

## The Legal 500 – The world's largest legal referral guide

I am pleased to send you a copy of *The Legal 500 United States*.

This is the third edition of the Legal 500 series covering the US legal market. Our aim is to provide independent, unbiased commentary on the leading law firms – and lawyers – in the most important legal marketplace in the world. We target our editorial at corporate counsel, and others who use law firms, so they have a genuinely independent guide to the relative strengths (and weaknesses) of the market leaders.

We know from our extensive research elsewhere (we provide commentaries on law firms in over 90 other countries) that US legal practice leads the world. Law firms across the globe look to US firms as role models on how best to provide quality legal services to the commercial sector. So *The Legal 500 United States* is a guide to 'the best of the best' – the pre-eminent firms in the world's strongest and most competitive legal market.

As always, we welcome constructive comment and criticism. Our editors and researchers are committed to providing accurate reporting and analysis, so let us know if you have any comments.

Yours,

*John Pritchard*

PS: you can access the full text of this volume – and all the other international editions of *The Legal 500* – at [www.legal500.com](http://www.legal500.com).

# INTRODUCTION

## How to use this book

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*The Legal 500 United States* is a guide to commercial law firms in the US.

Each chapter falls into two distinct parts: the editorial section and the directory section. The editorial section is a mixture of factual information and commentary. This commentary consists of a general review of which firms do what types of work, and which firms are generally reckoned by their clients and peers to have a 'good name'. The editorial is based largely on the combined opinions of the many corporate counsel and law firm clients who cooperated in the research in each practice area. Accordingly, it is important to appreciate that the editorial lists should not be taken as a definitive statement on law firms, but rather as a starting point for discussion.

All editorial comments and listings are completely independent and no firm has been able to secure its inclusion within the editorial sections through payment.

The directory section is made up of professional cards based on information supplied by the firms and approved by them prior to publication.

### The editorial

The views expressed in the editorial sections represent the opinions of the editors, with no assumption of legal liability or responsibility for mistakes or inaccuracies. The research for the editorial is based on the combined opinions of the many lawyers interviewed in each practice area, commentary from corporate clients and analysis of deals or contentious issues reported. It is important to note that the editorial is therefore a subjective overview, based on systematic research.

The tables of recommendations are divided into groups: firms are listed in groups in order of priority, and alphabetically within groups. Furthermore, the firms have been sorted alphabetically by using the first name or initial of the firm (ie the last firm listed in a group is as strongly recommended as the first firm listed in that group).

Tables are reprinted on each spread, beside the accompanying editorial. For ease of use, the names of the firms being discussed on those editorial pages are highlighted within the table. Accordingly, the fact that a firm's name is highlighted in a particular table does not mean, of itself, that the firm is more highly recommended than other firms – it simply indicates that there is accompanying editorial commentary about that firm on that spread.

### The directory

The directory section contains professional cards placed by firms. These cards have profiles based on information provided by the participating firms. These profiles, having been approved by the firms prior to publication, are completely separate and different from the editorial. The professional cards are designed for use by other lawyers and by corporate counsel who want to know more about a firm's practice.

It is important to appreciate that a firm cannot buy inclusion within the editorial section. In particular, buying a professional card within the directory section is not a way of securing inclusion within the editorial section. Our editorial is wholly independent. Professional cards are listed at the back of the book alphabetically by firm name.

## From the editor

Welcome to the sixth edition of *The Legal 500 United States*. First published in 2007, *The Legal 500 United States* has developed into the most in-depth survey of the United States' elite legal market.

*The Legal 500 United States* is a unique book. There are other surveys of law firms, but none is researched and written by such a team of experienced and award-winning writers. Researchers also work on sister Legalease publications such as *Legal Business*. Many researchers have years of experience, a valuable quality in an increasingly complex marketplace.

*The Legal 500 United States* is the only survey of law firms that focuses on the national capabilities of a firm, rather than pigeonhole firms based on location. While we recognize that location can impact on individual practice areas (such as energy in Texas, high-tech in California, finance in New York etc), clients will instruct firms based on quality, and *The Legal 500* reflects this – if the firm is of the highest quality, it will be included in the rankings. *The Legal 500 United States* is the client's guide to the elite in the legal profession.

Understanding the firms is only one aspect of the research process. Ultimately, it is the clients' opinions that matter; the 250,000 references taken up this year are a vital component of our evaluation of the various legal markets covered by *The Legal 500*.

While copies of the book are distributed free every year, it is to our website (at [www.legal500.com](http://www.legal500.com)) that many clients are now increasingly turning, with some 300,000 users per month and four million visits each year. We also publish *The Legal 500 Asia-Pacific*, *The Legal 500 Europe*, *Middle East & Africa*, *The Legal 500 Latin America*, and *The Legal 500 UK*, covering over 110 different jurisdictions.

This book is primarily a reference tool for buyers of legal services. Law firms themselves will also find much here of interest, be it an independent appraisal of their standing in the market, or an insight into the competition. When reviewing the performance of a firm or department we use various criteria; for example, we take on board a combination of size and strength in depth. Our assessment will be influenced by all the things that make the complete practice in that field. These include:

- Most prestigious clients;
- Individuals with the contacts at, and credibility with, the top clients;
- In-depth capability beyond star partners;
- Very strong technical ability available for the most complex work;
- Capacity for the biggest transactions/cases;
- Market share;
- Historical track record on top deals/cases;
- Clear investment for the future in a particular practice area;
- Progress made with acquiring new clients/ market share;
- Strength in associated areas – eg can an M&A department undertake competition work to an equal standard?;
- Reputation for handling complex, innovative deals;
- Capacity to handle all client requirements in an area – eg international offices/connections;
- Commitment to IT and the use of IT to improve client services; and
- Perception in the market.

## How we research The Legal 500

The client research undertaken for *The Legal 500* has two main threads and encompasses both qualitative and quantitative analysis. As well as contacting those clients referred to us by law firms for the purposes of verification of their submissions, we benchmark these findings against a detailed representative sample of the world's leading companies. In particular, we have ensured that we have contacted a statistically valid sample of leading clients when ranked either by market cap, by business sector, or by region.

We contact 250,000 clients asking for feedback on the lawyers they instruct. Additionally, our team has regular contact with commerce and industry throughout the year as part of our ongoing research.

Although interviewees are often in-house counsel, they are by no means exclusively so; in many cases it is the chief executive or finance director who has strategic responsibility for the buying decision, even where it is the in-house function that may have more day-to-day dealings with the actual providers. We interview investment bankers, commercial bankers and accountants who work regularly with lawyers.

Interviews are based on a standard-form questionnaire. However, supplementary questions and more wide-ranging conversations about both specific law firms and the key issues which inform the purchase of legal services are in fact the norm. This is not least because interviews are conducted by experienced journalists and researchers with a considerable depth of market knowledge. All interviews are non-attributable.

Over the course of the year, we also receive numerous unsolicited comments and recommendations from clients.

Each year we write to firms inviting them to provide information on their specialist areas of practice, and requesting specific details of work undertaken in the preceding year (some of which will be confidential and not in the public domain). This approach gives us a standard level and quality of data which, in turn, enables us to benchmark legal services providers with both more precision and more assurance.

We conduct interviews in person or by telephone with specialist attorneys in each subject area – generally the head of department or nominated partner. We also conduct interviews with chief executives, managing and senior partners of law firms, and practice managers. This helps us to obtain a clear picture of the direction the firm is taking and its strategy.



Litigation • Mass tort and class action:  
plaintiff representation – toxic tort

Dallas-headquartered Baron & Budd PC has built a strong reputation nationwide in toxic tort multi-district litigation, and it has additional offices in Miami, Los Angeles and Baton Rouge to provide coast-to-coast coverage across the southern US. The firm has several groups that handle toxic tort: the water contamination litigation group, general litigation group and asbestos litigation group. Bruce Steckler serves on the plaintiff's steering committee in *In re Chinese-Manufactured Drywall Products Liability Litigation* in the US District Court for the Eastern District of Louisiana, and in late 2011 a settlement was reached with one of the manufacturers of the defective drywall products. Other matters for the group include its involvement in *In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico*, a case in which Scott Summy serves on the plaintiff's executive committee. Summy is also acting as lead counsel in a number of atrazine (groundwater contamination) cases. 'Known name' Russell Budd and Burton LeBlanc are also highly recommended.

Defense lawyers recognize Weitz & Luxenberg PC's 'particularly strong reputation' in this space. It is renowned for asbestos cases and, in June 2011, it achieved a \$22m asbestos verdict against Goodyear Tire and Rubber Co, and Goodyear Canada. The practice also encompasses a wide variety of environmental contamination matters including arsenic, benzene, lead poisoning, water contamination, and vapor intrusion, as well as the *Deepwater Horizon* Gulf oil spill. The firm has offices in New York, New Jersey and Los Angeles,

Litigation • Mass tort and class action:  
plaintiff representation – toxic tort

Baron & Budd PC  
Weitz & Luxenberg PC

1

Motley Rice LLC  
Napoli Bern Ripka, LLP  
Richardson, Patrick, Westbrook & Brickman, LLC

2

Firms are listed A-Z within tiers

and fields a number of strong names including Robert Gordon; of counsel Robin Greenwald, who heads the environmental and toxic tort practice; and associates Frank Ortiz and Lisa Nathanson Busch. Joseph Maher left the firm to set up his own practice.

Motley Rice LLC represents plaintiffs in individual cases, mass tort and class actions. The firm is headquartered in Charleston, South Carolina, and has several other offices. Its expertise includes occupational disease and toxic tort, such as asbestos and mesothelioma, and environmental contamination and lead poisoning cases. It is involved in the *Deepwater Horizon* oil spill litigation and also continues to represent military veterans against defense contractors, alleging injuries caused by prolonged exposure to burn pit emissions on military bases in Iraq and Afghanistan. The group has achieved

successes in cases such as *State of Rhode Island v Lead Industries Association* and *Oklahoma v Tyson Foods*. Firm co-founder Joseph Rice has developed a track record in negotiating settlements with asbestos manufacturers emerging from bankruptcy. Name partner Ronald Motley, Anne McGinness Kearse, and John Herrick are also recommended.

Napoli Bern Ripka, LLP has a nationally recognized practice, which is reflected in it having offices across the country, including New York, New Jersey, Philadelphia (Pennsylvania), Coconut Grove (Florida), El Segundo (California) and Edwardsville (Illinois). Paul Napoli has been instrumental in a number of successes, including the settlement in *In re World Trade Center Disaster Site Litigation*, in which Napoli had been appointed plaintiff's liaison counsel, and in *In re MTBE (Methyl Tertiary Butyl Ether) Products*

Leading lawyers

Russel Budd Baron & Budd PC  
Robert Gordon Weitz & Luxenberg PC  
Perry Weitz Weitz & Luxenberg PC

*Liability Litigation.* In this latter case, Napoli helped to obtain a \$50m-plus settlement with ExxonMobil and other defendants for numerous municipalities and water districts whose drinking water sources were contaminated. The group is also recognized nationally for its strength in plaintiff representation in personal injury and medical malpractice cases. Marc Bern is also recommended.

Richardson, Patrick, Westbrook & Brickman, LLC has expertise in complex dispute resolution across a variety of areas, including toxic torts such as those arising from environmental issues or asbestos, among others. It continues to concentrate on groundwater contamination cases involving vapor intrusion of trichloroethylene (TCE) and benzene into households. Jerry Evans and Gordon Rhea are experts in toxic exposure lawsuits. Michael Brickman is also recommended.

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*The*  
**LEGAL**  
**500**  
**UNITED STATES**

John Pritchard

Volume III

Litigation

2007

*serious player in whatever area they operate' and 'can afford' to litigate anything'.*

The 60-lawyer firm focuses exclusively on litigation in all of its practice areas, and is generally called upon to establish the nuts and bolts of mass tort cases, such as proving liability, with claims of individual plaintiffs typically handled by associated local counsel.

In recent years, the firm has dedicated a significant portion of its resources to the pursuit of cases against paint manufacturers, initially prosecuting individual claims on behalf of children who suffered nerve and brain damage as a result of exposure to lead paint, and now typically working in conjunction with government entities. In a recent headline-grabbing success in this area, the firm obtained a jury verdict ordering three paint manufacturers to clean more than 300,000 homes of lead contamination - the first-ever verdict of its kind and recently upheld on appeal.

Asbestos also continues to be a considerable focus for the firm, with lawyers most frequently pursuing claims against companies bankrupted as a result of asbestos litigation. In this regard, Motley Rice recently helped create a \$5.2bn fund with Owens Corning, designed to resolve the fiberglass manufacturer's asbestos liabilities, and is furthermore sitting on the claimants' committee of the CE Thurston bankruptcy.

**INDIVIDUALS:** One of Motley Rice's most prominent players in the asbestos arena, Anne Kearse, based in Mount Pleasant, South Carolina, maintains a busy practice acting on behalf of both individual and mass claimants affected by asbestos exposure.

## MOTLEY RICE

**PRACTICE:** Once the by-name for record-breaking settlements in the tobacco litigation, South Carolina's Motley Rice is arguably a somewhat more difficult animal to figure out these days. The firm has diversified considerably in recent years, and now boasts capabilities across practice areas as varying as aviation and securities litigation in addition to its well-publicized mass torts practice. The overriding sentiment, however, is that regardless of what particular types of cases this 'highly successful' firm and its 'very good' lawyers choose to take on, 'they're a

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John Herrick, also in South Carolina, is a further key player in the firm's asbestos group and is currently involved in the CE Thurston matter, while John McConnell, is a leader in litigation pertaining to lead paint poisoning and the key partner behind the firm's recent trial success in this area. He is based at the firm's Providence, Rhode Island office.

**LITIGATION**

Mass tort and class action:  
plaintiff representation: toxic tort

**BARON & BUDD PC****MOTLEY RICE LLC**

Richardson, Patrick, Westbrook &  
Brickman, LLC  
Weitz & Luxenberg PC

**T**his section focuses on plaintiff representation of personal injury or public nuisance claims resulting from exposure to toxic substances, whether as a result of occupational hazard or environmental pollution.

**BARON & BUDD PC**

**PRACTICE:** Baron & Budd PC had an eventful 2008, with substantial organizational changes and noteworthy victories in litigation. Co-founder Fred Baron died prematurely in October 2008 shortly after the Dallas-headquartered firm had completed a consolidation with two firms, *Silber Pearlman*, also in Dallas, and *LeBlanc & Wadell* in Baton Rouge. The mergers were prompted by changes to the law in 2007, which reduced the potential for asbestosis litigation. The restructured firm now fields some 50 attorneys across offices in Dallas, Austin, Baton Rouge and Beverly Hills, California.

Although the major mass litigation in asbestosis and mesothelioma has passed, the firm continues to bring actions for smaller groups. For example, in March 2009, it successfully resolved a lawsuit in Philadelphia on behalf of six deceased victims of mesothelioma – four deaths resulted from occupational exposure to asbestos and the other two from exposure to adhesive containing asbestos.

In May 2008, the practice represented 153 public water providers – including municipalities, water agencies and private water companies – from 17 states, and achieved the largest settlement to date with the leading US oil companies over drinking water contamination caused by the gasoline additive methyl tertiary butyl ether (MTBE), a potential human carcinogen. The multi-district litigation (MDL) was heard in New York. The settling defendants include BP Amoco, Chevron and ConocoPhillips.

**INDIVIDUALS:** Russell Budd, who was a major force in asbestosis litigation, now has a more strategic role and advisory role; he brings considerable gravitas to a strong practice. Cary McDougal, who led in the MTBE litigation, is a formidable and experienced trial attorney, clearly capable of controlling the major class actions. Both are based in Dallas.

**MOTLEY RICE LLC**

**PRACTICE:** Motley Rice LLC is a strong plaintiff representation firm, currently probably better known for individual and small group representation than national class actions of the type in which the practice appeared in the days of major asbestosis claims. Headquartered in Mount Pleasant, South Carolina, the firm also has offices in Connecticut and Rhode Island. The ability of the practice to deal with complex and disputed claims is undoubted, and it is particularly strong in cases concerning industrial disease caused by toxic exposure. In early 2009, practice members succeeded in a jury trial, which found two defendants liable for injuries suffered by a worker as a result of the failure of his employers to warn of the dangers associated with welding consumables. Other claims currently being pursued include chromium groundwater contamination in New Jersey.

**INDIVIDUALS:** Anne Kears, in Mount Pleasant, is an experienced litigator in occupational health claims. John Herrick, also in Mount Pleasant, leads the occupational health practice and has considerable experience of asbestosis-related litigation. John McConnell, in Providence, Rhode Island, is the firm's lead litigator in environmental pollution.

**RICHARDSON, PATRICK, WESTBROOK & BRICKMAN, LLC**

**PRACTICE:** Richardson, Patrick, Westbrook & Brickman, LLC is headquartered in Charleston, North Carolina and has two other offices in the state. The 35-attorney firm's toxic-tort practice draws on the expertise of six attorneys who also litigate in other disciplines.

Representative instructions include acting as co-counsel in a class action in the US Virgin Islands arising out of contamination of hundreds of homes by bauxite residue, also known as red dust. In industrial cases, practice members represented 120 workers in West Virginia following their exposure to coal tar and creosote. Attorneys in the practice have considerable expertise in asbestosis-related litigation.

**INDIVIDUALS:** Charles Patrick is a name partner especially active in asbestos-related cases. Edward Westbrook includes environmental

pollution in his expert practice. Both are based in Charleston.

**WEITZ & LUXENBERG PC**

**PRACTICE:** New York-based Weitz & Luxenberg PC has a strong mass-torts practice which includes toxic exposure and pollution. The firm also represents individuals and small groups, particularly in industrial cases, where exposure to toxic materials such as asbestos, creosote and coal tar is alleged to have caused serious illness or death. In 2008, attorneys from the practice achieved a \$16.25m verdict in an asbestos lawsuit on behalf of a terminally ill retired dental technician who had been exposed to asbestosis while making castings for dentures using asbestosis-containing dental tape – the case was complicated by the plaintiff's exposure to asbestos while employed in other occupations. The practice also represented parties in the landmark MTBE pollution settlement announced in May 2008 when a number of major oil companies agreed settlement terms – the litigation continues against a minority of the defendants.

**INDIVIDUALS:** James Long is the practice leader in asbestosis litigation. Douglas von Oiste led in court in the asbestos dental tape trial. Both attorneys are based in New York.

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## Litigation • Mass tort and class action: plaintiff representation – toxic tort

**B**aron & Budd PC's core practice is in toxic court representation for individuals, municipalities and water providers. The firm has four offices – Dallas, Houston, Beverly Hills and Baton Rouge – with a complement of some 50 lawyers and 200 support staff. The firm's major seams of work in asbestosis and mesothelioma diminished following the 2007 legislative changes but, even in 2009, the successes continue. Dallas-based John Langdoc and Denyse Clancy succeeded in yet another case, this time in the California Appeal Court against compound manufacturer Georgia Pacific, and in December, Clancy had another success against a gasket manufacturer in Pennsylvania. Many of the firm's attorneys have considerable scientific expertise which has now been redirected into work involving water pollution, and other forms of toxicity including radiation, and industrial and agricultural chemicals. The firm's attorneys are also deeply involved in the "Chinese drywall" litigation, which spans anti-trust and toxic tort practices. In water pollution cases, Scott Summy, who also works from the Dallas office, was the firm's lead attorney in the unprecedented *In re: Methyl Tertiary Butyl Products Liability Litigation* (MTBE), in which, as co-lead counsel, the firm represented 180 municipalities, water providers and private well owners in a successful action against the majority of major oil refiners. Cary McDougal, continues to manage the numerous claims in the MTBE case.

### Litigation • Mass tort and class action: plaintiff representation – toxic tort

Baron & Budd PC  
Motley Rice LLC

1

Napoli Bern Ripka, LLP  
Richardson, Patrick, Westbrook & Brickman, LLC  
Weitz & Luxenberg PC

2

*Firms are listed alphabetically in tiers which are ranked according to priority*

**Motley Rice LLC**, a strong plaintiff representation firm, has acted in several practice areas, including toxic tort and environmental pollution within a strong practice. The 65-lawyer firm, which also has some 250 support staff, ranks as one of the largest plaintiff representation specialists in the US and is headquartered in Mount Pleasant, South Carolina with offices in New York, Washington DC, Connecticut and Rhode Island. Particular strengths in the practice include industrial toxic exposure, and industrial pollution. A representative action which was settled during 2009 involved lead pollution, Rhode Island-based Vincent Greene settled a lead poisoning case on behalf of 18 children in his home state who, having been exposed to lead in infancy, brought an action against former landlords alleging damage to health.

The firm also settled a soil contamination case during 2009 when the long-running *Corvello vs. New England Gas Co.* was settled. Anne Kearse, in Mount Pleasant, is an experienced litigator in occupational health claims including asbestosis. John Herrick, also in Mount Pleasant, leads the firm's asbestosis group and John McConnell directs the firm's environmental practice.

**Napoli Bern Ripka, LLP** is a plaintiff representation firm, headquartered in New York with additional offices in New Jersey and Pennsylvania, and with a nationwide practice which will undoubtedly be reinforced by the publicity which the firm received following its successful representation, as co-lead counsel, of over 10,000 police, firefighters, construction workers and others whose health was damaged in

the post 9/11 rescue mission and clean-up Twin Towers. The \$657m settlement with the City of New York and its contractors was announced in March 2010 after lengthy and difficult litigation. Marc Bern led on the case for the firm. The firm has a broad practice within plaintiff representation and environmental pollution and construction accidents both feature as the strong suits.

**Richardson, Patrick, Westbrook & Brickman, LLC** is headquartered in Charleston, North Carolina and has two other offices in the state. The 35-attorney firm includes a strong toxic tort practice within a wider offering, although the firm's more public profile recently has been in the Delta baggage class action and in connection with white-collar fraud. The firm remains active in asbestosis and mesothelioma actions although these have diminished in volume. The expertise of the firm has been redirected to other forms of toxic injury and recent actions, including bauxite contamination and health damage caused by exposure to coal tar and creosote. Charles Patrick is especially active in asbestos-related cases. Edward Westbrook includes environmental pollution in his expert practice. Both are based in Charleston.

**Weitz & Luxenberg PC** has a strong mass-tort practice, which includes toxic exposure and environmental pollution. The New York firm, which is noted for determined pursuit in the actions in which it is involved, represents individuals, small groups, municipalities and other institutions in transactions involving any form of toxicity. Historically, the firm is strongest in asbestosis-related claims, and this is still a significant element of the offering with recent successes involving dental tape and brake linings concluded for individual plaintiffs. Inevitably, expertise in other areas has developed as the number of class action asbestos claims has declined; for instance, members of the environmental pollution group represent numerous parties in the landmark MTBE litigation. James Long is the practice leader in asbestosis litigation. Douglas von Oiste has led in court in numerous asbestos actions.



# Finance

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## Leading lawyers

**Max Berger** Bernstein Litowitz Berger & Grossmann LLP

**Thomas Dubbs** Labaton Sucharow LLP

**Jay Eisenhofer** Grant & Eisenhofer P.A.

**Robert Kaplan** Kaplan Fox & Kilsheimer

**Steven Singer** Bernstein Litowitz Berger & Grossmann LLP

**Lawrence Sucharow** Labaton Sucharow LLP

brought by institutional investor plaintiffs against BankAtlantic. The firm and its co-counsel won millions of dollars in damages following a jury verdict of securities fraud after it was determined that the investors overpaid by \$2.40 per share between April 2007 and October 2007. The firm is also representing a number of US pension funds in a shareholder class action in federal court against Bank of America relating to the defendant's acquisition of Merrill Lynch. David Kessler and Marc Topaz are recommended.

**Bernstein Liebhard LLP's** successes in securities class action litigation include the high-profile \$400m settlement in *In re Marsh & McLennan Securities Litigation* and also the \$586m settlement in *In re Initial Public Offering Securities Litigation*. The firm's demonstrable expertise in this field means that it is regularly appointed to significant roles in complex or bellwether cases. The firm served as lead counsel in the securities MDL *In re Mutual Funds Investment Litigation*, which received the US District Court for the District of Maryland's final approval of the proposed settlements in October 2010. The case involved allegations that Canary Capital Partners had market-timed and late-traded in certain mutual fund families. The highly respected Stanley Bernstein is recommended along with Jeffrey Haber, Rebecca Katz and U Seth Ottensoser. The class action practice is underpinned by a Supreme Court and appellate practice group, which includes five former clerks of the US Courts of Appeals.

The Delaware litigation practice of **Grant & Eisenhofer P.A.** specializes in securities and derivative litigation as well as corporate governance on behalf of investing institutions. The firm has incrementally built up a sterling reputation in this field under the guidance of its co-founder and joint managing director, Jay Eisenhofer. Significant achievements include the \$2.8bn settlement on behalf of the Teachers' Retirement System of Louisiana and the Louisiana State Employees' Retirement System against Tyco International in a case involving acquisition accounting fraud by the company's former directors and officers. The firm also represented Pacific Investment Management Company in the securities class action in the US

District Court for the Southern District of New York against officers and directors of Rother defendants, a case in which have totaled over \$140m. Eisenhofer founder and joint managing director is also recommended.

**Kaplan Fox & Kilsheimer** is recognized for its expertise in securities litigation, where its six-partners have been selected as counsel by a number of funds in individual representation as actions. The firm is serving as co-lead two Ohio public pension funds in a securities action against Bank of America, which was brought in the US District Court for the District of New York. The consolidated class action complaint (CAC) arises from between Bank of America and Merrill Lynch, which alleges the defendant violated federal laws by making a series of highly misleading statements and omissions on a number of occasions. In 2010, the Court denied the defendant's motion to dismiss and upheld the lead plaintiff's motion allowing the case to proceed to discovery. Partners Robert Kaplan and Frederic Kilsheimer are the practice's key figures.

**Robbins Geller Rudman & Dowd LLP** is a sizeable firm with offices in San Francisco, New York, Boca Raton, Washington, Philadelphia and Atlanta. It has 180 attorneys who engage in complex litigation in a number of practice areas in addition to securities litigation, including corporate governance and derivative litigation. The firm has a significant practice representing investors, including public and mutual funds, brings standalone cases as well as filing class actions. The firm's reputation is bolstered by its achievement in *In re Enron Securities Litigation*, where it served as lead counsel for Enron investors and secured a settlement of more than \$7.3bn. The firm recently filed a series of complaints alleging violations of the federal laws against securities fraud, including Bank of America, American International Group, Washington Post and Wilmington Trust. Partner Darren Robbins is recommended.



## Litigation • Mass tort and class action: plaintiff representation – toxic tort

**B**aron & Budd PC is an industry leader in the field of toxic tort litigation. The firm represents all types of claimants, from individuals to municipalities, where exposure to toxic substances has led to injuries or economic loss. It fields more than 60 attorneys across offices in Dallas, Houston, Beverly Hills and Baton Rouge, allowing it to resource the most complex cases. Head of the water contamination practice Scott Summy is highly regarded for his work in the MTBE contamination litigation. His reputation saw him recently selected to serve on the plaintiffs' steering committee as well as the executive committee in the Gulf Coast oil spill MDL, which was consolidated in the US District Court for the Eastern District of Louisiana in August 2010. Russell Budd and Bruce Steckler are also recommended.

**Weitz & Luxenberg PC's** attorneys are '*masters in the field*' in asbestos litigation, for years having been at the forefront of these cases and recovered billions of dollars in settlements and verdicts. In 2010, it was selected to serve on the plaintiffs' steering committee in the Gulf Coast oil spill MDL, a selection that consolidated the firm's prominent reputation in toxic tort cases. With 60 lawyers, it is one of the largest personal injury and mass tort plaintiffs' firms in New York. It also has an office in New Jersey and recently opened an office in Los Angeles, which is managed by the seasoned Joseph Maher. Robert Gordon, who co-led the MTBE litigation against the oil and gas industry on behalf of 153 public and private drinking water systems nationally, is the firm's most renowned trial lawyer. The highly rated Robin Greenwald

### Litigation • Mass tort and class action: plaintiff representation – toxic tort

Baron & Budd PC

Weitz & Luxenberg PC

1

Motley Rice LLC

Napoli Bern Ripka, LLP

Richardson, Patrick, Westbrook & Brickman, LLC

2

*Firms are listed A-Z within tiers*

heads the environmental toxic tort practice and focuses her own work on vapor intrusion, contaminated water and toxic emissions from landfill. Frank Ortiz and Lisa Nathanson Busch are also recommended.

After beginning its practice representing victims in occupational disease and workers' rights cases, **Motley Rice LLC** has expanded its practice into a number of toxic tort areas including asbestos and environmental matters such as ground water or soil contamination and vapor intrusion. In addition to its headquarters in Mount Pleasant, South Carolina, the firm also has several other offices including one in Los Angeles (operated as **Motley Rice LLP**), and another in Washington DC. The firm is currently litigating cases in relation to the catastrophic spill following the explosion of BP's Deep Water

Horizon oil well. In the occupational disease space, it is representing military veterans against several defense contractors including KBR Inc and Halliburton Company, alleging that prolonged exposure to burn pit emissions on military bases in Iraq and Afghanistan caused injuries including chronic illnesses. In December 2010, the US District Court judge in Greenbelt, Maryland, announced a stay of discovery until the Court of Appeals for the Fourth Circuit has ruled on three related cases. Name partners Ronald Motley and Joseph Rice are well established and highly respected figures in the field. Other recommended individuals include Anne McGinness Kearse, whose practice focuses on occupational health injuries; John Herrick, who leads the occupational disease practice; and John McConnell, who heads the environmental practice.

**Napoli Bern Ripka, LLP** is a three-partner firm supported by 24 other lawyers in New York, New Jersey, Pennsylvania and Oklahoma, and which has plaintiffs' personal injury and medical malpractice cases as its core areas of expertise. The firm's capabilities in mass tort litigation were nationally recognized following its role as plaintiffs' co-liaison counsel in achieving the \$657m settlement relating to September 11 injury claims. It also acted for homeowners in Florida in environmental contamination claims that settled favorably. Marc Bern and Paul Napoli are recommended and have expertise including MTBE and other chemical contamination.

**Richardson, Patrick, Westbrook & Brickman, LLC**, which has three offices across South Carolina, makes toxic tort one of its main practice areas. The firm represents individuals and government entities in complex litigation including class actions and multi-district litigation. Recently, the firm's environmental work has focused on the intrusion of trichloroethylene (TCE) and benzene vapors into households from groundwater contamination. In other work, Jerry Evans and Gordon Rhea recently served as lead counsel for refinery workers as plaintiffs in toxic exposure lawsuits brought against Hess Oil Virgin Islands Corporation and Hess Corporation. The plaintiffs alleged that prolonged exposure to catalyst dust generated during the oil-refining process caused harm. A confidential settlement was reached late in 2010 after three weeks of trial in the Virgin Islands.



## Litigation • Product liability and mass tort defense: aerospace/aviation

**C**ondon & Forsyth LLP's 'widely admired' practice provides 'a consistently high level of service' and continues to enjoy a solid reputation as one of the leading firms for aerospace mass tort and product liability litigation. Its attributes include 'industry knowledge that is always in-depth' and its 'excellent value for money'. Among the practice's high-profile roles is its representation of American Airlines in property damage and wrongful death litigation arising from the World Trade Center terrorist attacks; and acting as lead counsel to Colgan Air regarding the crash of Continental Connection Flight 3407 near Buffalo, New York, in 2009. In the World Trade Center litigation, the group also acts as liaison counsel for all other airline, airport and security company defendants. It is also acting for Embraer in connection with the Henan Airlines ERJ-190 accident at Lindu Airport in China in August 2010. Other work includes representing parties in accidents arising from the Sudan Airways Flight 109 in Khartoum, Sudan; Airblue Flight 202 in Islamabad, Pakistan; and Aeroflot-Nord Flight 821 near Perm, Russia. Recent successes include the dismissal of a class action against British Airways in a case arising from transport disruptions involving more than 30,000 passengers. The Los Angeles office complements the New York team and is often involved in military product liability cases. The internationally renowned Desmond Barry and Christopher Christensen in New York, along with Los Angeles-based Frank Silane, 'give practical and user-friendly advice' and 'look for solutions'. Also recommended are Scott Cunningham and Richard Lazenby in Los Angeles, as well as Stephen

### Litigation • Product liability and mass tort defense: aerospace/aviation

Condon & Forsyth LLP  
Cozen O'Connor  
Morrison & Foerster LLP  
Perkins Coie LLP

1

Adler Murphy & McQuillen  
Bryan Cave LLP  
Hogan Lovells US LLP  
Nixon Peabody LLP  
Reed Smith LLP  
Schnader Harrison Segal & Lewis LLP  
Sidley Austin LLP

2

Debevoise & Plimpton  
Dombroff Gilmore Jaques & French  
Holland & Knight LLP  
Jones Day  
Treece Alfrey Musat & Bosworth

3

*Firms are listed A-Z within tiers*

Stegich, David Harrington, John Horenstein and Marshall Turner in New York.

Cozen O'Connor's aviation and product liability practice provides comprehensive and

forceful defense of its clients' interests. The firm has proven adept in acting both as national coordinating counsel and as lead trial counsel, and is renowned for its broad-ranging advice. The

# United States > Litigation > Mass tort and class action: plaintiff representation - toxic tort

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| 2 | Motley Rice LLC<br>Richardson, Patrick, Westbrook & Brickman, LLC |

### Leading lawyers

Russell Budd - Baron & Budd PC  
Robert Gordon - Weitz & Luxenberg PC  
Perry Weitz - Weitz & Luxenberg PC

**Baron & Budd PC's** '*excellent*' team comprises 40 attorneys including nine partners and represents individuals and entities nationally. The team provides '*outstanding*' levels of service throughout the litigation cycle. Having originally developed its reputation specializing in asbestos cases, the firm now has a diversified practice in toxic tort including water contamination, oil spill and Chinese drywall cases. The firm remains strong in litigating asbestos-related mesothelioma cases and trial attorney John Langdoc recently achieved a \$48m verdict on behalf of a mesothelioma patient and his family, including \$18m in punitive damages. Scott Summy, who heads the water contamination practice group, recently served as lead counsel in litigation concerning the contamination of groundwater with atrazine. In May 2012, preliminary approval was granted for a proposed settlement of \$105m granted to public water providers found to have atrazine in their source water. Russell Budd and Steve Baron are key figures in the practice.

**Napoli Bern Ripka, LLP** is noted for '*tackling difficult cases*' and is '*respected*' by co-counsel. It has increased its geographical profile with the opening of new offices in Delaware and Maryland and an additional office in Orange County in 2012, and now has a total of 11 offices nationally. All offices are able to handle asbestos-related mesothelioma claims and the New York, Colorado and Florida offices also handle environmental toxic tort claims. The '*excellent*' Paul Napoli and Marc Bern achieved a \$10m oil spill settlement against several oil companies for personal injury and property damage on behalf of over 300 Brooklyn residents. Marc Bern was appointed to the plaintiffs' executive committee to oversee a \$7m class action settlement for MTBE contamination, which was approved by the court in June 2012. The firm remains active on 'fracking' cases, where it is currently handling a number of cases for individuals. Ethan Horn, who joined the firm in 2012, acts almost exclusively in asbestos claims and heads the Orange County office.

New York-headquartered **Weitz & Luxenberg PC** represents victims and families in states including New York, New Jersey and Pennsylvania. The firm has a strong reputation in mesothelioma cases and represents client in environmental litigation including 'fracking', lead or mercury poisoning, arsenic contaminated tap water, exposure to benzene, landfill odors, and property damage caused by toxins. The firm's chief trial lawyer, the '*superb*' Robert Gordon, represented individuals and businesses affected as a result of the *Deepwater Horizon* oil spill. Of counsel Robin Greenwald heads the environmental toxic tort litigation group and has represented clients in MTBE groundwater contamination cases. Founding partners Arthur Luxenberg and Perry Weitz are key names and Weitz is well known for his expertise in settlement negotiations.

**Motley Rice LLC** has offices in South Carolina, Rhode Island, Louisiana, Connecticut, New York, West Virginia, Washington DC and California. The firm has a '*renowned*' practice in asbestos-related mesothelioma claims and represents victims across the US and Canada. The firm's natural resources damages practice represents state agencies in disaster cases following environmental contamination after the release of oil and other hazardous materials. The 22-attorney environmental team litigates property damage and personal injury claims and the firm continues to be active in childhood lead poisoning cases. Fidelma Fitzpatrick is currently litigating nuclear contamination cases on behalf of Pennsylvania and Tennessee residents who allege that local nuclear facilities exposed them to hazardous levels of toxic or radioactive material in the surrounding air, soil and water. Founding partner, Ronald Motley is an '*excellent*', experienced trial lawyer in asbestos and tobacco cases.

**Richardson, Patrick, Westbrook & Brickman, LLC** has continued to focus its practice on groundwater contamination cases involving trichloroethylene (TCE) and benzene vapors. Additionally, in 2012, Jerry Evans and of counsel Gordon Rhea negotiated a settlement on behalf of over 70 former workers exposed to toxic dust generated during the oil refinery process

at the Hovensa Oil Refinery in St Croix, US Virgin Islands. Michael Brickman and J David Butler are recommended for asbestos-related claims.



## Litigation • Mass tort and class action: plaintiff representation – toxic tort

**D**allas-headquartered Baron & Budd PC has built a strong reputation nationwide in toxic tort multi-district litigation, and it has additional offices in Miami,

Los Angeles and Baton Rouge to provide coast-to-coast coverage across the southern US. The firm has several groups that handle toxic tort: the water contamination litigation group, general litigation group and asbestos litigation group. Bruce Steckler serves on the plaintiff's steering committee in *In re Chinese-Manufactured Drywall Products Liability Litigation* in the US District Court for the Eastern District of Louisiana, and in late 2011 a settlement was reached with one of the manufacturers of the defective drywall products. Other matters for the group include its involvement in *In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico*, a case in which Scott Summy serves on the plaintiff's executive committee. Summy is also acting as lead counsel in a number of atrazine (groundwater contamination) cases. 'Known name' Russell Budd and Burton LeBlanc are also highly recommended.

Defense lawyers recognize Weitz & Luxenberg PC's 'particularly strong reputation' in this space. It is renowned for asbestos cases and, in June 2011, it achieved a \$22m asbestos verdict against Goodyear Tire and Rubber Co, and Goodyear Canada. The practice also encompasses a wide variety of environmental contamination matters including arsenic, benzene, lead poisoning, water contamination, and vapor intrusion, as well as the *Deepwater Horizon* Gulf oil spill. The firm has offices in New York, New Jersey and Los Angeles,

### Litigation • Mass tort and class action: plaintiff representation – toxic tort

Baron & Budd PC  
Weitz & Luxenberg PC

1

Motley Rice LLC  
Napoli Bern Ripka, LLP  
Richardson, Patrick, Westbrook & Brickman, LLC

2

*Firms are listed A-Z within tiers*

and fields a number of strong names including Robert Gordon; of counsel Robin Greenwald, who heads the environmental and toxic tort practice; and associates Frank Ortiz and Lisa Nathanson Busch. Joseph Maher left the firm to set up his own practice.

Motley Rice LLC represents plaintiffs in individual cases, mass tort and class actions. The firm is headquartered in Charleston, South Carolina, and has several other offices. Its expertise includes occupational disease and toxic tort, such as asbestos and mesothelioma, and environmental contamination and lead poisoning cases. It is involved in the *Deepwater Horizon* oil spill litigation and also continues to represent military veterans against defense contractors, alleging injuries caused by prolonged exposure to burn pit emissions on military bases in Iraq and Afghanistan. The group has achieved

successes in cases such as *State of Rhode Island v Lead Industries Association* and *Oklahoma v Tyson Foods*. Firm co-founder Joseph Rice has developed a track record in negotiating settlements with asbestos manufacturers emerging from bankruptcy. Name partner Ronald Motley, Anne McGinness Kears, and John Herrick are also recommended.

Napoli Bern Ripka, LLP has a nationally recognized practice, which is reflected in it having offices across the country, including New York, New Jersey, Philadelphia (Pennsylvania), Coconut Grove (Florida), El Segundo (California) and Edwardsville (Illinois). Paul Napoli has been instrumental in a number of successes, including the settlement in *In re World Trade Center Disaster Site Litigation*, in which Napoli had been appointed plaintiff's liaison counsel, and in *In re MTBE (Methyl Tertiary Butyl Ether) Products*

## Leading lawyers

Russel Budd Baron & Budd PC  
Robert Gordon Weitz & Luxenberg PC  
Perry Weitz Weitz & Luxenberg PC

*Liability Litigation.* In this latter case, Napoli helped to obtain a \$50m-plus settlement with ExxonMobil and other defendants for numerous municipalities and water districts whose drinking water sources were contaminated. The group is also recognized nationally for its strength in plaintiff representation in personal injury and medical malpractice cases. Marc Bern is also recommended.

Richardson, Patrick, Westbrook & Brickman, LLC has expertise in complex dispute resolution across a variety of areas, including toxic torts such as those arising from environmental issues or asbestos, among others. It continues to concentrate on groundwater contamination cases involving vapor intrusion of trichloroethylene (TCE) and benzene into households. Jerry Evans and Gordon Rhea are experts in toxic exposure lawsuits. Michael Brickman is also recommended.

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**MASS TORT AND CLASS ACTION: PLAINTIFF REPRESENTATION  
– TOXIC TORT****1**

Baron & Budd PC  
 Napoli Bern Ripka Shkolnik LLP  
 Weitz & Luxenberg PC

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**2**

Motley Rice LLC  
 Richardson, Patrick, Westbrook & Brickman, LLC

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**LEADING LAWYERS**

Russell Budd Baron & Budd PC  
 Robert Gordon Weitz & Luxenberg PC  
 Perry Weitz Weitz & Luxenberg PC

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**Baron & Budd PC** has four offices across Texas, Louisiana and California and acts for clients nationwide; mandates typically include cases relating to asbestos, groundwater contamination, Chinese drywall, and Proposition 65. Scott Summy, heads the firm's specialist water contamination team, which is a popular choice among public water providers and school districts owing to its '*particular expertise*'; it is currently representing over 30 water providers in atrazine litigation and is co-lead counsel in MTBE contamination litigation. In 2013 John Langdoc served as lead counsel in the *Sidney Mabile v Dow Chemical Co* litigation, where the plaintiff was awarded \$5.95m as a result of suffering exposure to asbestos; Steve Baron leads the firm's asbestos litigation team. Russell Budd is also recommended. The attorneys listed are based in Dallas.

The 20 fee-earner team at **Napoli Bern Ripka Shkolnik LLP** operates from offices in New York, Maryland, New Jersey, Illinois, Delaware, Pennsylvania, Florida and California. From the New York office, Paul Napoli and Marc Bern are representing 1500 plaintiffs who were part of the World Trade Center clean-up operation following 9/11 in a case relating to the victim compensation fund. Bern is also representing plaintiffs in a case currently pending in Atlanta, Georgia concerning contamination from a coal-fired plant in the area around Macon. In 2013 Patrick Haines, who is primarily focused on asbestos litigation, joined from [The Lanier Law Firm](#) and senior associate Diane Coffey joined from a government position.

**Weitz & Luxenberg PC** is active in mesothelioma and environmental pollution claims such as cases involving benzene, water contamination and pesticides. The firm has recently filed litigation against Northrop Grumman Corporation on behalf of Bethpage, New York's water district in a groundwater contamination case. Other recent work includes representing plaintiffs exposed to asbestos while working as steamfitters, plumbers and construction workers; they were awarded



\$190m by the New York Supreme Court. Among the recommended attorneys are of counsel and environmental head Robin Greenwald, who is '*very respected in groundwater litigation*', co-founder Perry Weitz and the firm's chief trial lawyer Robert Gordon are recommended. Named attorneys are based in the firm's New York office.

**Motley Rice LLC** '*commands respect*' from its peers. The firm is active in litigation surrounding mesothelioma and asbestos, benzene and burn pits, as well as environmental contamination, natural resources damage and lead poisoning litigation. The firm is spread through the US, with offices in South Carolina, Rhode Island, Louisiana, Connecticut, New York, West Virginia, Washington, DC and California. In 2013 New York-based Fidelma Fitzpatrick served as co-lead trial counsel in *The People of California v Atlantic Richfield Company et al*, where the firm assisted ten Californian cities and counties in litigation brought against lead paint companies for creating a public nuisance by concealing the dangers of lead, amongst other claims. The court awarded over \$1bn in a ruling finalized in January 2014. Co-founder Joseph Rice, who is based in the firm's Mount Pleasant office, is a '*leader in the toxic tort industry*'.

**Richardson, Patrick, Westbrook & Brickman, LLC** has four offices across South Carolina and Illinois. A mix of individuals, corporations and governments call upon the group for its expertise in areas such as mesothelioma and asbestos, toxic dust, environmental and natural resources damage litigation. It has recently increased its focus on trichloroethylene TCE and benzene groundwater contamination. Jena Borden, Michael Brickman, Charles Patrick, who are all in the firm's Charleston office, and Edward Westbrook, who is in the firm's Mount Pleasant office, are names to note.

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### Leading lawyers

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  - Russell Budd - Baron & Budd, P.C.
  - Robert Gordon - Weitz & Luxenberg PC
  - Perry Weitz - Weitz & Luxenberg PC

The Los Angeles-based group at **Baron & Budd, P.C.** continues to represent plaintiffs in a number of high-profile environmental and asbestos lawsuits across the US, including the oil spill in the Gulf of Mexico. Environmental litigation practice head Scott Summy is currently representing a public school district in Massachusetts against Monsanto in a lawsuit alleging the company was aware of the dangers of polychlorinated biphenyls (PCBs) as early as the 1930s but failed to warn of the severe dangers associated with PCBs and their use in common building materials. Laura Baughman and Thomas

Sims are leading the firm's California Proposition 65 litigation team in representing the Environmental Law Foundation (ELF) against numerous food companies in cases involving elevated levels of lead in food products marketed for children and babies. Steve Baron and Russell Budd are other key names.

Marc Bern and Alan Ripka head the team at **Bern Ripka LLP**, following the demerger of Napoli Bern Ripka Shkolnik LLP. The New York-based team is experienced in a wide range of toxic tort litigation, including asbestos exposure and carbon monoxide poisoning. Trial veteran Joseph Cappelli has particular expertise in identifying chemical-related workplace hazards in the rail industry. Edward Marcowitz has extensive experience of representing individuals who were exposed to toxic chemicals in the aftermath of the 9/11 terrorist attacks.

Paul Napoli (who is now of counsel) and Hunter Shkolnik founded **Napoli Shkolnik PLLC** following the demerger of Napoli Bern Ripka Shkolnik LLP. The firm's strong environmental litigation team regularly handles litigation involving oil spills, water contamination, chemical explosions and pesticide use. It is currently representing individuals in high-profile litigation related to the ongoing Flint, Michigan Water Crisis (pertaining to lead in drinking water). New York-based Marie Napoli, Miami-based Louise Caro and Edwardsville-based Patrick Haines are also recommended.

At **Weitz & Luxenberg PC**, of counsel Robin Greenwald was recently appointed to a leadership role in the high-profile federal MDL against Volkswagen alleging that Volkswagen sold consumers diesel vehicles programmed to pass smog tests by cheating, which resulted in significant pollution and the substantial devaluation of the vehicles. Greenwald is also leading the firm in representing 25 families in a lawsuit against Southern California Gas co. (SoCalGas) and Sempra Energy before the Superior Court for the County of Los Angeles following a gas leak at SoCalGas' Aliso Canyon gas storage facility, which exposed residents in the community to noxious odors, gases, chemicals and numerous other pollutants and contaminants. Co-founder Perry Weitz and trial veteran Robert Gordon are also recommended. All partners listed are based in New York.

**Motley Rice LLC** has an impressive track record in a wide range of asbestos and toxic litigation, including hazardous chemical exposure, burn pit exposure and lead poisoning. Anne Kearse often represents employees diagnosed with mesothelioma following asbestos exposure in the chemicals, electric power generation and construction industries, as well as victims of residential exposure. Led by Jodi Flowers, the firm continues to file claims on behalf of first responders, clean-up workers and residents exposed to toxic chemicals following the 9/11 terrorist attacks. Joseph Rice is one of the lawyers appointed to the plaintiffs' steering committee in the Volkswagen emissions fraud case in the Northern District of California. The team is based in Mount Pleasant.

**Richardson, Patrick, Westbrook & Brickman, LLC** has extensive experience in handling asbestos and environmental litigation, with particular expertise in representing plaintiffs who have suffered property damage arising from the removal of asbestos from their homes or places of business. Karl Novak has a strong track record of filing claims on behalf of workers who developed cancer and lung disease as a result of asbestos exposure. Environmental experts Jerry Evans and of counsel Gordon Rhea successfully assisted the Virgin Islands with negotiating settlements amounting to over \$125m arising from groundwater contamination caused by oil refineries along the southern coast of St. Croix. Barnwell-based J David Butler, Gregory Lofstead and Charleston-based Michael Brickman are also recommended. All lawyers are based in Mount Pleasant unless otherwise stated.

**Simmons Hanly Conroy** often represents clients in high-stakes complex litigation across its offices in Illinois, New York, California and Missouri. The highly experienced Jayne Conroy in New York acted as co-chair of the Environmental Testing Committee in the MDL arising from the Deepwater Horizon oil spill in the Gulf of Mexico, which recently concluded with a total national settlement of \$20.9bn. Founder John Simmons, who is based in Chicago, has an impressive track record of obtaining significant verdicts and settlements for plaintiffs in asbestos litigation. Paul Hanly in New York and Michael Angelides in Chicago are also recommended.



**Watson, Erin S.**

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**From:** Mike Nash <editorial@legal500.com>  
**Sent:** Wednesday, June 03, 2015 7:21 AM  
**To:** Thompson, Laura E.  
**Subject:** The Legal 500 United States 2015 rankings released

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Dear Ms Thompson,

The Legal 500 United States 2015 is now available to view online. You can view the results at <http://www.legal500.com/c/united-states>.

**Motley Rice LLC has been recommended in the following practice area:**

**UNITED STATES**

- Litigation - Mass tort and class action: plaintiff representation - toxic tort

**3 lawyers are recommended in The Legal 500 United States 2015 editorial (listed below)**

**UNITED STATES**

Litigation - Mass tort and class action - plaintiff representation – toxic tort

- John Herrick
- Joseph Rice
- Robert McConnell

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Kind regards

**Mike Nash**

**Chief Editor - The Legal 500 series**  
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At **Weitz & Luxenberg PC**, of counsel Robin Greenwald was recently appointed to a leadership role in the high-profile federal MDL against Volkswagen alleging that Volkswagen sold consumers diesel vehicles programmed to pass smog tests by cheating, which resulted in significant pollution and the substantial devaluation of the vehicles. Greenwald is also leading the firm in representing 25 families in a lawsuit against Southern California Gas co. (SoCalGas) and Sempra Energy before the Superior Court for the County of Los Angeles following a gas leak at SoCalGas' Aliso Canyon gas storage facility, which exposed residents in the community to noxious odors, gases, chemicals and numerous other pollutants and contaminants. Co-founder Perry Weitz and trial veteran Robert Gordon are also recommended. All partners listed are based in New York.

**Motley Rice LLC** has an impressive track record in a wide range of asbestos and toxic litigation, including hazardous chemical exposure, burn pit exposure and lead poisoning. Anne Kearse often represents employees diagnosed with mesothelioma following asbestos exposure in the chemicals, electric power generation and construction industries, as well as victims of residential exposure. Led by Jodi Flowers, the firm continues to file claims on behalf of first responders, clean-up workers and residents exposed to toxic chemicals following the 9/11 terrorist attacks. Joseph Rice is one of the lawyers appointed to the plaintiffs' steering committee in the Volkswagen emissions fraud case in the Northern District of California. The team is based in Mount Pleasant.

**Richardson, Patrick, Westbrook & Brickman, LLC** has extensive experience in handling asbestos and environmental litigation, with particular expertise in representing plaintiffs who have suffered property damage arising from the removal of asbestos from their homes or places of business. Karl Novak has a strong track record of filing claims on behalf of workers who developed cancer and lung disease as a result of asbestos exposure. Environmental experts Jerry Evans and of counsel Gordon Rhea successfully assisted the Virgin Islands with negotiating settlements amounting to over \$125m arising from groundwater contamination caused by oil refineries along the southern coast of St. Croix. Barnwell-based J David Butler, Gregory Lofstead and Charleston-based Michael Brickman are also recommended. All lawyers are based in Mount Pleasant unless otherwise stated.

**Simmons Hanly Conroy** often represents clients in high-stakes complex litigation across its offices in Illinois, New York, California and Missouri. The highly experienced Jayne Conroy in New York acted as co-chair of the Environmental Testing Committee in the MDL arising from the Deepwater Horizon oil spill in the Gulf of Mexico, which recently concluded with a total national settlement of \$20.9bn. Founder John Simmons, who is based in Chicago, has an impressive track record of obtaining significant verdicts and settlements for plaintiffs in asbestos litigation. Paul Hanly in New York and Michael Angelides in Chicago are also recommended.

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## Product liability, mass tort and class action: toxic tort - plaintiff

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  - Napoli Shkolnik PLLC
  - Weitz & Luxenberg PC
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  - Motley Rice LLC
  - Richardson, Patrick, Westbrook & Brickman, LLC
  - [Simmons Hanly Conroy](#)

## Leading lawyers

1. 1
  - Russell Budd - Baron & Budd, P.C.
  - Robert Gordon - Weitz & Luxenberg PC
  - Perry Weitz - Weitz & Luxenberg PC



**WHO  
REPRESENTS  
WHO**

Find out which law firms are representing which **Product liability, mass tort and class action: toxic tort - plaintiff** clients in **United States** using

*The Legal 500's* new comprehensive database of law firm/client relationships. Instantly search over **925,000 relationships**, including over **83,000 Fortune 500**, **46,000 FTSE350** and **13,000 DAX 30** relationships

globally. Access is free for in-house lawyers, and by subscription for law firms. For more information, contact

[david.burgess@legal500.com](mailto:david.burgess@legal500.com).

[CLICK HERE TO VISIT THE WHO REPRESENTS WHO SITE](#)

**Baron & Budd, P.C.** continues to handle a diverse range of environmental litigation brought against high-profile companies, covering water contamination, PCB and Proposition 65-related cases. Dallas-based environmental litigation head Scott Summy has been acting as co-counsel to the State of Rhode Island in an MTBE groundwater contamination lawsuit brought against nearly three dozen oil companies. Also in Dallas, John Fiske has been leading the representations for the city of Portland in a lawsuit brought against Monsanto before Oregon District Court regarding widespread PCB contamination in various Portland water bodies, including the Willamette River and Columbia Slough. The firm continues to act for plaintiffs in

various litigation, including the Porter Ranch gas leak and Butte Wildfire lawsuits. Co-founder Russell Budd and of counsel Mark Pifko are recommended in the firm's Dallas and Los Angeles offices respectively.

New York-based firm **Napoli Shkolnik PLLC** excels in representing plaintiffs in a broad range of environmental and asbestos litigation, including personal injury and mass tort work. The firm continues to represent a number of plaintiffs in a class action lawsuit concerning the high-profile Flint water crisis in Michigan. It has also been acting for plaintiffs in the Wheatfield lawsuit arising from claims of chemical contamination from the Niagara Sanitation Landfill site. The group has also been acting for military personnel who resided in Camp Lejeune, North Carolina between 1953 and 1987 in a water contamination case. Key partners include Marie Napoli, Hunter Shkolnik and of counsel Paul Napoli.

**Weitz & Luxenberg PC** specializes in bringing asbestos, water contamination and other environmental lawsuits against members of the oil and gas industry. New York-based of counsel Robin Greenwald, who heads the environmental pollution group, has been leading the team in representing a number of plaintiffs in a class action lawsuit filed in Payne County, Oklahoma concerning claims of fracking-induced earthquakes. In Cherry Hill, Jerry Kristal obtained a \$75m verdict for two plaintiffs in asbestos litigation brought against Dana Companies and Fel-Pro, which were among other defendants that previously settled. Associate Danny Kraft in New York successfully won a \$12.5m verdict brought against Caterpillar on behalf of an individual who developed lung cancer due to asbestos exposure. Key names include co-founder Perry Weitz and of counsel Robert Gordon, both of whom are in New York.

**Motley Rice LLC** has deep experience acting for plaintiffs in asbestos and toxic exposure cases. The firm has been representing various plaintiffs in long-term asbestos litigation brought against Matson regarding the deaths of three seamen caused by asbestos exposure; in 2016, a Third Circuit appellate panel overturned a 2014 decision to dismiss the lawsuit. Charleston-based associate John Guerry has been representing a former Tennessee senator in asbestos exposure litigation. Notable partners include Jodi Flowers and Joseph Rice, who continues to act for clients on the plaintiffs' steering committee in the high-profile Volkswagen emissions fraud case. All partners are based in Mount Pleasant, South Carolina unless otherwise stated.

**Richardson, Patrick, Westbrook & Brickman, LLC's** Mount Pleasant-based group often handles class actions and MDLs concerning asbestos and environmental litigation. Christopher Tuck represented a number of homeowners in a class action against Horry Electric following the discovery of mold growing in the plaintiffs' shrink-wrapped homes; in 2016, the defendant's motion to disqualify certain plaintiffs as class members was opposed and the South Carolina Court of Appeals affirmed the terms of the \$6m settlement. The team includes J David Butler in Barnwell, Michael Brickman in Charleston and Gregory Lofstead. Jay Ward is now at McGowan, Hood & Felder, LLC.

**Simmons Hanly Conroy** has deep experience handling historical asbestos and chemical exposure cases, as well as oil-related contamination work. New York-based co-head Jayne Conroy is often appointed as a member of plaintiffs' steering committees in high-profile litigation, including the Volkswagen 'clean diesel' MDL. In Alton, Illinois founder John Simmons concentrates on asbestos litigation. The firm is also led by Michael Angelides in Alton and New York-based Paul Hanly, whose experience prior to joining the firm included serving as national trial and settlement counsel to corporations in asbestos litigation. Paul Lesko is now at **Peiffer Rosca Wolf Abdullah Carr & Kane**.



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## THE LEGAL 500 UPDATES &gt; HOW DOES IT WORK?

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BY COUNTRY

Afghanistan

Albania

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Angola

Argentina

Armenia

Australia

## HOW DOES THE LEGAL 500 RANK FIRMS/SETS?

When reviewing the performance of a firm or department we use various criteria; our focus is on the bench strength of the team (including partners and associates), and the consistency of quality of the individuals within the team. Our assessment will be influenced by all the things that make the complete practice in that field. Areas that are considered include (but are not limited to):

- Very strong technical ability available for the most complex and innovative work
- Most prestigious clients
- Individuals with the contacts at, and credibility with, the top clients
- In-depth capability beyond star partners
- Capacity for the biggest transactions/cases
- Market share
- Historical track record on top deals/cases
- Clear investment for the future in a particular practice area
- Progress made with acquiring new clients/ market share
- Strength in associated areas – eg can an M&A department undertake competition work to an equal standard?
- Reputation for handling complex, innovative deals
- Capacity to handle all client requirements in an area – eg international offices/connections
- Commitment to IT and the use of IT to improve client services
- Perception in the market.

## HOW DOES THE LEGAL 500 RESEARCH WORK?

The client research undertaken for The Legal 500 has two main threads and encompasses both qualitative and quantitative analysis. Each year we write to firms inviting them to provide information on their specialist areas of practice, and requesting specific details of work undertaken in the preceding year (some of which will be confidential and not in the public domain). This approach gives us a standard level and quality of data which, in turn, enables us to benchmark legal services providers with both more precision and more assurance.

We conduct interviews in person or by telephone with specialist attorneys in each subject area – generally the head of department or nominated partner. We also conduct interviews with chief executives, managing and senior partners of law firms, and practice managers. This helps us to obtain a clear picture of the direction the firm is taking and its strategy.

We contact 300,000 clients asking for feedback on the lawyers they instruct. Additionally, our team has regular contact with commerce and industry throughout the year as part of our ongoing research. Although interviewees are often in-house counsel, they are by no means exclusively so; in many cases it is the chief executive or finance director who has strategic responsibility for the buying decision, even where it is the in-house function that may have more day-to-day dealings with the actual providers. We interview investment bankers, commercial bankers and accountants who work regularly with lawyers.

Interviews are based on a standard-form questionnaire. However, supplementary questions and more wide-ranging conversations about both specific law firms and the key issues which inform the purchase of legal services are in fact the norm. This is not least because interviews are conducted by experienced journalists and researchers with a considerable depth of market knowledge. All interviews are non-attributable. Over the course of the year, we also receive numerous unsolicited comments and recommendations from clients.

As well as contacting those clients referred to us by law firms for the purposes of verification of their submissions, we benchmark these findings against a detailed representative sample of the world's leading companies. In particular, we ensure that we have contacted a statistically valid sample of leading clients when ranked either by market cap, by business sector, or by region.



## THE LEX 100

The University  
of Law  
embodying The College of Law

The student guide to law

## US ROUNDTABLE



Austria
Azerbaijan
Bahamas
Bahrain
Bangladesh
Belarus
Belgium
Benin
Bermuda
Bolivia
Bosnia and Herzegovina
Botswana
Brazil
British Virgin Islands
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Cayman Islands
Chad
Chile
China
Colombia
Congo
Costa Rica
Croatia
Cyprus
Czech Republic
Côte d'Ivoire
Denmark
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Ecuador
Egypt
El Salvador
Estonia
Ethiopia
Finland
France
Georgia
Germany
Ghana
Gibraltar
Greece
Guatemala
Guernsey
Guinea
Honduras

WHO USES THE LEGAL 500 AND HOW?

The Legal 500 falls into two distinct parts: the editorial section and the directory section. The editorial section is a mixture of factual information and commentary. This commentary consists of a general review of which firms do what types of work, and which firms are generally reckoned by their clients and peers to have a 'good name'. The editorial is based largely on the combined opinions of the many corporate counsel and law firm clients who cooperated in the research in each practice area. Accordingly, it is important to appreciate that the editorial lists should not be taken as a definitive statement on law firms, but rather as a starting point for discussion.

All editorial comments and listings are completely independent and no firm has been able to secure its inclusion within the editorial sections through payment.

The directory section is made up of professional cards based on information supplied by the firms and approved by them prior to publication.

THE EDITORIAL

The views expressed in the editorial sections represent the opinions of the editors, with no assumption of legal liability or responsibility for mistakes or inaccuracies. The research for the editorial is based on the combined opinions of the many attorneys interviewed in each practice area, commentary from corporate clients and analysis of deals or contentious issues reported. It is important to note that the editorial is therefore a subjective overview, based on systematic research. The tables of recommendations are divided into groups: firms are listed in tiers in order of priority, and alphabetically within tiers. Furthermore, the firms have been sorted alphabetically by using the first name or initial of the firm (ie the last firm listed in a group is as strongly recommended as the first firm listed in that tier).

THE DIRECTORY

The directory section contains professional cards placed by firms. These cards have profiles based on information provided by the participating firms. These profiles, having been approved by the firms prior to publication, are completely separate and different from the editorial. The professional cards are designed for use by corporate counsel who want to know more about a firm's practice.

It is important to appreciate that a firm cannot buy inclusion within the editorial section. In particular, buying a professional card within the directory section is not a way of securing inclusion within the editorial section. Our editorial is wholly independent. Professional cards can be viewed either by using the search function at the top of the page, by clicking on the firm name (which is a hyperlink) within the editorial, or by visiting the "Directory" tab at the top of each page.

READERSHIP RESEARCH

Throughout 2013, The Legal 500 conducted a readership study, speaking to 2,536 GCs via legal500.com, at events such as the Association of Corporate Counsel annual meeting, and through our face to face interviews with in-house departments. The results are as follows:

Industry breakdown

18.2%	Financial services
10.5%	Energy and natural resources
6.3%	Manufacturing
5.2%	Consumer goods
5.1%	Insurance
4.7%	Real estate
3.9%	Transport

Size of department

1-5	32.4%
6-10	15.8%
11-25	20.2%
26-50	12.3%
51-100	10.1%
100+	9.2%

Size of company turnover

\$10bn+	15.9%
\$5.1 – 10.6bn	5.2%
\$1.1 – 5bn	19.4%



GCs from companies with a market capitalization of \$1,223bn share their experiences

\$500 – 999m	10.8%
\$100 - %499m	10.3%
\$50 – 99m	7.8%
Less than \$50m	30.6%

**How often do you use the Legal 500?**

Daily	3%
Weekly	8%
Monthly	38%
Annually	36%

**Have you referred to a legal directory recommendation before instructing a law firm?**

Yes – 69%

**Have you used Legal 500 to help choose a law firm to instruct?**

Yes – 66%

**Have you used Legal 500 to instruct a law firm outside your home jurisdiction?**

Yes – 48%

**Do you use the Legal 500 for:**

Primary research	68%
Validation	32%

**Do you prefer Legal 500:**

Online	66%
In print	31%
eBook	3%

**Purpose of visit to Legal 500 website?**

To look up a ranking of a firm I'm considering working with	35%
To look up a ranking of a firm I'm instructing	26%
To look for a firm for a specific piece of work in my jurisdiction	8%
To look for a firm in a jurisdiction outside of my own	19%
To look for a specific lawyer	21%
To look for a specific practice area	14%

**How easy is the site to navigate?**

Easy – 92%

**Have you used other legal directories in the past 12 weeks?**

IFLR1000	14%
BestLawyers	7%
Chambers & Partners	64%
Superlawyers	3%
Not used other legal directories	28%

**Of the directories you have used, which do you prefer?**

The Legal 500	48%
Chambers & Partners	39%
IFLR1000	2%
BestLawyers	2%
Superlawyers	1%

**Do you read any of the following on www.legal500.com?**

Law firm profiles	77%
Lawyer profiles	74%
Published articles/legal developments	34%
Press releases	31%



## HOW TO PROFILE YOUR FIRM IN THE LEGAL 500

### THE LEGAL 500 SERIES - HELPING CORPORATE COUNSEL CHOOSE THE RIGHT LAW FIRM

The Legal 500 provides your firm with the perfect platform to promote the expertise and capabilities of your firm to corporate clients and law firms.

#### MARKET LEADING RESEARCH GUIDES

There are a number of opportunities available across The Legal 500 portfolio to maximize exposure and develop your business, globally.

Operating globally The Legal 500 Series includes:

- The Legal 500 Asia Pacific
- The Legal 500 Europe, Middle East & Africa
- The Legal 500 Latin America
- The Legal 500 United Kingdom
- The Legal 500 United States
- The Legal 500 Canada
- The Legal 500 Caribbean
- The Legal 500 Deutschland
- The Legal 500 Paris

Whilst the editorial is independent a profile ensures that the firm is highly visible in The Legal 500. It allows readers to find out everything they need to know about the firm, e.g. all areas in which it is recommended by The Legal 500; the key USPs of the firm; and the depth and quality of the firm/team and individuals. Profiles provide a composite package of online and print visibility.

#### THE PROFILE PACKAGE CONSISTS OF:

- "The Legal 500 rankings" - Those firms that profile are highlighted in bold within the editorial rankings. This means that clicking on the name links to a firm microsite that highlights all areas in which the firm is ranked.
- "Firm profile" - Those firms that profile benefit from 450 words highlighting your capabilities and expertise.
- "Main contacts" - comprehensive contact details including key contacts.
- "Lawyer profiles" - online biographies for ALL lawyers.
- Link from [www.legal500.com](http://www.legal500.com) to your firm's website
- Social media campaign at (e.g. Twitter, LinkedIn address)

The microsite allows firms to provide clients with a complete picture of their expertise through additional tabs, eg:

- Diversity
- Pro bono
- Sector and practice area
- Blogs
- Multimedia
- Press releases
- Thought leadership articles

Banners, **press releases**, **thought leadership articles** and **firms in the spotlight** are additional opportunities to differentiate your firm from peers and provide your firm further exposure at [www.legal500.com](http://www.legal500.com)

To maximize exposure and develop your business through The Legal 500 portfolio please contact a member of **The Legal 500 team**.

Alternatively please contact Head of Sales Amy McDermott ([amy.mcdermott@legal500.com](mailto:amy.mcdermott@legal500.com) +44 207 396 5648) to learn more about marketing your firm.