

The Legal Intelligencer

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LEGAL & LITIGATION DEPARTMENTS OF THE YEAR



Photo by Nanette Kardaszkeski

Back row left to right: Marissa Parker, Mark D. Villanueva, Paula D. Shaffner, Corey S.D. Norcross, Joseph T. Kelleher and Samantha Kats. Front row (seated) left to right: Michael D. O'Mara and Jeffrey A. Lutsky.

STRADLEY RONON STEVENS & YOUNG

GENERAL LITIGATION
(MIDSIZE FIRMS)

Nearly a third of Stradley Ronon Stevens & Young's litigation clients have been with the firm for more than 10 years and nearly 200 litigation client relationships have endured for more than 20 years.

Recent successful matters ranged from representing more than 100 mutual fund clients in multibillion-dollar global securities fraud litigation against Brazilian oil industry giant Petrobras to pursuing a local real estate assessment appeal in Delaware County that ultimately forced a countywide reassessment of all properties.

What were some of the department's most satisfying successes of 2016, and why?

In 2016 we continued our string of litigation successes with victories ranging from a favorable settlement for mutual fund clients in a multibillion-dollar global securities fraud case to prosecuting a local real estate assessment appeal,

forcing a countywide reassessment of all properties.

In the securities fraud litigation, we represented more than 100 investors, including some of the largest mutual funds in the country, in a series of lawsuits against Brazilian oil giant Petrobras stemming from the company's decade-long bid-rigging and bribery scheme. This litigation was a watershed case for securities fraud class-action opt-outs with many major U.S. mutual fund complexes electing to file direct lawsuits instead of passively participating in the class action. U.S. District Judge Jed Rakoff, who presided over the litigation, noted that the case "evolved into one that is primarily a non-class action." We led this groundswell, filing the first of the opt-out cases and representing the largest group of opt-out plaintiffs. Because of our unique combination of litigation prowess and mutual fund industry experience, we were able to position our clients for favorable settlements with Petrobras while the class action remains in protracted litigation.

In a matter that has significant local impact, we obtained a mandatory injunction from the Delaware County Court of Common Pleas requiring the reassessment of all properties in Delaware County. Our team argued that the county's failure to reassess properties since 1998 created pervasive inequities in the taxation of properties, violating the Uniformity Clause of the Pennsylvania Constitution.

We have long been known for our work in the insurance industry and 2016 was no exception. We secured victories in varied insurance-related cases for Chartis Property Casualty, Golden Rule Insurance, the Pennsylvania Insurance Department, Standard Fire Insurance and Travelers Casualty & Surety Co.

In addition, Stradley has for more than 20 years represented the Pennsylvania state legislature in a variety of cases, including novel constitutional challenges. In 2016, we scored three critical victories for the General Assembly—one in defense of a class-action suit regarding the allocation of settlement funds from the 2001 Tobacco Settlement Act, one in defense of a state senator regarding the constitutionality of a criminal-related statute, and one in a state Supreme Court case in which the court, at our urging, rejected a last-minute attempt to prevent Pennsylvania from casting its 20 Electoral College votes for president and vice president.

Finally, we are quite proud of the work we've done representing SEPTA in various

litigation matters for more than 25 years. In the past year, we defended the authority in two jury trials, receiving defense verdicts in both.

These are just a few examples that reflect the wide range of our practice and show how we bring our "A" game to each matter, every single time.

Is it a penchant for efficiency, or a willingness to go the distance as effective trial advocates, that gives the litigation department its reputation?

A healthy measure of both traits is essential in driving repeat business and forging long-term client relationships. In today's competitive legal environment, efficiency is a must. Fortunately for us, a constant focus on efficiency has long been embedded in our culture, so at this point it's in our DNA.

That said, having a reputation for being willing and able to take cases the distance—whether to trial or arbitration—drives outcomes. Most cases obviously settle in advance of trial, but if you have a reputation for only settling cases, your negotiated results will deviate from what may be dictated by the merits. Our clients, like most, prefer to avoid trial where possible. But, for that narrow band of cases that need to be tried, our clients rest easy knowing our proven track record in the courtroom.

A prospective client in crisis calls and asks why your team should be retained—what is your answer?

Two reasons: first, we recruit, attract and retain talented lawyers who thrive when the stakes are high and the lights are bright. We embrace challenging matters and recognize them as opportunities to differentiate our problem-solving skills. Second, we stand ready and responsive. Crises rarely occur during the work week during normal business hours. They seem to arise more often, without notice, on off hours, and over weekends and holidays. Our lawyers are ready to answer the bell at any time, and remain focused, determined and dogged in their advocacy for the duration of the crisis and beyond.

It's a challenging litigation market, with flat or declining demand, rate pressures, and other factors. From a business perspective, what does it take for a litigation department to succeed in this environment?

You have to know your clients inside and out. Know their business, their challenges and their

opportunities. Have a steady focus on ways to add value and make their lives easier. Be up front with them about everything, especially with regard to staffing and billing. And again, it's about efficiency and results. At the end of an engagement, only two questions typically matter to the client: what was the result and how much did it cost to get me there?

Our culture of longevity in leadership, attorney retention and client relationships is what makes us stand out and why clients want to work with us. But don't take our word for it. We welcome and, in fact, encourage, prospective clients to reach out to our current clients to find out more about what it's like to have us in your corner. We're also quite proud of the fact that we're a back-to-back winner of the Litigation Department of the Year contest and think that speaks volumes about our work.

What is the firm doing to ensure that future generations of litigators are ready to take the helm?

We seek out and develop junior lawyers who are driven to become top-notch litigators as quickly as possible and who are invested in the firm and our clients. Associate training and mentoring is a critical part of our culture. Our lean staffing model also creates real-world opportunities sooner and more frequently than larger firms that tend to staff more heavily. Our associates take and defend depositions, argue motions, and get meaningful client contact much earlier in their careers relative to their colleagues at other firms. No amount of training and mentoring matches that real-world experience. That's helped us develop a team of associates who are professionally mature and experienced beyond their years. It also enables us to handle client matters more efficiently than our peer law firms, while at the same time providing the highest-quality work product. As a firm, Stradley strives to cultivate our associates into future partners. We invest in our associates and encourage them to become invested in the firm by joining committees, asking questions about the business of the firm and sharing ideas on areas for improvement. This model helps us attract and retain top talent and is a reason why so many of our attorneys are Stradley "lifers." •