



Portfolio Media, Inc. | 860 Broadway, 6th Floor | New York, NY 10003 | www.law360.com
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@portfoliomedia.com

Employment Defense Firms Of The Year

By **Nick Brown**

Law360, New York (January 01, 2010) -- For labor and employment defense attorneys, 2009 was a big year, highlighted by five game-changing decisions from the U.S. Supreme Court, the reversal of a massive verdict in a seminal tip-pooling case and the defeat of one of the largest Title VII classes ever certified among the litigation to grab headlines.

Law360's top employment defense law firms of 2009 — Sidley Austin LLP, Proskauer Rose LLP, Akin Gump Strauss Hauer & Feld LLP, Reed Smith LLP, Gibson Dunn & Crutcher LLP and Seyfarth Shaw LLP — stood out for their work on some of the year's major cases.

Reed Smith LLP

Reed Smith earns a nod for its work as co-counsel for UPS Inc. in the successful appeal of certification of the largest-ever employee class under the Americans with Disabilities Act.

The class in *Hohider v. UPS Inc.*, estimated at more than 36,000, claimed that UPS' policy requiring workers on disability leave to be 100 percent healed before returning to work wrongly barred them from resuming work in other capacities.

A district court certified the proposed class after ruling that the plaintiffs did not need to show their qualifications under the ADA at the certification stage, but the U.S. Court of Appeals for the Third Circuit reversed that decision in July.

Proving ADA eligibility was a basic requirement for ADA class status, the Third Circuit said.

Karl A. Fritton, leader of Reed Smith's labor and employment group, said the firm took on a diverse array of clients but that its attorneys had the versatility needed to serve them all.

"You have to stay very close to your clients, anticipate what they're going to need, get out in front of rate and fee issues, and basically know their business as well as they do," Fritton said. "Think like you're an extension of their in-house staff."

Fritton added that the practice group would continue to grow in 2010 with the planned addition of several lateral hires.