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TOP WHITE COLLAR LAWYERS 2021



Brown made the move early this year to open Paul Weiss' first West Coast outpost with longtime Orrick Herrington & Sutcliffe LLP colleagues Melinda L. Haag and Randall S. Luskey.

"We all had great affection for Orrick and had a wonderful experience there," said Brown, a former assistant U.S. attorney who led Orrick's white-collar criminal defense practice for a decade. "But this was an opportunity to create and build a leading litigation and white collar defense practice on the West Coast from the ground up for a firm we had worked closely with over the years with great success."

While the pandemic kept most working from home, they took their time finding office space and moved in Nov. 1 to a spot near his former shop in San Francisco's South of Market area. Brown spoke from Paul Weiss' D.C. offices, where he was meeting some of his new colleagues face to face and visiting his daughter, who is studying at the George Washington University Law School.

Brown is lead counsel for James Strother, the former Wells Fargo Bank, N.A. general counsel, in multiple civil and administrative litigations, investigations and civil enforcement proceedings that arose out of the bank's "fake account" sales practices issues. He settled the last of those matters in Jan. 2021 with the Office of the Comptroller of the Currency for \$3.5

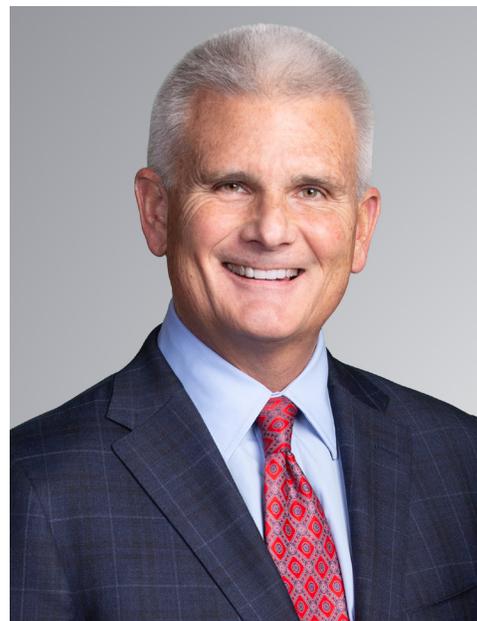
million, a fraction of what the government sought, no admission of liability and a cooperation agreement. In the Matter of James Strother, AA-EC-2019-70 (OCC, filed Jan. 23, 2020).

"The former bank executives who didn't settle have been in trial in South Dakota since September," Brown said, speaking of Strother's co-defendants. "Mr. Strother is not expected to testify as a witness. This was an unfortunate chapter for the bank and for Mr. Strother, a prominent figure in Bay Area legal circles. It was wonderful to help put this behind him on very favorable terms."

Brown also represents, as co-lead counsel, Travis Kalanick, the founder and former CEO of Uber Technologies Inc., in a high-profile trade secrets lawsuit filed by the owner of Celluride Wireless Inc., Kevin Halpern, who alleges that he invented the idea behind Uber and Kalanick misappropriated it. *Halpern v. Uber Technologies Inc. et al.*, CGC-15-545825 (S.F. Super. Ct., filed March 15, 2014).

The litigation has taken some twists, including Halpern's failed effort to disqualify San Francisco County Superior Court Judge Curtis E.A. Karnow and a current motion, filed in late October with co-counsel at Durie Tangri LLP, for terminating and monetary sanctions against Halpern for discovery violations.

"While I often am engaged by companies, representing individuals can



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SAN FRANCISCO

LITIGATION

be uniquely challenging and gratifying," Brown said. "It involves a great deal of hand-holding and counseling. And when you're successful, there's a different kind of slap on the back."

— John Roemer