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LIFETIME ACHIEVERS

Six lawyers, six very different careers, each one emblematic of the best the legal profession has to offer.

The attorneys being bestowed this year with The American Lawyer's Lifetime Achievement Award have taken different paths to reach their illustrious heights, but they share a common sense of purpose and an extraordinary level of skill. In these pages we tell the stories of how Gloria Allred, Juanita Brooks, Kenneth Doran, Robert Grey, Robert Mueller and Ted Wells built careers deserving of this prestigious recognition.



THROUGH DECADES OF SUCCESS, TED WELLS HAS BEEN THE ESSENCE OF A LITIGATOR

Ted Wells, a 2020 Lifetime Achievement Award winner, has excelled while staying true to his principles and building a legacy rooted in social justice and mentorship.

Some know Paul, Weiss, Rifkind, Wharton & Garrison partner Ted Wells as one of the preeminent litigators of his generation. Some know him as the attorney who bested renowned trial lawyer David Boies in the so-called “financial trial of the century” when Terra Firma sued Citibank for \$10 billion. Others know him as the attorney who preserved Merck’s financial health, as

BY PATRICK SMITH

well as its reputation, in his defense of the pharmaceutical giant against a Department of Justice investigation, or perhaps as the author of “The Wells Report,” a study commissioned by the National Football League regarding the New England Patriots and quarterback Tom Brady’s “Deflategate” scandal. There are many reasons to know Wells.

But to Wells himself, one of the most important outcomes of his illustrious career is that his success has allowed him to mentor and assist others. To use a term from the NFL, one of Wells’ many notable clients over the years, the roots of his coaching tree run deep. The same attributes that allowed him to connect with a jury and navigate a complex trial also allowed him to act as a guide and role model for younger lawyers.

“Ted is a guy who sees his life as about doing as much good

Advice to young lawyers:

“If you want to be a good trial lawyer, you have to be willing to play hookie. If you know a good trial lawyer is up today in court, skip out and watch them. Pick up what suits you from that lawyer’s style. The only way to grow in this profession is to see other lawyers on their feet.”

Theodore Wells Jr.



as possible,” Sen. Cory Booker, D-New Jersey, says. “He is a person who gives his time, attention and focus. He saw things in me I didn’t even see in myself.”

Booker, who met Wells while attending Yale Law School, says that prior to his first run for municipal council of Newark, New Jersey, he had been offered a public advocacy fellowship, a prime job, especially for someone with a fair amount of educational debt. Running meant giving up the fellowship and facing long odds at victory. “The consequences of doing this were very real,” he says.

Booker turned to Wells for counsel.

“He told me, ‘Are you kidding me?’” Booker says. “He said the worst possible scenario is you fail. But you are a Yale graduate and you

will have job opportunities. You are obligated to do this.”

Booker, of course, won—and not for the last time.

Ken Frazier, Merck’s CEO, met Wells when he in his first year, and Wells his third, at Harvard Law School.

“You go to a place like Harvard Law School, and it’s easy to be intimidated,” Frazier says. “But when I met Ted, there was no more warm or inviting person. He has incredible skills, but it is mixed with being so down to Earth. He is just a very caring human being.”

As Frazier ascended to the top of one of the world’s largest pharmaceutical companies, Wells built a name for himself in trial litigation. Their connection lasted decades, and led Frazier to tap Wells in one of the most



important trials in Merck's 130-year history.

In September 2004, Merck voluntarily withdrew its billion-dollar pain medication Vioxx from the market amid concerns that it caused increased risk for cardiovascular disease. A series of personal injury lawsuits followed—nearly 50,000—as well as investigations by the DOJ and Securities and Exchange Commission. Merck asked Wells to lead the company's stand against the government.

"We hired Ted not just to defend the finances of the company, but also its reputation," Frazier says. "This lawsuit was about public trust. We needed a lawyer who exuded and exemplified trustworthiness. Ted was that from the very beginning."

Frazier says the outcome, a \$4.85 billion settlement that Frazier says was "appropriate for a company like Merck," allowed Wells' client to move forward and continue creating life-saving medicines.

"In addition to being brilliant in his advocacy, he understands the flesh and blood aspects of the cases he takes," Frazier says.

Ask those who know Wells what has helped define his success as an attorney, and this fundamental aspect of his nature—his "down to Earth" personality—comes up again and again.

"He is unique, extraordinary and the results of his work speak for themselves," Randy Ebner, Exxon Mobil's vice president and general counsel, who retired Nov. 1 after 40 years at the company, says.

Ebner has known of Wells and his work for more than 30 years, long before he became GC.

"He had a relationship with not just the GC, but with all the lawyers here," Ebner says. "A true team player, and everything he does, he does with the utmost integrity. That was core to our relationship. He is genuine."

Wells' successful handling of some of the most important cases for some of the largest and most influential companies in the world speaks for itself. But that is only half the story of his career.

On top of his corporate work, Wells has a decades-long relationship with the NAACP Legal Defense and Educational Fund, an organization that drew his support because he admired the work the organization's founder, Supreme Court Justice Thurgood Marshall, had done on civil rights.

"You have to know who you are," Sherrilyn Ifill, president and director-counsel of the LDF, says. "For Ted, this is part of his DNA. If you were a Black man coming up and becoming a lawyer, you feel those connections to racial and social justice."

But feeling that connection to justice is different from actively pursuing it, something Wells has done for over 40 years. Wells' consistent and long-running involvement with the LDF earned him its Thurgood Marshall Lifetime Achievement Award in 2011 for his efforts to further the organization's mission and broaden its support.

"You need to make yourself available and to do the work full-time on the side," Ifill says. "Be excellent at your day job, but find bandwidth to do the work that goes to your heart and feeds your sense of justice. Ted does it effortlessly."

Brad Karp, chairman of Paul, Weiss, Rifkind, Wharton & Garrison since 2008, says one thing he learned from his friend of more than 30 years is that he could not be Wells.

"I learned quickly that Ted was incomparable and that I could not imitate him, which was an immensely valuable lesson," Karp says. "One of the things Ted would tell me is to be true to yourself and never stray from your essence."

In the courtroom, in his pursuit of justice, or in his effort to bring up a generation of lawyers behind him to follow their own convictions, Wells' essence is ever on display. When it comes to his long legacy of mentorship, which includes Rep. Hakeem Jeffries, D-NY-8, his former associate at Paul Weiss, and Ken Thompson, the first Black district attorney of Brooklyn, Wells says he asks only one thing of those he guides.

"We have a responsibility to each other to guide each other," Wells says. "The legal profession is not the most welcoming profession when it comes to issues of diversity and mentorship. The only thing I ask of my many mentees is that they reach back and mentor others."

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