

New Jersey Law Journal

APRIL 7, 2014

An **ALM** Publication

Litigation Department OF THE Year



FINALIST: GENERAL LITIGATION

PHOTO BY CARMEN NATALE

Left to right: Melissa A. Geist, Patrick E. Bradley, Sara K. Kornbluh, George E. McDavid, Deepa J. Zavatsky, Daniel K. Winters, Shana E. Russo, Mark S. Melodia, Diane A. Bettino and Paul Bond.

REED SMITH

Litigation Department OF THE Year

FINALIST: GENERAL LITIGATION

Leveraging Firm-Wide Resources in N.J. and Beyond

Reed Smith keeps an eye on the client's big picture

In the two decades since Reed Smith's New Jersey branch opened in Princeton, it has become a beachhead for a 27-lawyer litigation department that includes several key leaders of its national litigation practice. As such, the office carries a blend of national litigation experience deployed from New Jersey as well as lawyers well-steeped in New Jersey law and practice.

Its litigators act as lead counsel in federal multidistrict litigations and other procedurally complex cases, including product liability, data privacy, employment and other general commercial litigation disputes for these and hundreds of other clients. They boast industry experience in pharmaceuticals, financial services, aviation and technology.

Representative clients of the department are Wells Fargo NA, GlaxoSmithKline, United Airlines, Royal Bank of Scotland, Merck & Co., Inc., Novo Nordisk, Capmark, GE Healthcare, DUSA Pharmaceuticals and C. R. Bard.

Several factors contributed to the department's recognition this year.

• **Cost control and staffing efficiencies.** The New Jersey Litigation Department has worked with its clients on customized fee arrangements for many years and has become more creative and flexible in its billing approach in response to the changing economic realities and challenges. Utilizing

Reed Smith's menu of different alternative fee arrangements (AFAs), the department now routinely structures customized pricing arrangements for its clients that align effort and outcome in novel ways.

The department's policy and practice is to introduce AFAs into litigators' initial conversations with their clients, whenever appropriate, rather than wait for their clients to inquire about them. They explain AFA availability as an element of their overall value proposition.

In addition to customizing clients' fee structures, the department utilizes in-house staff lawyers—each with five to 10 years of practice experience—at a lower cost to conduct discovery, manage portfolios of similar cases, and handle research requests. It also employs a range of in-house e-discovery services, which include on-site document review and an e-discovery team to lower the costs of large-scale litigation. The firm deems these resources invaluable to corporate clients that require lower-cost alterna-

tives for large-scale engagements.

The department also provides its lawyers and clients legal project management (LPM) resources that include access to tools and technologies, training on LPM principles, early case assessments, and budgeting support.

• **Organizational reach.** Reed Smith's firm-wide industry groups—the Financial Industry Group, Life Sciences Health Industry Group, Media & Entertainment Industry Group and Energy & Natural Resources Industry Group—represent best-practice experience drawn from the firm's more than 1,800 lawyers in 25 offices around the world, across many practice disciplines, and serve as a collective resource for New Jersey litigators and their clients. The firm says Princeton litigators play integral roles in all of these groups.

This industry group organizational scheme, bolstered by Reed Smith's nearly 50 firm-wide practices and numerous geographically specific international

Reed Smith by the Numbers

| | Firm-wide | N.J. Office |
|---|--------------|-------------|
| Department Size (attorneys) | 861 | 27 |
| Department Size as Percentage of Firm | 45.2% | 1.4% |
| Department Revenue as Percentage of Firm | 49% | 2% |

Litigation Department OF THE Year

FINALIST: GENERAL LITIGATION

teams, gives the New Jersey Litigation Department the ability to resolve complex client disputes of every scale and in the most in-demand areas of specialization throughout the U.S. and worldwide, both individually and as a member of selected litigation teams.

• **A client-centric approach.** The firm says the department focuses on helping clients achieve their endgames by establishing and nurturing productive and permanent relationships. The hallmark, it says, is a deep knowledge of each client's industry and a commitment to clients' business needs. The focus goes beyond litigation success to ensuring a client's overarching business needs are met throughout a case and beyond.

For key clients, the department has established client-relationship leaders who make sure that all litigators working on a case share information about the client, provide the client with regular updates on changes in law, conduct customized training, and constantly monitor the industry and business developments that create the context for the litigation's trajectory to resolution.

The department implements regular check-in points throughout lengthy litigations to ensure clients are getting what they need and are satisfied with the progress. As needed, changes are made to sustain clients' satisfaction with and collaboration in decisions that affect the resolution of their disputes.

• **Pragmatic approach.**

The firm says members of the department maintain a constant awareness of the real consequences of each case for their cli-

ents. They constantly strive to secure practical solutions that achieve these outcomes most efficiently and economically, including implementing pragmatic strategies that reduce the amount of time and resources required to bring litigations to a satisfactory conclusion from clients' points of view. When possible, they strive to resolve even the most complex disputes prior to trial.

In complex class-action matters, for example, its product liability defense lawyers systematically pursue significant reductions in the inventory of cases by identifying "junk" claims and other deficient cases that merit nothing beyond a summary judgment. In a recent matter cited in this nomination, this pragmatic strategy wiped out the bellwether pool and led to an expedited resolution of this potentially prolonged litigation.

Representative Litigators

• Paul Bond is a member of the Global Regulatory Enforcement Group, practicing in the areas of data security, privacy and management.

• Diane A. Bettino is a member of the Financial Industry Group, practicing in the area of financial services litigation, including residential mortgage lending, auto finance, insurance products and equipment finance.

• Patrick E. Bradley focuses on aviation and product liability litigation, representing aircraft manufacturers, airlines, aircraft maintenance facilities and pilots in aircraft accident cases.

• Melissa A. Geist is a litigator and co-chair of the Firm's Life Sciences Health Industry Group. She focuses on pharma-

ceutical products liability, medical device products liability, commercial litigation and e-discovery-related issues.

• Sara K. Kornbluh is an associate in the U.S. Commercial Litigation Department and Aviation Litigation group. She focuses on complex commercial and product liability disputes, primarily on matters for aviation clients, as well as on financial services and insurance coverage matters.

• George E. McDavid is a member of the Life Sciences Health Industry Group, practicing in the area of product liability litigation.

• Mark S. Melodia leads the Global Data Security, Privacy & Management practice as a partner within the Global Regulatory Enforcement Group. He litigates putative class actions and other major litigation in the areas of data security/privacy, mortgage/financial services and other complex business litigation.

• Shana E. Russo is a member of the Life Sciences Health Industry Group, practicing in the area of product liability litigation.

• Daniel K. Winters is a partner and trial attorney in the Life Sciences Health Industry Group. His practice focuses on representing major pharmaceutical, manufacturing and retail companies throughout the United States, concentrating in New Jersey and New York.

• Deepa J. Zavatsky is an associate of the Financial Industry Group, practicing in the area of financial services litigation. ■