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LITIGATION

Boutique
of the Year

EimerStahl

Eimer Stahl Klevorn & Solberg LLP

Winning Outside of Court

AFTER 27 YEARS AT SIDLEY & AUSTIN, NATHAN EIMER wanted to call his own shots. He'd agreed to represent the city of Chicago in its suit against gun manufacturers. Sidley said no. The firm feared issue conflicts with other clients. Eimer says he understood the firm's reasons, but he left soon thereafter. "I wanted more flexibility to figure out what I wanted to do when I wanted to do it," he says.

Eimer, joined by nine other Sidley lawyers, left to form Eimer Stahl Klevorn & Solberg in July 2000. The group made an effort to exit on good terms. That's paid off: Eimer estimates more than half their current client relationships originated at Sidley. For example, John Lucking, general counsel of UOP LLC, a chemical manufacturer owned by The Dow Chemical Company and Honeywell International Inc., followed Eimer when he left Sidley. "On any major report case, I like to have Nate as my lead guy," Lucking says. "Whenever we've needed more horsepower, Nate is so well connected in the legal community, he can pull in the assistance."



NATHAN EIMER (LEFT) AND SCOTT SOLBERG

PHOTOGRAPH BY DANIEL LINCOLN



Honorable Mentions

Sometimes he needs it. The firm's client roster includes CITGO Petroleum Corporation, Union Carbide Corporation, and Holcim Ltd., the Swiss cement behemoth. Though it's grown to 25 lawyers, Eimer Stahl is smaller—and has less name recognition—than most corporate defense firms these companies typically rely on for massive litigation. "Size hasn't been a problem. The firm now is bigger than my practice group at Sidley," says Eimer. "The biggest drawback has been the lack of brand name."

That hasn't hurt referrals. Eimer Stahl now represents Hollinger, Inc., in the legal fallout from its accounting fraud scandal. That work came from a Sullivan & Cromwell lawyer working with Conrad Black, the controversial former Hollinger CEO. Eimer, who opened Sidley's New York office in 1984, says most of the firm's new work comes from Am Law 200 firms. "Firms are no longer threatened by us being at Sidley," says Eimer.

Eimer Stahl resembles nothing so much as a miniversion of a mega operation. Since its founding, the firm has yet to try a case to a jury verdict, but clients don't seem to mind. Holcim (U.S.) Inc. general counsel Susan Diehl has worked with many of the Eimer Stahl attorneys since their Sidley & Austin days. She has turned to them for several suits, pitting them against counsel from Jenkins & Gilchrist in one, and Cadwalader, Wickersham & Taft in another. "I would always go to them," says Diehl. "They're not afraid to go up against big firms."

Last year Eimer successfully argued to disqualify King & Spalding as UCAR International Inc.'s counsel in a dispute with former parent companies Mitsubishi Corporation and Union Carbide. UCAR claimed that the two companies had illegally executed a stock repurchase plan. On behalf of Union Carbide, Eimer was able to get King & Spalding disqualified because a partner had previously represented Union Carbide while with another firm. He also had the case

EIMER STAHL KLEVORN & SOLBERG LLP

SIZE 7 partners, 9 associates,
5 staff attorneys, 4 of counsel

FOUNDED 2000

FIRM ORIGIN Spun off from
Sidley & Austin.

dismissed. Even so, King & Spalding's Kevin Sullivan calls Eimer "an outstanding lawyer. He has excellent judgment and range in understanding the issues." Coming from opposing counsel, that's a particularly useful reference to add to the collection.

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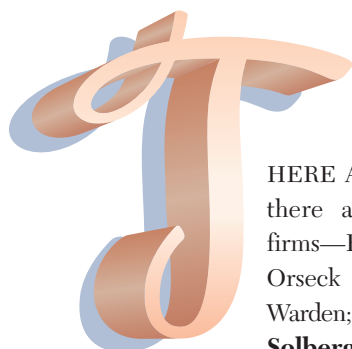
Small even by
boutique standards,
these *firms* still
manage to win
big-ticket cases.



Honorable Mentions

Little Shops of Power

BY HEATHER SMITH



HERE ARE BOUTIQUES, and then there are boutiques. These three firms—Robbins, Russell, Englert, Orseck & Untereiner; Yetter & Warden; and **Eimer Stahl Klevorn & Solberg LLP**—are not only young (the oldest, Yetter & Warden, opened in 1997), they're tiny. Really tiny. Both Robbins, Russell and Eimer Stahl have just seven partners. Yetter & Warden has four.

The three share more than youth and short rosters. The founders all fled Am Law 200 firms for the freedom to pick and choose their cases and specialties. They don't try to meet a client's every need. But clients, cocounsel, and even opposing counsel rate them as the best at what they do: Robbins, Russell spins courtroom losses into U.S. Supreme Court wins; Yetter & Warden wins over judges and juries by breaking complex issues into bite-size portions; and Eimer Stahl resolves sticky cases for big-name clients.

These firms can't handle cases with mountains of documents without help from other firms. They rely heavily on technology to handle their work and minimize overhead costs, like libraries and support staff. As a result, they offer laser focus, lower bills, and, perhaps best of all, personal attention. "When you hire Yetter & Warden, you're going to get either Yetter or Warden," says R. Paul Yetter.

"We get phenomenal service at a price less than if they were still at Mayer, Brown, Rowe & Maw, with even more service and attention," says client Barbara Taylor, general counsel of BDO Seidman, LLP. Taylor has turned to Robbins, Russell five times since it opened in 2001. Currently it's fighting class certification in a \$400 million securities fraud case after devising a creative way to steer it away from the late Judge Milton Pollack. "I couldn't be happier," Taylor says.

Microboutiques offer clients more than cheap service. They offer reliable service. They're less likely to bow out over conflicts because, very simply, they have fewer clients and handle fewer types of matters for them. So other firms are happy to send conflicts their way because once the job is done, the microboutique sends them right back for corporate, tax, or employment matters.

Fried, Frank, Harris, Shriver & Jacobson partner Richard Sauber has served as cocounsel to Robbins, Russell several times. "Lawyers are awful about competition and stature," Sauber says. But, he adds, it's different working with Lawrence Robbins: "I get hired for people who need me to be able to send 15 lawyers to devote to a matter. He gets hired to write a cert petition. I'd never get hired to do that."

And therein lies a business model.