

CALIFORNIA LEADERS IN TECH LAW & INNOVATION

The Recorder is proud to announce this year's winners and finalists for the California Leaders in Tech Law and Innovation Awards. The awards celebrate the achievements of lawyers and companies leading technology, innovation and the profession as a whole.

TECH LITIGATION DEPARTMENT OF THE YEAR LATHAM & WATKINS

FINALIST

Latham & Watkins partners Michele Johnson in Orange County and Colleen Smith in San Diego represented biopharmaceutical company Puma Biotechnology and its CEO in the first federal securities class action to reach a verdict in nearly 10 years alongside partner Andrew Clubok, based in Washington, D.C., and New York. Partner Elizabeth Deeley teamed with Clubok to win approval of a \$35 million deal to resolve long-running securities class actions regarding Facebook's IPO, setting important Second Circuit precedent on the way. Silicon Valley patent litigator Douglas Lumish teamed with partner Bert Reiser in D.C. to represent cloud networking company Arista Networks in its



(L to R) Michele Johnson, Douglas Lumish, Colleen Smith and Elizabeth Deeley of Latham & Watkins

International Trade Commission showdown with larger rival Cisco. Lumish and Silicon Valley partner Rick Frenkel also teamed with D.C. partner Gabe Bell to

secure Federal Circuit affirmance of a patent win for Facebook subsidiary WhatsApp.

That lineup of casework landed Latham as one of six finalists

for the Tech Litigation Department of the Year as part of The Recorder's **California Leaders in Tech Law and Innovation Awards**. The winner of the award will be announced at a ceremony celebrating all winners and finalists Nov. 6. In the run-up to next month's announcement, The Recorder recently asked Johnson, the global chair of Latham's litigation and trial department, about the firm's approach to litigation.

The Recorder: What are the distinguishing characteristics of litigators that practice at Latham?

Michele Johnson: We have a long history of representing technology companies because our fundamental belief systems are in line—we believe in innovation and results. Our litigators are creative, pragmatic and unilaterally focused on achieving the best results for our clients, in whatever form success might take.

Technology companies hire Latham litigators because we understand their truly dynamic industry and are able to pair that fluency with the vast resources of our multidisciplinary, global platform. We tailor each engagement to field the best-suited team based on experience and the dispute to be solved. While we always work to achieve the best result for our client's

commercial interests—often an early dismissal or favorable resolution—we adopt a trial-ready strategy at the outset of any dispute so that we're always several steps ahead.

When a client comes to Latham for representation on a piece of litigation, what can they expect?

We deliver the highest value of client service and are committed to serving as an adviser to and partner with our clients in achieving their commercial goals. Latham is proud to have assembled a team of litigators who not only are battle-tested, but also bring a diverse range of experiences and perspectives to each matter. While we tend to operate with a scalpel instead of a sledgehammer, we can wield both, and our litigators are passionate about fighting for our clients whether in court or the boardroom.

How does your firm gauge success on any particular litigation matter?

Success is achieving the client's business goals. Success can mean securing the earliest possible resolution, the most efficient resolution or the most decisive complete victory. It's all about positioning and managing the matter in a way that best fits the client's commercial interests.

What ways is the business of litigation changing, and how are you adapting to those changes?

The business of litigation is continually evolving, and we relish collaborating with our clients to define and deliver value. Alternative fee arrangements are one of the tools that can provide a level of predictability and mutual economic benefit to the client, depending on the nature of a case. We are regularly evaluating and taking on partial or full contingency arrangements, and we maintain an open dialogue with our clients regarding flexibility and the need to creatively price services.

We are also seeing clients demand diverse teams and talent, a strategy that is fundamental to Latham's culture and how we deliver legal services. It's indisputable—diverse teams are the best teams, and we do everything in our power not only to develop and promote diverse attorneys, but to foster a culture of inclusiveness. This year alone, we've succeeded in half a dozen trials—each in a different venue, involving a different industry and a different practice—and every single one of those trials was led by a woman. We expect no other firm can say the same.