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TOP BOUTIQUES 2018

LITIGATION

Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow P.C.

LOS ANGELES

Bird Marella just finished one of the largest environmental crime trials in state history on behalf of the largest North American oil pipeline company. The trial involved over 50 witnesses, findings of prosecutorial misconduct, and a lot of emotional evidence about oil in the ocean and pictures of dead sea mammals and birds.

After a grueling, four-month fight, through motions to dismiss and favorable verdicts on key counts, the company ultimately avoided conviction on 37 of 46 counts, including the two most serious counts.

“As a result, we reduced the client’s potential penalty exposure by over 100 times,” said lead counsel Gary S. Lincenberg. Post-trial motions are set to be heard on Dec. 13 in Santa Barbara County Superior Court. *People v. Plains All American Pipeline LP*, 1495091 (Santa Barbara Super. Ct., filed May 16, 2016).

On the civil litigation side, Bird Marella has been equally busy. This past year, the firm has represented a diverse slate of clients, including Forever 21, Charles Schwab Corporation, producers of “The Walking Dead” television show, Herbalife Nutrition and a Hewlett-Packard executive.

The firm encourages its attorneys to be generalists as well as specialists, and its practices often complement one another, principal Mark T. Drooks said. Their unique combination of both white collar crim-



Sam Diephuis/ Special to the Daily Journal

From left, Mark Drooks, Gary Lincenberg, Ronald Nessim and Ekwan Rhow of Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow P.C.

inal litigation and civil litigation practices makes them well-suited for handling sprawling, complex cases, said principal Ekwan E. Rhow.

One such case involves an ongoing investigation into Malaysia Development Berhad, or IMDB, a Malaysian economic development company allegedly disguising a money laundering scheme. In the largest criminal forfeiture case in U.S. history, the Department of Justice is suing IMDB for over \$3.5 billion in assets. Rhow leads a team representing the defendants. *United States of America v. Any*

rights to profits royalties and distribution proceeds owned by or owed to JW Nile, 16cv5364 (C.D. Cal., filed July 20, 2016).

“We’re dealing with the Indonesian government, the Malaysian government, the U.S. government at the highest levels, and litigating this thing, all at the same time, and so it requires a lot of expertise for a lot of areas, which we have,” Rhow said. “We’re the ones who are supposed to marshal those resources, and we’re overseeing tax lawyers and folks all around the world.”

The attorneys attribute their success and longevity to their deep

bench. The boutique has been around for over 35 years.

“We’re four generations deep right now, not dominated by any particular individual, and that really shows the depth of the trial lawyers here that have been taught by the older trial lawyers, and we’re in turn teaching the younger ones,” said Rhow.

“Our founding partners set up a structure that really promoted my generation ... to sort of step up and fill those shoes, and it was a very democratic sort of structure,” principal Ronald J. Nessim added.

— Erin Lee