



MARTHA HARTLE MUNSCH

- PARTNER, REED SMITH
- EMPLOYMENT & LABOR
- PENNSYLVANIA SUPER LAWYERS:
2004–2011
- TOP 50 WOMEN PENNSYLVANIA
SUPER LAWYERS: 2004, 2007–2011

THERE and back again

EMPLOYMENT LAWYER MARTHA HARTLE MUNSCH'S JOURNEY
FROM THE COURTROOM TO THE CLASSROOM AND BACK

BY ELEANOR LEBEAU PHOTOGRAPHY BY JEFF SWENSEN

In March 1986, Martha Hartle Munsch was hard at work preparing for her first-ever jury trial and ready to deliver more than just a persuasive opening argument. She was also nearly eight months pregnant. The then-junior partner at Reed Smith was defending Bell Telephone Co. of Pennsylvania (now Verizon) and six of its employees in a suit filed by a former sales executive who had been terminated for violating the company's sexual harassment policy. "I'm waddling around the courtroom," Munsch recalls, "but I was convinced that there was no way I was not going to try this case."

There was no way she wasn't going to win, either. Many of the plaintiff's claims were dismissed in summary judgment, and his wrongful dismissal allegation was declared a nonsuit by a Common Pleas judge in downtown Pittsburgh. Munsch was thrilled, but the women jurors on the panel were disappointed when the judge ended the trial—they wanted to see more of Munsch. For her oratorical skill and infectious energy? Maybe. Munsch says they told her they wanted to see when she'd run out of maternity outfits.

"They were so fixated about what I was going to

wear the next day," she says. Munsch is sitting inside a light-filled conference room in the new Three PNC Plaza, looking weekend-casual in a cream-colored Ralph Lauren sweater, beige corduroy pants and brown oxfords. "There were few options for professional maternity clothes in those days. I had a black jumper, a navy blue jumper, a white maternity blouse and a navy blue blazer. I *was* about to run out of outfits." But her sartorial creativity wasn't the only thing that captured the female jurors' attention. "When the plaintiff's lawyer opened to the jury, he was whining about having a cold," she says. "And here I was obviously pregnant. They were impressed because I just went about my job and never once mentioned my condition."

That wasn't the first time Munsch, now 62, created a favorable impression. When she joined Reed Smith in 1973, fresh out of Yale Law School, she was one of only three women in what was then Pittsburgh's oldest and largest law firm. Ten years later, she became the first woman elected to partnership in the firm's Pittsburgh office. A few years earlier, she'd gained distinction as the first woman on the full-time faculty of the University of Pittsburgh School of Law. And pity the opposing counsel, man or woman, who has faced off against Munsch. During her 35-year career, she has never lost a trial in federal or state court. These days, she handles all types of employment law matters, from counsel to litigation, with an emphasis on higher education and nonprofit clients.

For Munsch, her success as a counselor is just as important as her undefeated trial record. "Sometimes folks think, 'Oh, you're just an employment lawyer. You just try to defend employers who are doing bad things,'" she says. "No. In my role as a counselor and adviser to employers throughout my career, I've done more to advise employers on the compliance side than any plaintiff's lawyers who win a lawsuit have ever done."

Munsch's daughter, Katie, now 25, was born a month or so after the successful Bell Telephone trial, and Munsch returned to work two weeks later. Five years earlier, she'd gone into labor with her firstborn, Dan, while implementing a nationwide maternity settlement for Westinghouse Electric Co. She was phoning clients and walking off contractions in the hall outside her office when a concerned secretary called Munsch's husband, Richard, then a lawyer at United States Steel Corp., for an intervention. "There weren't many women at big law firms who went out and had babies and came back and practiced and litigated," Munsch recalls. "I remember saying to myself, 'I don't know if I can do this, so I'm just going to take it one day at a time.'"

The philosophy has worked. "She's in demand," says James Mercolini, deputy general counsel for Carnegie Mellon University, one of Munsch's clients. "The University of Pittsburgh, Chatham, Duquesne—all go to Martha. She has an encyclopedic knowledge of employment and higher education law."

Moreover, Mercolini adds, "She is extremely well-regarded by both the federal and state benches, and she's a tough, tough litigator. There are only a handful of lawyers who I've come across in my life who give me the level of confidence that I have in Martha."

"Martha's distinguishing characteristic is that she works harder than anybody else," says Casey Ryan, an employment and labor practice leader at Reed Smith. "She's pure energy."

"I can get her at her office at least 18 hours a day, pretty much seven days a week, which, in this business, means a great deal," Mercolini says. "Carnegie Mellon has operations around the globe, so we're literally open for business, somewhere, 24 hours a day."

And to think Munsch applied to law school on a whim.

MUNSCH GREW UP IN MEYERSDALE, about 80 miles southeast of Pittsburgh. "My father raised me to love sports," she says. "I was truly a tomboy. I wanted to play baseball and basketball with the boys." The first member of her family to attend college, she went to the University of Pittsburgh, where she majored in English and knocked down the first of many gender barriers she would encounter. When she applied for a job as a sportswriter at *The Pitt News*, the editors told her, "Women aren't allowed to write sports. Pick somewhere else." By her senior year, however, she was the paper's sports editor.

Munsch had planned to go to graduate school for journalism and become a sportswriter. But when she scored higher on the LSAT than the GRE, she applied to Yale on a whim.

"I really did think, 'Well, I'll go to Yale Law School and then I'll be able to get a job as a sportswriter,'" she says. But Reed Smith, where she'd worked as a summer associate during law school, hired her when she graduated. Although she was fascinated by civil procedure, she hadn't settled on a practice area. She'd worked throughout law school as a research assistant for legal scholar James William Moore, author of the multivolume *Moore's Federal Practice*.

A few years into her stint at the law firm, a phone call from a colleague changed the course of her career. "I'm two and a half years out of law school and they wanted me to teach?" she recalls. "Well, your eyes sparkle at that."

In 1975, Munsch left Reed Smith for the University of Pittsburgh School of Law, where she was asked to teach civil procedure and employment discrimination, then an area of law so new it wasn't yet taught at many law schools. Class action suits based on Title VII of the Civil Rights Act of 1964 were springing up all over the country and legal interpretations were coming at a fast pace. Teaching employment discrimination allowed Munsch to immerse herself in the new law's nuances, so that when she left the position to return to Reed Smith almost three years later, eager to practice law again, she was more familiar with the Title VII-related statutes than the firm's veteran labor lawyers. "I didn't leave Reed Smith as a labor lawyer, but I went back knowing I wanted to be an employment lawyer. It

was a new area of the law where I felt I could be a great contributor."

Teaching also boosted her self-confidence. "I had more resistance from the student body in my civil procedure class than I ever experienced practicing law in a big law firm," she says. "In fact, after class the women would warn me about the tricks that the men were going to play on me. The men felt cheated because they had to take a class taught by a young woman." But the well-prepared, tenacious Munsch won over her once-skeptical male students. At the end of the year she received a Golden Apple Award.

In addition to her long workdays, Munsch has a decades-long record of nonprofit community service, including serving on the board for the Children's Hospital of Pittsburgh and two stints on the University of Pittsburgh's board of trustees. She's also been supportive of women's basketball, having established the Martha Hartle Munsch Endowed Women's Basketball Scholarship. When Agnus Berenato first stepped into the office after becoming Pitt's women's head coach in 2003, she dialed up Munsch, wanting to meet the person who supported the women's team. They've been good friends ever since, and Munsch travels with the team once a year on an away game. "Agnus makes it a point to include me in the huddle," she says. "It's my favorite weekend of the year."

In 1977, Munsch logged another career "first": She was the first woman appointed to the board of AAA East Central Inc. Richard Hamilton, chairman of the board of AAA East Central and its former president and CEO for 20 years, says, "We never got involved in any lawsuits, and I would submit to you that that's because of Martha's prowess."

Munsch's greatest legacy may be the way she inspires and motivates the people who cross her path. "Some people are successful in one dimension of their life. Martha strikes me as someone who has achieved the enviable goal of being successful in all phases of her life," says Reed's Ryan. "In every phase, from A to Z, she excels."

But success doesn't come easy. "I'm not a seat-of-your-pants person. I prepare, prepare, prepare. I *still* sometimes wake up having a nightmare that I'm sitting in my eighth grade algebra class, and where the teacher is giving a test that I didn't know about," she says, laughing. "My motto has always been to outwork the other guy." **SI**