

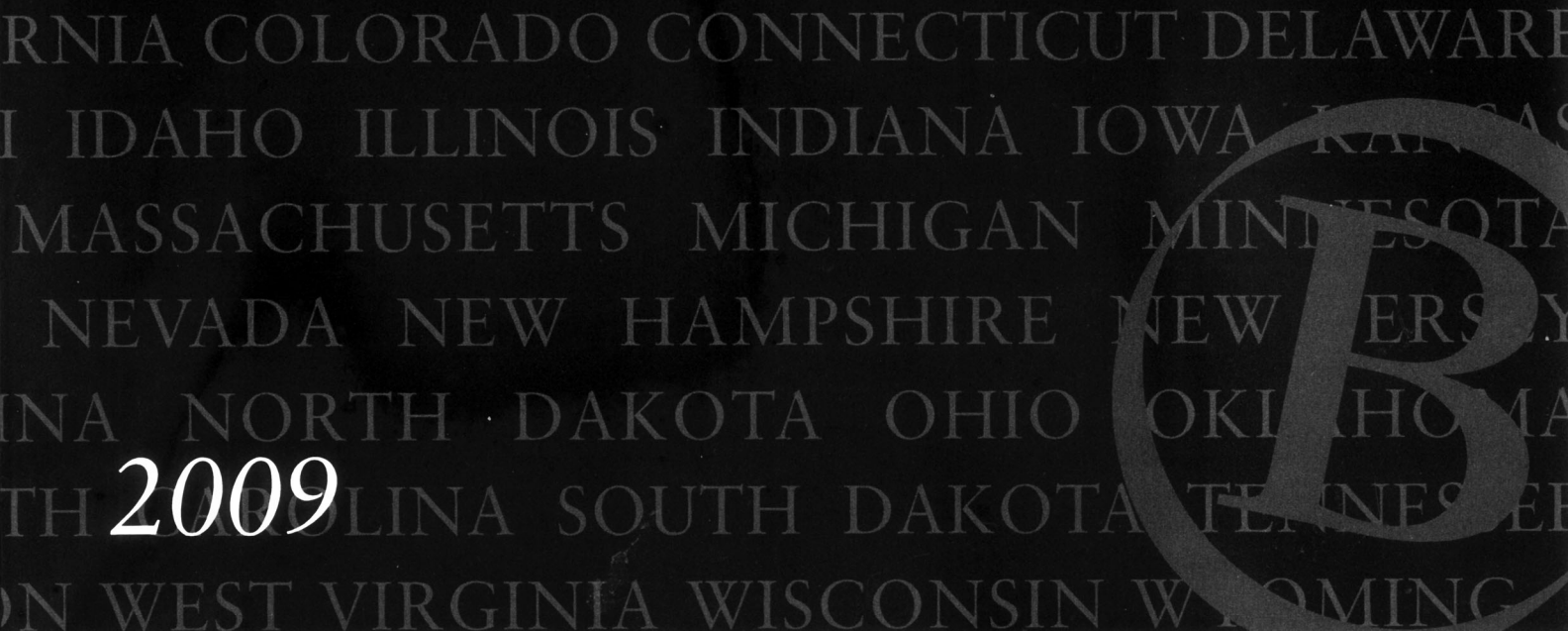
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BENCHMARK *Litigation*

THE DEFINITIVE GUIDE TO AMERICA'S LEADING LITIGATION FIRMS & ATTORNEYS



2009

New York

New York is the focal point of the nation's most prominent litigation. The state is home to most of the world's leading financial banks and corporations, causing Manhattan litigators to see a significant amount of securities, antitrust and merger and acquisition cases. The state's public sector includes the US District Court of Southern New York and the US Court of Appeals for the Second Circuit, both of which produce ground-breaking rulings on a regular basis.

Local litigation firms

Highly recommended firms

Cadwalader Wickersham & Taft

Cahill Gordon & Reindel

Cleary Gottlieb Steen & Hamilton

Cravath Swaine & Moore

Davis Polk & Wardwell

Debevoise & Plimpton

Fried Frank Harris Shriver & Jacobson

Kaye Scholer

Kirkland & Ellis

Kramer Levin Naftalis & Frankel

Latham & Watkins

Milbank Tweed Hadley & McCloy

Patterson Belknap Webb & Tyler

Paul Weiss Rifkind Wharton & Garrison

Shearman & Sterling

Sidley Austin

Simpson Thacher & Bartlett

Skadden Arps Slate Meagher & Flom

Sullivan & Cromwell

Wachtell Lipton Rosen & Katz

Weil Gotshal & Manges

Local litigation stars

Elkin Abramowitz
Morvillo Abramowitz Grand Iason Anello & Bohrer

Floyd Abrams
Cahill Gordon & Reindel

Mark Alcott
Paul Weis Rifkind Wharton & Garrison

Bruce Angiolillo
Simpson Thacher & Bartlett

Mitchell Auslander
Willkie Farr & Gallagher

Scott Balber
Chadbourne & Parke

Jeffrey Barist
Milbank Tweed Hadley & McCloy

Robert Baron
Cravath Swaine & Moore

Michael Barr
Sonnenschein Nath & Rosenthal

Francis Barron
Cravath Swaine & Moore

Stuart Baskin
Shearman & Sterling

Preeta Bansal
Skadden Arps Slate Meagher & Flom

James Benedict
Milbank Tweed Hadley & McCloy

Mark Beckett
Latham & Watkins

Max Berger
Bernstein Litowitz Berger & Grossman

David Bernick
Kirkland & Ellis

David Bernstein
Debevoise & Plimpton

Leora Ben-Ami
Kaye Scholer

Sheila Birnbaum
Skadden Arps Slate Meagher & Flom

David Boies
Boies Schiller & Flexner

David Braff
Sullivan & Cromwell

David Brodsky
Cleary Gottlieb Steen & Hamilton

David Brodsky
Latham & Watkins

James Carter
Sullivan & Cromwell

Kenneth Caruso
Bracewell & Giuliani

William Cavanaugh Jr
Patterson Belknap Webb & Tyler

Michael Chepiga
Simpson Thacher & Bartlett

Evan Chesler
Cravath Swaine & Moore

Peter Chaffetz
Clifford Chance

Richard Clary
Cravath Swaine & Moore

Joel Cohen
Clifford Chance US

Robert Cohen
Dechert

John Coffey
Bernstein Litowitz Berger & Grossman

Paul Curnin
Simpson Thacher & Bartlett

James Dabney
Fried Frank Harris Shriver & Jacobson

Greg Danilow
Weil Gotshal & Manges

George Davidson
Hughes Hubbard & Reed

Michael Dell
Kramer Levin Naftalis & Franker

Gandolfo DiBlasi
Sullivan & Cromwell

Don Donovan
Debevoise & Plimpton

Carey Dunne
Davis Polk & Wardwell

Scott Edelman
Milbank Tweed Hadley & McCloy

Leslie Fagen
Paul Weiss Rifkind Wharton & Garrison

Robert Fischler
Ropes & Gray

Robert Fiske
Davis Polk & Wardwell

Stephen Fishbein
Shearman & Sterling

Douglas Flaum
Fried Frank Harris Shriver & Jacobson

Donald Flexner
Boies Schiller & Flexner

Martin Flumenbaum
Paul Weiss Rifkind Wharton & Garrison

Katherine Forrest
Cravath Swaine & Moore

Paul Friedland
White & Case

David Gelfand
Milbank Tweed Hadley & McCloy

Michael Gertsman
Paul Weiss Rifkind Wharton & Garrison

Max Gitter
Cleary Gottlieb Steen & Hamilton

Robert Giuffra
Sullivan & Cromwell

Steven Glickstein
Kaye Scholer

Shepard Goldfein
Skadden Arps Slate Meagher & Flom

Howard Goldstein
Fried Frank Harris Shriver & Jacobson

Stephanie Goldstein
Fried Frank Harris Shriver & Jacobson

Mark Goodman
Debevoise & Plimpton

Peter Greene
Skadden Arps Slate Meagher & Flom

Erik Haas
Patterson Belknap Webb & Tyler

Steven Hammond
Hughes Hubbard & Reed

Robert Horkovich
Anderson Kill & Olick

Simpson Thacher & Bartlett

Helene Jaffe
Weil Gotshal & Manges

Robert Joffe
Cravath Swaine & Moore

Brad Karp
Paul Weiss Rifkind Wharton & Garrison

Jay Kasner
Skadden Arps Slate Meagher & Flom

Thomas Kavaler
Cahill Gordon & Reindel

David Kelley
Cahill Gordon & Reindel

John Kerr
Simpson Thacher & Bartlett

Norman Kleinberg
Hughes Hubbard & Reed

Doug Koff
Cadwalader Wickersham & Taft

Daniel Kramer
Paul Weiss Rifkind Wharton & Garrison

Josh Krevitt
Gibson Dunn & Crutcher

Carmen Lawrence
Fried Frank Harris Shriver & Jacobson

Kenneth Lee
Hughes Hubbard & Reed

Jonathan Lerner
Skadden Arps Slate Meagher & Flom

Andrew Levander
Dechert

David Lindsey
Clifford Chance US

Gregory Markel
Cadwalader Wickersham & Taft

Aaron Marcu
Covington & Burling

Randy Mastro
Gibson Dunn & Crutcher

Jay Mayesh
Kaye Scholer

William McGuinness
Fried Frank Shriver & Jacobson

Theodore Mirvis
Wachtell Lipton Rosen & Katz

Joel Mitnick
Sidley Austin

Garyowen Morrisroe
Chadbourne & Parke

Marc Mukasey
Bracewell & Giuliani

Sean Murphy
Milbank Tweed Hadley & McCloy

Gary Naftalis
Kramer Levin Naftalis & Frankel

Joseph Neuhaus
Sullivan & Cromwell

Benard Nussbaum
Wachtell Lipton Rosen & Katz

Barry Ostranger
Simpson Thacher & Bartlett

Catherine Palmer
Latham & Watkins

Debra Pearlstein Weil Gotshal & Manges	David Rivkin Debevoise & Plimpton	Audrey Strauss Fried Frank Harris Shriver & Jacobson
Lawrence Pedowitz Wachtell Lipton Rosen & Katz	Richard Rosen Paul Weiss Rifkind Wharton & Garrison	Joseph Tringali Simpson Thacher & Bartlett
Robert Pietrzak Sidley Austin	Eric Roth Wachtell Lipton Rosen & Katz	Peter Tomlinson Patterson Belknap Webb & Tyler
Jonathan Polkes Weil Gotshal & Manges	Aaron Rubenstein Kaye Scholer	Herbert Wachtell Wachtell Lipton Rosen & Katz
Mark Pomerantz Paul Weiss Rifkind Wharton & Garrison	Peter Sacripanti McDermott Will & Emery	John Warden Sullivan & Cromwell
William Pratt Kirkland & Ellis	Paul Saunders Cravath Swaine & Moore	Herbert Washer Shearman & Sterling
James Quinn Weil Gotshal & Manges	John Savarese Wachtell Lipton Rosen & Katz	Theodore Wells Paul Weiss Rifkind Wharton & Garrison
Yvonne Quinn Sullivan & Cromwell	Peter Sloane Cahill Gordon & Reindel	Harold Weinberger Kramer Levin Naftalis & Frankel
Roy Reardon Simpson Thacher & Bartlett	Karen Patton Seymour Sullivan & Cromwell	Mary Jo White Debevoise & Plimpton
Steven Reiss Weil Gotshal & Manges	Samuel Seymour Sullivan & Cromwell	Roger Witten WilmerHale
Lorin Resiner Debevoise & Plimpton	Saul Shapiro Patterson Belknap Webb & Tyler	Michael Young Willkie Farr & Gallagher
Mark Ressler Kasowitz Benson Torres & Friedman	James Stengel Orrick Herrington & Sutcliffe	David Zornow Skadden Arps Slate Meagher & Flom
Bruce Rich Weil Gotshal & Manges	Robert Smit Simpson Thacher & Bartlett	

New York

Patterson Belknap Webb & Tyler may only have one office, but its location in Manhattan houses some serious litigation talent. “I consider them to be a really useful firm in the tool chest of firms out there,” one client says. “They are one of the best litigating firms in the United States,” praises another. Of the firm’s almost 200 lawyers, more than half are dedicated to litigation, representing clients in a number of areas. The firm is renowned for its intellectual property and media specialties, with a strong client base including Sony BMG Music Entertainment and ESPN. The white-collar criminal group is also a force in the marketplace. In an ongoing intellectual property matter, the firm represents Cordis, a Johnson & Johnson Company, in a patent matter regarding coronary stents. More than 14 trials or arbitrations have been conducted, with a jury verdict win against a competitor’s drug eluting stent seeking excesses of \$1 billion in damages. In a matter for longtime client ESPN, Patterson Belknap litigators successfully represented the cable network in a case where the plaintiff argued that fantasy sports games offered on ESPN.com constitute illegal gambling. The court granted the defense’s motion to dismiss the case with prejudice.

Firm co-chair **William Cavanaugh Jr** practices in the areas of commercial litigation, antitrust, intellectual property and

products liability. As lead counsel for Wells Fargo in an antitrust suit brought by American Express, Cavanaugh obtained a favorable settlement for his client and subsequent dismissal of the case. American Express sought damages for injuries allegedly suffered after Visa and MasterCard, as well as numerous banks including Wells Fargo, prevented its member banks from issuing American Express cards and products. Cavanaugh’s robust class action practice includes his recent victory for client Johnson & Johnson in a dispute relating to pricing benchmarks utilized in drug reimbursements by insurers. Plaintiffs alleged Johnson & Johnson published false average wholesale prices, which resulted in overpayment for drugs by insurance companies and Medicare. The District Court of Massachusetts found his client’s conduct lawful.

Peers regard complex commercial litigator **Saul Shapiro** for his strength in intellectual property matters. With lead counsel work in seven trials to date, he is also experienced in securities and media and entertainment. In a recent matter for client Time Warner Cable, Shapiro obtained a preliminary injunction in the US District Court of Southern New York in a matter enjoining defendant DirecTV from broadcasting commercials making false claims about Time Warner’s picture quality. On appeal, the US Court of Appeals for the

Second Circuit affirmed the decision made in District Court. The matter was settled under confidential terms. Shapiro, along with partner **Peter Tomlinson**, assisted in the representation of Cendant in litigation against former auditor Ernst & Young. The team successfully defended against Ernst & Young’s motions to dismiss Cendant’s claims and, with billions of dollars at stake, the case was recently settled. Tomlinson, who concentrates his practice in complex securities, financial and commercial matters, is peer-recommended for his consultancy work to mutual fund companies in relation SEC settlements. Peers describe Tomlinson as a “terrific lawyer with a bright future.” Younger partner **Erik Haas** is able in commercial litigation and securities work, with additional skill in products liability and intellectual property matters. As lead counsel for clients Johnson & Johnson and Conor Medsystems in a shareholder class action, Haas prevailed in securing a voluntary dismissal of Conor and won on demurrer, securing a dismissal of claims against Johnson & Johnson. Shareholders sought rescission and damages on allegations that Conor conspired with Johnson & Johnson to sell itself to Johnson at a low price in exchange for personal compensation. “Haas is doing a great job on the J&J case,” praises one insider, who also commended his work with client Siemens.

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Firm co-chairs:

William F. Cavanaugh and Robert P. LoBue

Litigation department chair:

Steven A. Zalesin

More than half the attorneys at Patterson Belknap Webb & Tyler are devoted to litigation. Our litigation partners have tried hundreds of cases, including many of the most complex in their fields. We are accustomed not only to trying cases, but to delivering the results our clients want and that cases merit. The group is active in myriad industries and practice areas on behalf of some of the largest companies in the world, including intellectual property such as patents, false advertising, trademark and copyright; subprime mortgage; financial litigation; media and entertainment; law firm defense; products liability; employment; antitrust and government investigations.

Our clients include Fortune 500 corporations, such as multinational pharmaceutical manufacturers, media conglomerates, major banks and accounting and brokerage firms as well as foreign governments, pension funds, insurance companies and individual officers and directors of large companies.

Patterson Belknap's litigation practice is both broad and deep. Our patent group continues to enjoy a long string of trial successes, including the two largest patent verdicts in one year. Our false advertising attorneys are recognized among the leading, if not the preeminent, false advertising litigation practitioners in the nation. We pioneered the law of false advertising and have represented consumer products companies in many of the false advertising cases decided by the United States Court of Appeals for the Second Circuit in the past two decades. Our white collar defense and investigations practice includes the former acting head of the Southern District's Major Crimes Unit and includes a past Attorney General of the State of New Jersey.

The litigators of our burgeoning subprime mortgage and credit crisis practice group play a significant role in numerous cutting-edge matters, many involving Residential Mortgage Backed Securities (RMBS), CDOs, Credit Default Swaps, Structured Investment Vehicles, Auction Rate Securities and Municipal Credit Insurance.

We've earned our reputation as "lawyers' lawyers." Our law firm defense group defends firms facing claims of legal malpractice, conflict of interest and breach of fiduciary duty, fraud and an array of other claims. The team has also represented lawyers in disciplinary proceedings, untangled disputes over partnership compensation, opposed disqualification motions, and represented firms facing third-party subpoenas.

Our employment litigators have defended numerous companies in matters involving non-compete agreements, trade secrets, confidentiality breaches, discrimination claims, ERISA and independent contractor issues. When necessary, our personal planning group is equipped to handle estate and trust issues in the courtroom. With extensive knowledge of the intricate details of probate court, our personal planning litigators have handled probate contests, proceedings to remove fiduciaries, construction proceedings and contested accounting proceedings where very substantial sums are at stake as well as control of large closely held corporations.