

5 Go-To Boutique Trial Firms

By **Brandon Lowrey**

Law360, Los Angeles (February 26, 2016, 4:26 PM ET) -- Clients seeking top-notch representation at trial don't always need a BigLaw firm's multiple foreign offices, overwhelming manpower and the accompanying price tag. Oftentimes, a more nimble, specialized firm can do the trick, and that's where the growing boutique trial firm industry comes into play.

"If you don't need an army of 100 lawyers plowing through documents or massive motion practice, it can be very effective, and certainly it can be very cost-effective as well," Jon Lindsey, legal recruiting partner at Major Lindsey & Africa, said of boutique trial firms.

In addition, Lindsey said the boutique firms simply don't have the conflicts that BigLaw firms do. And though they might not have the name recognition that some of the bigger, older firms might, the lawyers who start up these boutiques typically have some pretty strong BigLaw credentials.

Here are some of the top trial-focused boutiques.

Susman Godfrey LLP

Founding partner Stephen Susman was a pioneer of the plaintiffs-side trial boutique model and is a Law360 Titan of the Plaintiffs Bar. He struck out and formed a boutique in 1980, long before such a move was in vogue.

"They just get top-flight cases," said Robert Kinney, founder of Kinney Recruiting. "They have a number of people there who are just considered some of the best trial lawyers in the state. They're the go-to people for high-stakes litigation that comes up."

The firm got its start in Houston but has since opened offices in Seattle, Los Angeles and New York.

Susman Godfrey hires only lawyers with federal clerkship experience, and with its reputation, it can afford to be selective.

"They're so attractive to law school grads and young lawyers as a place to work that they almost use no headhunters, which is frankly infuriating, but that's just the way it is," Kinney said. "Some places don't use our services because they're too cheap. That's not the case here."

In a statement sent to Law360, Stephen Susman said his firm prides itself on hiring the very top

attorneys, rewarding them and fighting for its clients vigorously but with civility.

McKool Smith

McKool Smith has made a big name for itself in litigation, particularly in intellectual property. It's not a small firm, with more than 180 lawyers, but its successes aren't small either.

Last year, the firm secured a \$15 million verdict for Droplets Inc. in a patent suit against Sears Holding Corp. and Overstock.com Inc. And in June, a Texas federal judge tripled a \$175 million False Claims Act verdict that the firm helped to secure on behalf of whistleblower Joshua Harman against Trinity Industries Inc. over dangerously defective guardrails sold to the government.

Kinney said that one of the firm's lawyers in Austin, Texas, Kevin Burgess, builds robots in his spare time and works out mathematical algorithms to get the robot's limbs to move.

"He's the kind of guy who does math problems for fun on the weekends," Kinney said. "He had all these formulas on the white board in his office. That's the kind of people they attract."

McKool Smith told Law360 that since 2006, it has won nine nine-figure jury verdicts and 10 eight-figure verdicts totaling more than \$2.5 billion.

McKool Smith co-founder and Chairman Mike McKool credits the firm's deep bench of first-chair trial lawyers for its success at trial.

"We have many lead trial lawyers, most of whom are among the most-respected trial lawyers in the business. From Sam Baxter to Mike Hennigan and Doug Cawley and Robin Cohen, who recently joined us in New York, the list just keeps going," he said. "This depth of talent makes us unique, and it's demonstrated in our track record."

Robbins Russell

Robbins Russell, a spinoff from Mayer Brown LLP, has built a powerful trial boutique by hiring top talent. The firm may have just 33 lawyers, but they're packed with credentials.

"Just look at the depth of the young talent bench at a firm like Robbins," said David Cruickshank, principal at Edge International who advises law firms on talent development, management skills and leadership. "There is an astonishing number of associates with high-level clerkships, top law schools and advanced degrees."

And by hiring that top-level talent, Cruickshank said, the firm is able to hand its associates more responsibility than a BigLaw firm would.

Robbins Russell is currently on the team representing first lien Caesars Entertainment Operating Co. creditors at trial over \$11 billion in assets, among other high-profile cases.

"We have a unique blend of trial practice and appellate work including significant criminal, civil and bankruptcy matters," said partner Richard A. Sauber. "Despite the fact that we are only 33 lawyers, the extraordinary quality of our associates — two of whom have argued cases in the Supreme Court for us in recent years — allows us to handle several large matters simultaneously."

Hueston Hennigan LLP

John Hueston and Brian Hennigan left Irell & Manella LLP to build their own boutique just over a year ago, and they boasted that the firm swelled from seven founding attorneys to more than 30 within 24 hours.

The firm has carved out a niche in focusing on bet-the-company litigation and is selective in accepting cases, favoring those that are likely to go to trial, Hueston told Law360.

Like Robbins Russell, Hueston Hennigan looks for talent that it can rely on from the beginning rather than some larger firms' strategy of hiring less discriminately and waiting for the cream to rise to the top.

"This is just smart talent strategy — hire at the highest level you can, then invest in early development and give responsibility for 'stretch matters,'" Cruickshank said. "BigLaw firms, by contrast, may hire at top levels, but they count on Darwinian survival over three to five years before giving associates significant sole responsibility and 'wings.'"

Hueston said that associates go through a robust trial training program to prepare them for arguing in front of judges and juries, cementing the firm's reputation as a top-notch trial boutique.

Keker & Van Nest LLP

Keker & Van Nest founding partner John Keker is a Law360 Trial Ace and indisputably one of the best trial attorneys in the nation. So it's no surprise his firm prides itself on its deep bench of trial lawyers.

"Indeed, we have found our eagerness to try cases often helps them settle," the firm boasts on its website.

Fellow founding partner Robert Van Nest, on the other hand, is a giant in the realm of IP. Add a stable full of talented trial lawyers to the founding pair, and it's no wonder this 65-lawyer Bay Area boutique commands national respect.

The firm has defended high-profile clients like "Star Wars" filmmaker George Lucas, Enron Chief Financial Officer Andrew Fastow, cyclist Lance Armstrong and Major League Baseball and its teams.

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