

D.C. LITIGATION DEPARTMENTS OF THE YEAR

A SPECIAL REPORT

The NLJ takes the pulse of litigation departments in top law firms in our nation's capital. We asked them to tell us about their shops, including their biggest wins in 2016, their clients and their opponents. From a competitive field, we selected eight firms. They made the case for why they stood out in general litigation and in these practices: insurance, intellectual property, labor and employment, products liability and white collar. Two share top overall honors. For more on the winners, read on. —*Lisa Helem*

BLANK ROME

INSURANCE — WINNER

BLANK ROME PARTNER JIM MURRAY likes to compare the nature of coverage in the firm's highest-profile 2016 cases to Lloyd's of London insuring Betty Grable's legs for \$1 million.

They all involved big money, attention-grabbing headlines and most notably, emerging lines of coverage.

"Insurer underwriters are constantly looking for new liabilities or risks to insure and collect premiums on," said Murray, chair of Blank Rome's policyholder-only insurance coverage practice group in the D.C. office.

He said modern examples of new and emerging insurance products that insurers are quick to underwrite, akin to Lloyd's historical insuring of Grable's legs, would protect against sports injuries, cyber loss, and credit risk.

While many of Blank Rome insurance cases still involve historical wars about asbestos and pollution liabilities, Murray says the firm has seen more disputes regarding specialized coverages.

In 2016, the firm successfully represented professional football player Marqise Lee in a groundbreaking "loss of value" law suit that was the first of its kind. Lee, whom the NCAA designated as an exceptional student athlete at the University of Southern California, suffered an injury that negatively impacted his NFL draft position and cost him millions from his rookie contract.

Lee sought coverage under his "loss of value" policy, but the underwriter denied Lee's claim. After the Blank Rome team won a critical forum battle to transfer the



JIM MURRAY

case to California, it quickly settled for an undisclosed amount.

Blank Rome also claimed a huge victory last year when an arbitration panel awarded \$25.5 million to its client EDF Trading, allowing it to recover full policy limits plus interest under a credit risk insurance policy.

"It was one of the very first awards of that size on a credit risk insurance policy," said Murray, who along with Dickstein Shapiro's coverage group combined with Blank Rome in February 2016.

In 2016, Blank Rome served as special insurance coverage counsel to the debtor KaloBios Pharmaceuticals Inc. to negotiate insurance settlements and assist bankruptcy counsel with the company's exit from Chapter 11.

Blank Rome also set precedent in areas such as environmental specialty policies (client NRG Energy); and complex D&O policy issues (client Lyondell Chemical Co., now called LyondellBasell). In the Lyondell litigation, Blank Rome assisted in recovering insurance settlements for 22 former directors and officers from D&O insurers.

Kerry Galvin, former senior vice president and general counsel for Lyondell and a defendant, said Blank Rome "did a brilliant job" communicating and coordinating with their clients. "They brought an extra level of commitment to this case," Galvin said.

—LAURA CASTRO

firm facts

Name: Blank Rome
Founded: Philadelphia
Total number of attorneys: 607
Litigators as percentage of firm: 48 percent
Litigators as percentage in D.C.: 44 percent
Litigation partners firmwide: 138
Litigation associates firmwide: 119
D.C. litigation partners: 30
D.C. litigation associates: 15
D.C. litigation other attorneys: 14

keys to success

- Cast aside legalese and scrap insurance-speak. Talk and write simply and clearly.
- Think and act like a plaintiffs lawyer—get a trial date, guard it jealously, avoid needless discovery and good things will happen.
- A one-word amendment to Paul Simon's advice—"Preserve your reputation; it's all that's left you." And it doesn't hurt to be civil and professional to opponents.

—Jim Murray