houston) Say your energy/telecom/wireless company needs some **megabucks** — better give Powell a call. **Gary Praglin** Engstrom Lipscomb (Los Angeles) Praglin covers all the bases for **plaintiffs** in groundwater and air contamination cases and class actions. **Stephen Radin** Weil Gotshal (New York) The securities **stalwart** hit home runs for AIG, Bear Stearns and Citicorp. **Nancy Rafuse** Ashe Rafuse (Atlanta) **Lauded** among labor lawyers, she cruised to a win for California state educators in a teacher-certification challenge. **Robert Raskopf** Quinn Emanuel (New York) The noted sports lawyer **wrangled** big wins for ESPN, the NFL and Verizon for various infringement matters. **Joseph Re** Knobbe Martens (Irvine, California) An IP king, Re **ran circles** around opponents of Applied Medical Resources and Bausch & Lomb. **Eric Reifschneider** Cooley Godward (Palo Alto, California) A tech transactions titan, he tallies **big deals** for semiconductor, software and wireless clients. **Edward Reines** Weil Gotshal (Redwood Shores, California) He **reigns** in patent trials for Applera Corp., Cisco and Intel. **Gregory Ressa** Simpson Thacher (New York) He helped the Blackstone Group **acquire** Roca Resorts, La Quinta and Wyndham International. **Alison Ressler** Sullivan & Cromwell (Los Angeles) The corporate queen stands strong for Health Care Property Investors, **Hilton Hotels** and Novartis AG.

Veta Richardson Minority Corporate Counsel Association (Washington, DC) As executive director, she **persuades** law firms to get serious about diversity. **Howard Robbins** Proskauer Rose (New York) The NHL and Major League Soccer **rely on** his advice in players' collective bargaining agreements and unfair labor practice trials. **Kenneth Roberts** Schiff Hardin (Chicago) A globetrotter among construction lawyers, he remains as **comfortable** in Brazil and Canada as back home. **Richard Roberts** Steptoe & Johnson (Washington, DC) A **triple threat** in antitrust, litigation and energy, he has shaped supersized electricity-industry restructurings. **Scott Robertson** Hunton & Williams (Washington, DC) The appellate pro **went to bat** for MercExchange, ePlus Inc. and Dart Container Corp. **Joseph Robinson** Darby & Darby (New York) Besides heading his firm's Japan practice, Robinson has **robust** experience in patent, biotech and pharmaceutical law. **Linda Rockwood** Faegre & Benson (Denver) Her firm's environmental **honcho**, she emphasizes corporate and real estate issues, including voluntary cleanup projects and brown-field sites. **Seth Rodner** Fowler White (Tampa, Florida) This ex-federal prosecutor **defends** those accused of economic espionage, money laundering and software counterfeiting. **Eddie Rodriguez** Fish & Richardson (San Diego) An M&A master, he lined up **huge** stock offerings for Comps.com and Rhythms NetConnection. **Patrick Rondeau** WilmerHale (Boston) American Superconductor, SkillSoft Corp. and 20-plus venture capital **offerings** happened because of him.

Carl Rosenblum Jones Walker (New Orleans) Freeport McMoRan and other top oil and gas players ask him to **monetize** their claims in energy bankruptcy proceedings. **Eric Roth** Weinstein Co. (Los Angeles) Roth keeps the **Weinstein Bros.** as prime players in their post-Miramax evolution. **Charles Ruck** Latham (Costa Mesa, California) Amgen, Harrah's Entertainment and Watson Pharmaceuticals all owe him **props** for recent top-dollar offerings. **Jason Russell** Skadden (Los Angeles) He represented **underwriters** holding \$15 billion in WorldCom bonds, then deflected \$1 billion in claims from the Oakland Raiders. **Patrick Ryan** Simpson Thacher (New York) Ryan's the right man for Bear Stearns, **Lehman Brothers** and JPMorgan Chase Bank. **Anibel Martin Sabater** Fulbright & Jaworski (Houston) Previously practicing in Spain, Sabater's **excelente** for energy, construction and telecom clients. **Susan Saltzstein** Skadden (New York) She's strong for **American Express**, Deutsche Bank, the May Department Stores and Viacom. **Erik Sandstedt** Bernstein Litowitz (New York) He stalks alleged securities fraudsters, such as **WorldCom** and Bristol-Myers Squibb. **Jeannine Sano** Dewey Ballantine (East Palo Alto, California) **DNA sequencing**, semiconductors, medical devices: Sano's steady in all of these fields. **Daniel Savrin** Bingham McCutchen (Boston) Criminal antitrust, civil enforcement, merger-related proceedings: he **deals** with this and more.



By Hugh Williams

Erin Cox

Lois Scali Pixar Animation Studios (Emeryville, California) The former child singer pulled off a multibillion-dollar **deal** for Pixar from Disney. **Eugene Scalia** Gibson Dunn (Washington, DC) He hit **grand slams** for King Pharmaceuticals, John Alden Life Insurance and the U.S. Chamber of Commerce. **Suelyn Scarnecchia** University of New Mexico (Albuquerque, New Mexico) A family law pioneer, she's **dedicated** a dozen years toward fighting child abuse and neglect. **Frank Scherkenbach** Fish & Richardson (Boston) **Microsoft**, Google and Sandel Avionics all took IP wins, thanks to him. **Douglas Schneeback** Modrall Sperling (Albuquerque, New Mexico) This noteworthy New Mexican **delivered** for Physicians Life, Capital One and car insurer Progressive. **Mark Schneider** Perkins Coie (Seattle) This land use and environment **legend** sweeps away problems for Fox Paper, Key Tronic and Litchfield Power. **Robert Schumer** Paul Weiss (New York) He builds big deals: **Time Warner** buying Adelphia Communications and Blackstone's acquisition of Wyndham. **James Schwab** Paul Weiss (New York) He assembled **deals** that formed DreamWorks SKG, plus Time Warner and its Roadrunner broadband service. **Nancy Scull** Luce Forward (San Diego) She's the real deal in real estate, especially for **developers** of urban high-rises and master-planned communities. **John Selinger** Zeccola & Selinger (Goshen, New York) Brushing aside forum shopping complaints, he won \$15 million for a Brooklyn man **injured** after falling 30 feet.



Neel Chatterjee

By Hugh Williams

Terrence Sexton Shook Hardy (Kansas City, Missouri) This former Marine provides **gung ho** defense for a Catholic diocese with priests accused of sexual misconduct. **Nina Shaw** Del Shaw (Santa Monica, California) Her formidable film clients include **Jamie Foxx** and Laurence Fishburne. **Paul Shim** Cleary Gottlieb (New York) He arranged the largest foreign investment into **China** ever: Bank of America's \$2.5 billion stake in China Construction Bank. **Gina Shishima** Fulbright & Jaworski (Austin, Texas) Already a Ph.D. in molecular biology, she handles patent litigation and transactions, primarily in **biotech**. **Kassie Siegel** Center for Biological Diversity (Joshua Tree, California) Nationally **prominent** for her pleas to save polar bears, she spent years as a wilderness guide in Alaska. **Gerald Silk** Bernstein Litowitz (New York) A **sharpshooter** for shareholders in cases against Cendant and Sykes Enterprises. **Bruce Simon** Cotchett Pitre (Burlingame, California) One of consumer fraud's **formidable** foes, he smacked HomeFed Securities, Homestore.com and other troubled companies. **Charles Sims** Proskauer Rose (New York) Sims brought the smackdown against Lexis-Nexis **infringers** and DVD decrypters. **Pankaj Sinha** Skadden (Washington, DC) AES Corp., PPL Global and Cinergy Corp. are all satisfied with Sinha's **M&A** counsel. **Po Sit** Davis Polk (New York) This duke of derivatives also helped AIG Financial Products see the **tax angles** to Kinder Morgan's management buyout.



By Hugh Williams

Paul Shim

Andrew Small Katten

(Chicago) Building a golf course, hotel or mixed-use building in Chicago? Chances are **big** you'll run into Small. **Robert**

Smit Simpson Thacher (New York) An **arbitration** pro, he gave a hand to Moody's Investor Services, GE and Swiss Re in front of neutrals. **Bob Smith**

Reed Smith (San Francisco) The field **general** for Clean Air Power's IPO, he specializes in capital markets, M&A, plus startup representation. **John Smith**

Hogan & Hartson (Washington, DC) This former Harvard Med School professor helps companies get medical devices **approved**. **William Snipes** Sullivan & Cromwell (New York)

He steered the NFL's antitrust case, and smoothed the way for New York State Banking Department to **liquidate** insolvent Yugoslavian banks. **Amy Solomon** Girardi & Keese (Los Angeles) **Righteous** on wrongful death matters, she took on Disneyland for a child severely

injured in Toontown. **Louis Solomon** Proskauer Rose (New York) Brought unbounded **wisdom** in successful trials for Bristol-Myers, PepsiCo, ImClone and the N.Y. Jets. **David**

Sorensen Berger & Montague (Philadelphia) He **won** \$200 million for neighbors of a nuclear weapon site and helped Connecticut collect \$3.6 billion from Big Tobacco. **David**

Sorkin Simpson Thacher (New York) Ford, Time Warner and Kohlberg Kravis Roberts take **heed** of his transactional talent. **Robert Stebbins** Willkie Farr (New York) He

crafted MLB's deal with XM Satellite Radio and the ACC football contract with ABC and ESPN.

Jeff Stein WilmerHale (Boston) This biotech booster arranged **megadeals** for Medtronic, Lifeline Systems and WebMD. **Darryl Steinhouse** Luce Forward (San

Diego) He brings it home for **REITs**, limited partnerships, LLCs and tenant-in-common interests. **Kenneth Steinthal** Weil Gotshal (Redwood Shores, California) With an alphabet-

soup client list (AOL, BET, MTV), he recently added Baazee.com, **India's** answer to eBay.

Claude Stern Quinn Emanuel (Redwood Shores, California) A gaming **giant**, he served up wins for Broderbund Software, Intuit and the Royalblue Group. **Martin Stern** Preston

Gates (Washington, DC) The ex-FCC deputy chief **presses** hard for wireless-facility siting, plus undersea and terrestrial fiber-optic cable projects. **Walter Stern** Modrall Sperling

(Albuquerque, New Mexico) An all-star, Stern helps clients iron out **disputes** with Native American tribes and public land management agencies. **Mark Stevens** Fenwick & West

(Mountain View, California) He notches critical **financing** for Capcom Enterprises, Electronic Arts and Vibrant Media. **Ryan**

Stoll Skadden (Chicago) He handles breast-implant **torts** against Copley Pharmaceutical and permit problems for Wisconsin Energy Corp. **John**

Strasburger Weil Gotshal (Houston) He **defended** Enron Canada against an energy rival seeking \$78 million through a master-netting agreement. **Angela Styles**

Miller & Chevalier (Washington, DC) Applies her **experience** as head of the Federal Procurement Policy office to work with government-vendor clients.



Mark Lemley

Craig Summers Knobbe Martens (Irvine, California) Adidas, Tosco Corp. and Yamaha Motors turn to this patent **pro** for worthwhile results. **Julie Sweet** Cravath (New York) Sweet knows equity matters: witness the \$5 billion **IPO** of KKR Private Equity Investors and Ripplewood's reorganized Japan fund. **Lydia Tamez** Microsoft (Redmond, Washington) Microsoft's lead immigration attorney keeps the **powerhouse** in tune with this dynamic issue. **James Tanner** Williams & Connolly (Washington, DC) This sports-law star and certified NBA/WNBA **agent** represents Grant Hill, Tim Duncan, Ray Allen and Chamique Holdsclaw. **Paul Tauger** Schnader Harrison (San Francisco) Blessed with a strong Pacific Rim practice, he tallies **wins** for Pacfab, SF Hotel Co. and insurer Shamrock. **Timothy Teter** Cooley Godward (Palo Alto, California) Formerly a **rocket scientist**, Teter takes the cake for semiconductor, wireless and video-game companies. **Peter Thomas** Simpson Thacher (Washington, DC) Whether it's MasterCard in antitrust enforcement or Accenture in commercial disputes, Thomas is **tops**. **Karen Thorland** Loeb & Loeb (Los Angeles) She's a warrior for **Paramount Pictures**, BMG Music Publishing and New Line Productions. **Gail Title** Katten (Los Angeles) An entertainment empress, Title **triumphs** for Tom Clancy, Miramax and uber-producer Brian Glazer. **Daniel Tokaji** Ohio State University (Columbus, Ohio) Between presidential election years, this **star** runs the Equal Vote blog and teaches election law in Ohio.



Linda Kornfeld

By Hugh Williams

Rik Toulon Katten (Los Angeles) He brokered NBC's **merger** with Universal and Sony's acquisition of MGM. **Cheryl Tritt** Morrison & Foerster (Washington, DC) The telecom **star** piloted huge deals for T-Mobile, Alltel and Cleanware Communications. **Alan Tse** LG Electronics (San Diego) This cell phone giant **trusts** him to steer its legal matters. **Vickie Turner** Wilson Petty (San Diego) Well-seasoned in commercial and product law, she **shielded** Ford from product liability claims. **Ketan Vakil** Snell & Wilmer (Costa Mesa, California) In addition to his surging IP practice, Vakil **validates** the value of technology outsourcing. **Carolyn Van Buren** Kennedy Covington (Charlotte, North Carolina) She's a blue-chip **solution** for real estate clients dealing with brownfield and mold cleanup efforts. **Steven Velkei** Liner Yankelevitz (Los Angeles) The complex business litigator is a **key player** for Citigroup, Deutsche Bank and Salomon Smith Barney. **Stephen Venuto** Orrick (Menlo Park, California) A **standout** for startups, Venuto has vouched for Facebook.com, IPWireless, BenefitPoint — and Lawdragon, too. **Jeffrey Vetter** Fenwick & West (Mountain View, California) Cisco Systems, **eBay**, Intuit and MarketWatch.com all trusted Vetter with very big financial matters. **Jacqueline Vidmar** Sonnenschein Nath (Chicago) A firm leader, Vidmar **protects** companies facing problems at court and Illinois Pollution Control Board proceedings.



By Hugh Williams

Tony West

Perry Viscounty Latham (Costa Mesa, California) Truly varied in IP, he reps everyone from Paula Abdul and **Cartier** to Frank Gehry and Old Navy. **Ralph Voltmer** Covington & Burling (Washington, DC) This media **globetrotter** helped Canadian and Romanian wireless financings, and he helped PBS launch cable channel Sprout. **Fred von Lohmann** Electronic Frontier Foundation (San Francisco) In getting over *Grokster*, von Lohmann remains in the **vanguard** of maximizing online rights. **Garrett Waltzer** Skadden (Palo Alto, California) Inktomi, Oakley and Neutrogena turned to him for shareholder **help**, as did Disney after Eisner's departure. **Pauline Wan** Applied Materials (Santa Clara, California) As senior antitrust and litigation counsel at Applied Materials, Wan runs complicated, **big-money** matters all over the globe. **Martin Waters** Wilson Sonsini (San Diego) Have a growing telecom that doesn't quite need a fulltime GC? Waters can **fill the gap**. **Daron Watts** Sidley Austin (Los Angeles) He is **wonderful** for food, pharmaceutical and nutritional-supplement company clients. **Joseph Wayland** Simpson Thacher (New York) This former Air Force captain forced the New York school system to **fly right** and make sharp improvements. **Tammy Webb** Shook Hardy (San Francisco) Heading her firm's SF office at 34, Webb also **wins big** for Lorillard Tobacco in class actions. **Trent Webb** Shook Hardy (Kansas City, Missouri) Also solidly behind Sprint, Webb won a **pioneering** case against copyright infringers using P2P networks.



By Hugh Williams

Alice Fisher

Philip Weems

King & Spalding (Houston) Parlayed his work for ARCO in Indonesia into a **global** practice for El Paso Energy and Woodside Petroleum.

Andrew Weidhaas

Goodwin Procter (New York) **Piloted** Microsoft's recent purchase of Massive Inc., which pioneered embedding ads within video games. **Geoff Weirich**

Paul Hastings (Atlanta) Southern employers **rely** on him to beat discrimination claims — or better, prevent them from reaching court.

Gary Weiss Orrick (Menlo Park, California) **Talented** in trade-secret work, Weiss walloped opponents of Agilent, Genentech and Seibel Systems. **Della Wager Wells**

Alston & Bird (Atlanta) From the Municipal Gas Co. of Atlanta on down, Wells **crafts** novel finance agreements for her energy clients. **Geoffrey Wells** Greene Broillet (Santa Monica,

California) Wells **wins**: 20-plus multimillion-dollar payouts for victims of car crashes, premises liability and wrongful deaths. **Tony West** Morrison & Foerster (San Francisco) The trusted litigator helped authorities **investigate** Riverside police's fatal shooting of an unarmed woman.

Julie Weston Davis Wright (Seattle) Weston **WOWS** clients needing M&A help:

Starbucks, Clearwire, Edge Wireless and more. **Christine White** Bingham McCutchen (New York) Her antitrust **portfolio** encompasses hospital districts, doctor groups and trade associations.

Alonzo Wickers Davis Wright (Los Angeles) A media-law marvel, he's a big **help** for the Los Angeles Times, Rolling Stone and Dick Clark Productions.

Bart Williams Munger Tolles (Los Angeles) Williams drew **nods** for his lengthy defense of former Disney president Michael Ovitz. **Mark Willis** Cohen Milstein (Washington, DC) Willis is the one for Belgian, French and Italian institutions **gunning** for Parmalat, Europe's equivalent to Enron. **Anita Wilson** Vinson & Elkins (Washington, DC) Whether facing FERC, other Department of Energy agencies or the NTSB, Wilson **wins over** the feds for her clients. **Pamela Wilson** Wertz McDade (San Diego) The exporter **specializes** in election law, including campaign reporting and conflict of interest matters. **Reid Wilson** Wilson Cribbs (Houston) Wilson tends to his own **high-flying** real estate practice while also serving his firm as managing partner. **Matthew Wiltanger** Shook Hardy (Overland Park, Kansas) The business litigator is **solid** for Capital One, Columbia/HCA and Kraft Foods. **William Wiltshire** Harris Wiltshire (Washington, DC) His communications law **expertise** makes him a solid advocate for licensing, spectrum allocation and telemarketing clients. **Kurt Wimmer** Covington & Burling (Washington, DC) Wimmer's the **choice** for the Washington Post, Newsweek and Radio Free Europe. **Bryan Wolf** Ziffren Brittenham (Los Angeles) He provides strong strategic **counsel** to actors, directors, writers and TV and film production companies. **Nicole Wong** Google (Mountain View, California) **Top** IP counsel for Google, she assembled the company's "click fraud" settlement.

Russell Wong Wong Cabello (Houston) Former GC for Compaq, he's **noteworthy** for notebook computer makers, chemical separations and oilfield equippers. **Jim Woolery** Cravath (New York) An M&A **star** for Crown Castle and King Pharmaceuticals, he helped IBM sell its PC business to China's Lenovo. **Mike Worel** Cunningham Bounds (Mobile, Alabama) A stalwart in **severe** personal injury, Worel wows juries and takes flawed hospitals to task. **Debra Yang** U.S. Attorney's Office (Los Angeles) She threw the book at Milberg Weiss, **indicting** the firm and two partners for alleged kick-backs to securities-fraud plaintiffs. **Jack Yeh** Manatt (Los Angeles) An unfair-competition **pro**, Yeh wins over juries for billboard, energy and retail companies. **Juliette Youngblood** Irell & Manella (Los Angeles) MTV, Lucasfilm, Paramount and reality-show **impresarios** all clamor for her counsel. **Holly Youngwood** Willkie Farr (New York) Warburg Pincus **relied on** her for its partial acquisition of Allos Therapeutics; so did Adelphia in bankruptcy. **Michael Zanic** Kirkpatrick & Lockhart (Pittsburgh) This environmental insurance litigator has **recovered** \$1.75 billion in major asbestos, business interruption, environmental, product liability and property damage claims. **Elise Zoli** Goodwin Procter (Boston) A dynamo for Entergy Nuclear and other energy clients, she's also **zealous** in developmental and environmental law. **Scott Zolke** Loeb & Loeb (Los Angeles) He really **zings** for Ryan Seacrest, Carson Daly, and radio giants Rush Limbaugh, Dr. Laura Schlessinger and Jim Rome.

Parting Shots

Photos by Hugh Williams







Attorneys pictured on pages 91-96, from the top, are Kali Bracey, Thomas Dupree, Lucia Coyoca, Edward Adams, Matthew Lerner (at left), Dale Cendali, Yakub Hazzard, James Tanner and Daniel Halem.

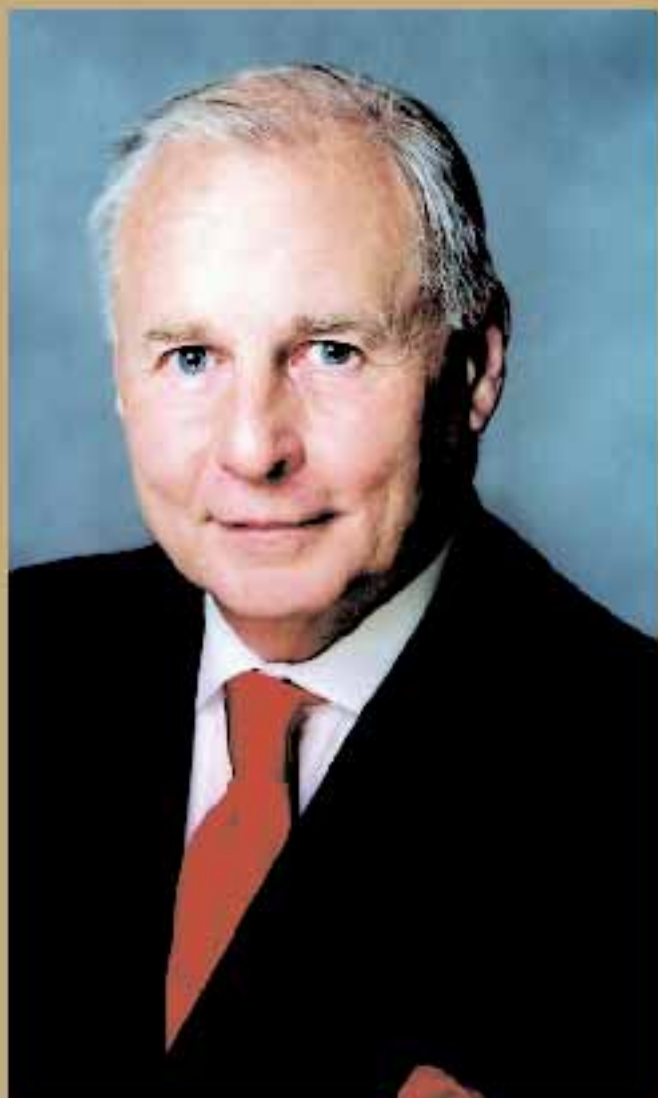






Fighting for the little guy

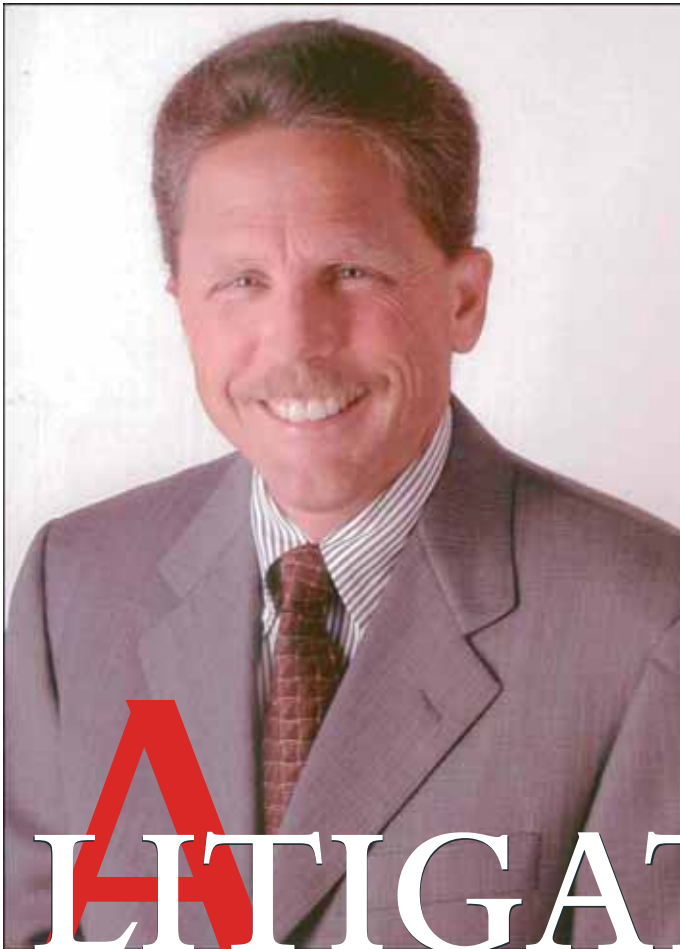
*Tom Girardi has
earned the reputation of
one of America's greatest
trial lawyers by winning billions
for consumers harmed by America's
biggest corporations including
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