

LITIGATION BOUTIQUES **HOT LIST**

A SPECIAL REPORT | They may be small, but their cases are as big as they come. This week, we spotlight 10 litigation boutiques with up to 50 lawyers who enjoyed stand-out accomplishments in 2015. These firms, located on either coast or at points in between, secured key victories—whether in monetary terms or by establishing important precedent at the trial or appellate level. Most of the wins were on the defense side, and the outcomes affected banking and finance sectors, pharmaceuticals and life sciences, international law, employment law, technology, manufacturing and more.

Their clients often are heavyweights, including major sports leagues, pop artists and industry leaders. We also asked these attorneys to provide some insight into what's made them successful, and the advice they've found most useful in steering their careers. Some practitioners received words of wisdom while they were mere children; others did so when they were still in law school or just starting to practice law.

The NLJ based its Litigation Boutiques Hot List selections on nominations submitted by the firms themselves and our own reporting.



BANCROFT PLLC

A billion-dollar win is good, and a \$2 billion win is so much better.

Bancroft, the Washington-based boutique, reached that level of success last year, in a reversal of a \$2.4 billion securities class action decision. Bancroft represented Household International Inc., now part of HSBC Finance Corp.

HSBC's general counsel, Stuart Levey, is a friend to both Bancroft founder Viet Dinh and star partner Paul Clement. Each lawyer clerked for Judge Laurence

Silberman on the U.S. Court of Appeals for the D.C. Circuit earlier in their careers.

"We approach all of our cases with vigor, but it's nice to deliver good news to a friend," Dinh, a former assistant U.S. attorney general, said. "When the adversary is noteworthy and formidable, that makes the victory that much more significant."

The firm saw an opening in the case at the trial court level, Dinh said. An expert witness had presented what the Bancroft lawyers believed to be an incorrect

theory on why the investors had lost value in their shares.

Clement argued before the U.S. Court of Appeals for the Seventh Circuit. He won. The court decided the financial-services company deserved a new trial.

"That's the advantage of having fresh eyes look at appeals," Dinh said.

Bancroft won several federal appeals court cases in 2015 for corporate clients. They may not have been as high profile as its previous years' U.S. Supreme Court arguments against

same-sex marriage and the Affordable Care Act, yet the cases added up.

There was Bancroft's appellate win representing college sports and professional leagues in a challenge to sports gambling in New Jersey casinos and racetracks. And there was the firm's representation of Spirit Airlines Inc. over whether the airline misled passengers on its fees. The court dismissed the case.

In a case in which Bancroft represented the U.S. Postal Service against the Postal Regulatory Commission and the nonprofit mailer industry, the sides disagreed on postage rate adjustments. The Postal Service will be able to recoup \$1 billion because of the D.C. Circuit court's decision, the law firm said.

"The lawyers that handle these kinds of cases are skillful, and he [Paul Clement] certainly is," said David Levy, who opposed Clement in the arguments and co-heads Venable's postal law practice group.

Also last year, Bancroft earned grants in several Supreme Court cases it petitioned.

The firm will be back before the court this year in another Affordable Care Act challenge, which Clement will argue on behalf of Little Sisters of the Poor Home for the Aged.

The partners' reputations have helped the firm grow since Dinh founded it in 2003 in his townhouse on Bancroft Place in Washington's Dupont Circle neighborhood. Clement and partner Christopher Bartolomucci joined about five years ago.

Last year, with 18 lawyers, the firm moved from its space on M Street N.W. to a building across from Georgetown University Law Center on New Jersey Avenue in Northwest Washington.

"Every year is better than the year before, because we're a young and a small firm," Dinh said. "It's always on a trajectory. We added more. We did more business."

—KATELYN POLANTZ

FIRM FACTS

- **Largest office:** Washington
- **Total attorneys:** 18
- **Partners:** 6
- **Associates:** 9

BEST ADVICE RECEIVED

Viet Dinh recalled some insight passed along to him early in his career from a name partner. "During a summer with Munger, Tolles [& Olson], Ron Olson told me about his mushroom theory of professional development: Focus on building a very strong stalk, and the cap will follow."