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America's Leading Litigation Firms and Attorneys

BENCHMARK

THE DEFINITIVE GUIDE TO AMERICA'S LEADING LITIGATION FIRMS & ATTORNEYS

ALABAMA ARIZONA ARKANSAS CALIFORNIA COLORADO CONNECTICUT DELAWARE FLORIDA GEORGIA ILLINOIS INDIANA IOWA KANSAS KENTUCKY LOUISIANA MAINE MASSACHUSETTS MICHIGAN MINNESOTA MISSISSIPPI MISSOURI MONTANA NEBRASKA NEVADA NEW HAMPSHIRE NEW JERSEY NEW YORK NORTH CAROLINA NORTH DAKOTA OHIO OKLAHOMA OREGON PENNSYLVANIA RHODE ISLAND SOUTH CAROLINA SOUTH DAKOTA TENNESSEE TEXAS UTAH VERMONT VIRGINIA WISCONSIN WYOMING

2008



Paul Weiss Rifkind Wharton & Garrison LLP

The firm

There is no doubt among industry insiders that “litigation is Paul Weiss Rifkind Wharton & Garrison’s franchise.” Not a firm to orbit around one marquee litigator, this player is “known worldwide” for its standout depth of talent spread between top tier New York headquarters and a base in Washington DC. One client reported, “There’s something about the Paul Weiss culture that has created leaders in every generation,” and peers confirm that the 47 partners and 198 associates here are “some of the best in the world” and have more than proven that “they’re not afraid to take cases to trial.” Full of self-proclaimed generalists, the firm is recognized for “a practice that continues to be a little more eclectic than some of the other large New York firms.” Consistently praised for one of the nation’s top general commercial practices, the firm also ranks highly for securities and white-collar criminal work and is considered a force to contend with in the antitrust arena.

Clients were enthusiastic about Paul Weiss, and one said, “We’ve always found them to be extremely imaginative and aggressive in approach, but not in manner,” adding, “They’re not the kind of people who will unduly anger adversaries, but they will fight hard for their clients’ positions.” Another said, “They are all very fine draftspeople who plead their cases with such eloquence – it’s beyond impressive.”

Litigation stars

Clients say “first rate litigator” Leslie “Les” Fagen “really is the star” here. Commended for a “wonderful ability to connect with judges and juries,” one client said this senior partner can “explain a case in a way that anyone can easily grasp.” Fagen’s clients range from a number of leading media organizations, including Viacom and MTV, JP Morgan Chase, Amtrak and The New York City Transit Authority. Senior partner Martin Flumenbaum boasts a top white-collar criminal practice and also is respected as an antitrust and general commercial authority. When Citibank came under shareholder attack, Brad Karp was “the one who got them through it.” Widely celebrated for his continued work on behalf of this client and others, including Merrill Lynch, the National Football League (NFL) and Sotheby’s, there is no doubt among market insiders that Karp is “one of the best litigators in America” and “an all around superstar.” One client reported being “favorably impressed with his responsiveness, intelligence and general skills,” while another hailed this “rising talent” as “the next generation, not just at Paul Weiss, but in the profession.” Karp co-chairs the litigation department with “consummate trial lawyer” Theodore “Ted” Wells, who has spent

the majority of the past three years in the courtroom. According to peers, this “theatrical, committed and effective” litigator “wins cases nobody has any business winning.”

Peers describe Jay Cohen as “a very fair adversary” and recognize him for his “impressive” work for Time Warner, while clients praise him for a “significant amount of antitrust and general commercial work” on their behalf. Moses Silverman “is a great intellect” and “a great lawyer” recognized as a leader in the securities and antitrust fields. Daniel “Dan” Kramer “knows the law very well” and is commended as a leading authority on securities matters, as is Richard Rosen. Kramer’s clients include Hollinger International and Fannie Mae, while Goldman Sachs and AXA Financial have sought out Rosen. Mark Pomerantz received widespread acclaim for his work on behalf of Citibank and maintains a level of activity in the bar that has earned him “celebrity” status. Of Joseph “Joe” Simons, one competitor said, “His depth of knowledge on antitrust law is impressive.” Kenneth “Ken” Gallo also earned praise for his antitrust expertise. He further handles patent and other general commercial disputes and is praised as an “outstanding trial lawyer and a generally terrific litigator.” One peer described him as a “real gentleman who is enjoyable to work with and against,” while a client noted that “his oral argument skills are fantastic and he’s very effective with judges.” Andrew Gordon and Mark Alcott also were praised for their antitrust expertise, though both handle a wide range of matters as well. Clients appreciate of counsel Martin London, and Carey Ramos, Allan Arffa, Lew Clayton and Claudia Hammerman are also consistent client favorites.

Experience

Underscoring the clout of its white-collar criminal practice, Ted Wells and the firm were retained by I Lewis “Scooter” Libby to defend the former White House aide against criminal allegations in the biggest scandal to face the White House since the Iran-Contra affair. Though convicted for his role in the 2003 leak of CIA operative Valerie Plame’s identity, the client’s 30-month sentence was commuted by President Bush in early 2007. Wells also recently defended former McKesson Corporation executive Charles W McCall, who stood accused of conspiring to illegally inflate the earnings of HBOC, which McKesson acquired in 1999, leading to the company’s \$9 billion loss in value. Ultimately, Wells won acquittal for McCall in the conspiracy charge leveraged against him and secured a mistrial on the additional six counts of securities fraud facing him. After being convicted of obstruction of justice charges, former Credit Suisse First

Boston investment banker Frank Quattrone turned to the firm for appellate counsel. Mark Pomerantz led his appeal to the Second Circuit Court and secured a ruling ordering a retrial before a new judge. Pomerantz then helped negotiate a deferred-prosecution agreement with the government, which will result in the dismissal of all charges and allow Quattrone to continue his banking career.

Credited with building an institutional practice that has taken center stage in recent years, the firm represents a roster of star financial institutions, most notably Citibank. After securing dismissals and settlements in a string of critical opening cases, Brad Karp led Citibank’s defense in the high profile Enron and WorldCom shareholder class actions. With Karp’s assistance, the client walked away from potentially crippling \$100 billion claims with a \$2.58 billion settlement agreement in the WorldCom case and a \$2 billion Enron deal. With Martin Flumenbaum at the helm, the firm led insurance industry leader American International Group (AIG) through investigations by the US Department of Justice (DOJ), US Securities and Exchange Commission (SEC) and the New York attorney general and helped negotiate landmark settlements in each instance.

Partners were retained by Sun Times Media Group, then known as Hollinger International, to counsel the company in long running litigation relating to its former CEO, Lord Conrad Black of Crossharbour. In 2004, the firm secured the client’s corporate control, obtained the dismissal of derivative claims against former outside directors, including former Illinois Governor Jim Thompson, former Secretary of State Henry Kissinger and former Ambassador to Germany Richard Burt, among others, and negotiated a settlement that will result in \$50 million in payments from the company’s two primary insurance carriers.

In the antitrust arena, the firm has made recent headlines and gained industry-wide repute for its deft representation of MasterCard International. Kenneth Gallo is defending the credit card company giant in the multi-district putative class and individual interchange fee and merchant discount litigation, and to date has secured the dismissal of 16 separate state indirect-purchaser class actions. The firm is also representing MasterCard in litigation brought by American Express challenging the company’s former policy of prohibiting member banks from issuing cards on competing networks. Building upon its already strong relationship with pharmaceutical leader Merck, the firm is defending the client in SEC and DOJ investigations stemming from the 2004 market withdrawal of Vioxx.

Antitrust

Stars

Martin Flumenbaum
Paul Weiss Rifkind Wharton & Garrison

Kenneth Gallo
Paul Weiss Rifkind Wharton & Garrison

General commercial

Stars

Brad Karp
Paul Weiss Rifkind Wharton & Garrison

Martin London
Paul Weiss Rifkind Wharton & Garrison

Theodore Wells
Paul Weiss Rifkind Wharton & Garrison

Securities

Leading firms

Tier 1
Paul Weiss Rifkind Wharton & Garrison

Stars

Daniel Kramer
Paul Weiss Rifkind Wharton & Garrison

Richard Rosen
Paul Weiss Rifkind Wharton & Garrison

White-collar crime

Leading firms

Tier 1
Paul Weiss Rifkind Wharton & Garrison

Stars

Martin Flumenbaum
Paul Weiss Rifkind Wharton & Garrison

Mark Pomerantz
Paul Weiss Rifkind Wharton & Garrison

Leading litigation firms

Highly recommended

Paul Weiss Rifkind Wharton & Garrison

Local litigation stars

Mark Alcott
Paul Weiss Rifkind Wharton & GarrisonLeslie Gordon Fagen
Paul Weiss Rifkind Wharton & GarrisonMartin Flumenbaum
Paul Weiss Rifkind Wharton & GarrisonBrad Karp
Paul Weiss Rifkind Wharton & GarrisonDaniel Kramer
Paul Weiss Rifkind Wharton & GarrisonMark Pomerantz
Paul Weiss Rifkind Wharton & GarrisonRichard Rosen
Paul Weiss Rifkind Wharton & GarrisonTheodore Wells
Paul Weiss Rifkind Wharton & Garrison

New York

New York – specifically Manhattan – is arguably the epicenter of the US litigation market. As the nation’s financial hub, New York generates a great deal of securities and banking-related litigation, but the following Big Apple firms are generally capable of handling any complex litigation matter that is thrown their way.

Highly recommended firms

Paul Weiss Rifkind Wharton & Garrison litigators “are known worldwide” as “some of the best” in practice. Praised for a group that is “very smart and very tactical from the top to the bottom,” this New York-centered firm has more than proven that it “is not afraid to take cases to trial” and has built an extremely favorable impression among clients who describe its 245 litigators as “imaginative, well prepared and thorough” and “people who will not unduly anger adversaries, but will fight hard for their clients’ positions.” While sources say the firm exhibits strength across all practice areas, it is particularly well recognized for leading securities and white-collar criminal practices. In recent years, the firm solidified its place as a market leader by walking Citibank through “bet the company,” high-stakes class-action litigation, topping a string of victories on behalf of this client with favorable settlements in both the WorldCom and Enron shareholder class actions. Partners also helped loyal client AIG negotiate favorable settlements in investigations by the US Department of Justice, the SEC, the New York Attorney General and the New York State Department of Insurance and continue to represent the client in additional matters.

Of counsel Martin London enjoys legendary status among peers, who say he remains active in the courtroom. Sources say: “There’s something about the Paul Weiss culture that has created leaders in every generation,” and chief among these leaders is “first-rate litigator” Leslie “Les” Fagen, who peers say “really is the star here.” Theodore “Ted” Wells and Brad Karp co-chair the litigation department, and peers say that Wells “wins cases no one has any business winning.” He is widely recognized for his high-profile representation of I Lewis “Scooter” Libby and is acting on behalf of pharmaceutical company Merck in investigations brought by the SEC and the Department of Justice. Deemed a “rising talent,” one client said Karp is “the next generation, not just at Paul Weiss, but in the profession.” He represents several top financial institutions, including JP Morgan, Morgan Stanley, Merrill Lynch and Bear Stearns, though peers say his large portfolio of work on behalf of Citigroup alone is enough

to make him a top name in the securities field and “one of the best litigators in America.” Daniel “Dan” Kramer and Richard Rosen are also recognized as leading securities authorities. Kramer represents clients including Hollinger International and the board of directors of Fannie Mae, while Rosen counts Goldman Sachs and AXA Financial among his clientele. Martin Flumenbaum is hailed as a “star” white-collar criminal practitioner, as is Mark Pomerantz, who was described by peers as an “unusually gifted trial lawyer.” One leading litigator said: “He’s one of the giants and a really soulful guy who can get ahead being himself, and that kind of natural quality is really refreshing.” Mark Alcott is considered a leader of the Bar and maintains a general commercial practice that sources speak highly of.

