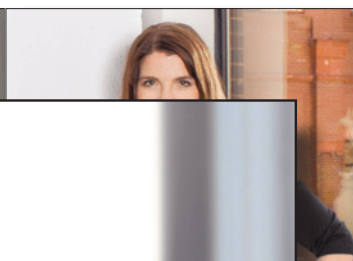


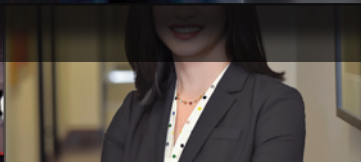
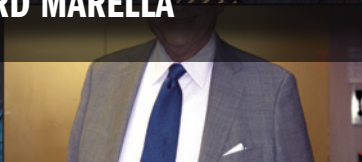
LITIGATION BOUTIQUES **HOT LIST**

A SPECIAL REPORT



GARY LINCENBERG

BIRD MARELLA



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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 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.

Bird Marella

Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhoads, P.C., a 39-attorney Los Angeles shop specializing in white-collar and complex civil defense, believes in knowing the enemy.

"We have our finger on the pulse of what makes prosecutors tick, and we stay on top of every change in government policy and nuance," name principal Gary Lincenberg said.

That strategic emphasis helped the former federal prosecutor persuade the U.S. Department of Justice to drop charges in a major economic espionage case in the

Southern District of Iowa—setting back an enforcement priority announced by President Barack Obama himself. U.S. District Judge Stephanie Rose in Des Moines agreed to the government's dismissal motion.

"They obviously did a great job on behalf of their client," said Peter Zeidenberg, a partner at Arent Fox in Washington who followed the case but wasn't involved in it. "Getting the government to dismiss like this is fantastic result."

The client was Mo Yun, wife of the chairman of Beijing Dabeinong Technology Group Co.

Ltd., a major Chinese agricultural company. Federal agents had seized her at Los Angeles International Airport in an alleged plot to steal trade secrets involving seed corn owned by DuPont Pioneer and Monsanto Co. Mo had been director of research for the company, although not for nearly six years before her arrest.

"We knew that the U.S. attorney in Iowa would be hard-pressed to agree to a dismissal, and would need buy-off on it from Main Justice," Lincenberg said. "We knew we would need to deliver a few body blows to their case in the courtroom."

The defense team, including Bird Marella principals Terry Bird and Peter Shakow, with Iowa City counsel Leon Spies, first persuaded the judge to grant bail, sparing the client incarceration and the attendant pressure to plea bargain.

They proceeded to dismantle the government's case through a series of motions. The judge excluded text messages between Mo and her brother, Mo Hailong, another company official, because he had pasted them into Word documents without preserving authenticating metadata. "That was fought pretty

A professional headshot of Gary Lincenberg, a middle-aged man with short brown hair, smiling slightly. He is wearing a dark blue pinstripe suit jacket, a light yellow dress shirt, and a dark blue tie with a small gold pattern. The background is a bright, out-of-focus window.

GARY LINCENBERG, PRINCIPAL

hard by the government, because this was the heart of their case," Lincenberg said.

The seemingly incriminating statements Mo had given under initial questioning? Excluded on the basis of deceptive questioning by the government. And a former employee's testimony didn't really incriminate the client, the judge ruled.

The team won these rulings notwithstanding the government's invocation of the Foreign Intelligence Surveillance Act, which introduced a scary national security angle and limited defense access to prosecution evidence.

A spokeswoman in the U.S.

attorney's office in Des Moines declined to comment. Mo Hailong, also known as Robert Mo, pleaded guilty to conspiracy on Jan. 27 and faces up to five years in prison.

Also during 2015, Bird Marella spiked a nationwide consumer class action against Hyundai Motor Co. and defeated certification of a class of 13 million people challenging Los Angeles' use of private contractors to process parking tickets. The firm also secured a separate decertification of a class suing Samsung Telecommunications America LLC over its first Galaxy X smartphone.

—MICHAEL MOLINE

FIRM FACTS

- **Sole office:** Los Angeles
- **Total attorneys:** 39
- **Partners:** 20
- **Associates:** 16

BEST ADVICE RECEIVED

Gary Lincenberg said solid advice for him came from Harvard Law School professor Ron Sullivan: "Be yourself, understand how your style is perceived by others, and then adjust it to your audience."

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