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Kirkland lawyer represents large corporate clients early in his career

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As a young kid in New Jersey, Andrew A. Kassof wanted to be the general manager of the New York Yankees.

Once he realized that might not happen, he turned instead to advice from his dad, who always told him, "No matter what you do, be passionate about it."

"The people who are most successful are the ones who wake up every day and say, 'I'm happy to go to the office,'" Kassof said. "It might not be general manager of the Yankees, but it could be something that you still, nonetheless, love."

When Kassof blended his childhood talent for creative writing and the ability to connect to different people with his adult attributes of discipline, confidence and determination, he discovered his passion and affinity for the law.

Kassof, now a 38-year-old partner at Kirkland & Ellis LLP, who practices complex general commercial litigation, could easily be called a rising star.

In the past few years, he has first-chaired and won two trials for U.S. oil and gas giant ExxonMobil and won several significant cases for other corporate clients like United Airlines and 7-Eleven.

Richard C. Godfrey, a partner at Kirkland & Ellis, mentored Kassof and recalled his early "ability to understand, anticipate and satisfy the needs of the client, as well as the expectations of judges and juries."

"Combine that ability with his hard work, presence and deep insight, and there is little wonder, then, why some of the firm's largest clients routinely retain Andrew to represent them in matters of significance," he said.

Kassof graduated from George Washington University Law School and started his career at the New York office of Kirkland & Ellis in 1997. He transferred to the Chicago office two years later when he and his wife, Susie, whom he met in law school, moved to the city.

Kassof wanted to work for Kirkland & Ellis as soon as he decided to become a trial lawyer, he said. He knew the firm understood the difference between trial lawyers and litigators, who, he said, take two different approaches to cases.

Litigators plod through their cases by thinking of them from conference call to conference call, or motion to motion, Kassof said. Their cases often settle, but if they do go

to trial, that's when they start developing their trial strategy.

Trial lawyers start their cases by meeting with witnesses, hearing their stories and reading through documents, he said.

"If you think very hard and critically early on, and do that initial work, ... you are then determining what's the best trial story and how do we win this case," Kassof said.

He began assisting Godfrey with large class-action cases for Exxon in 2002. He handled the discovery and brief work in cases where plaintiffs challenged the company's gasoline prices in state court in Michigan and federal court in New York, as well as in the Texas Supreme Court.

After helping to secure victories in all of these cases, Kassof asked Exxon if he could take the lead on its other matters.

"The client was really happy, and I said to them, 'Not all of your cases are going to be hundreds and millions and billions of dollars and exposure-type cases where you need Rick Godfrey,'" Kassof said. "If you can start giving me cases, I will get you the same results."

"The great thing about Exxon is that they are forward-looking, and they said, 'if you want a shot, we'll give you a shot.'"

Kassof won his first case for Exxon in South Carolina state court in November 2009. In *CM Dukes v. ExxonMobil*, the plaintiff alleged that the company had tried to destroy his 85-year-old business.

Kassof saw it as a challenge because Exxon had lost a similar case within the past five years and faced public outcry over high gas prices. When the plaintiff's lawyer also pitched a "David-versus-Goliath story," he identified a 68-year-old grandmother who worked for Exxon as his key witness.

"Anyone would look at her and say, 'There's no possible way that this woman could ever intentionally destroy this guy's business,'" Kassof said. "I came up with this story that Exxon was not just some big corporate giant, but it's a company of people."



Andrew A. Kassof

Three weeks before the trial, the woman's husband became ill and she could not testify. Kassof instead proved his case by cross-examining the plaintiff's witnesses.

Kassof secured his second win for Exxon in *Liberty Petroleum v. ExxonMobil* in Virginia state court in January 2011. The plaintiff alleged that Exxon violated the terms of its \$80 million deal to sell nearly 70 of its gas stations by removing the "crown jewel" property.

"Exxon negotiated the right in the contract that they could pull any station from the deal if there were environmental reasons," Kassof said. "It was a 56-page contract, and lawyers all over both sides negotiated it. The other side agreed to the terms that were in there, and he had to live by them, like them or not."

Edward Soto, head of the litigation department in the Miami office of Weil, Gotshal & Manges LLP, who served as Kassof's co-counsel in several Exxon cases, commended him for his preparation and graciousness.

"He's extremely detailed in the way he approaches a task and an issue," Soto said. "I think the other thing is that Andrew just has a tremendously respectful way of speaking with everyone he works with at every level, from his own secretary to the general counsel of Exxon. It speaks well of him as a person."

Kassof approaches his work with Exxon by identifying the company's goals and achieving them in the most efficient, effective way, he said.

"You can't just spend their money for them," he said. "Everything you do in the case has to have a means to an end."

He also strives to partner with the company's in-house lawyers, who often discuss trial themes, witness approaches and examination outlines with him.

In the past few years, Kassof also won an arbitration case for United Airlines that involved labor cost-savings during its bankruptcy and an appeal for 7-Eleven that allowed the company to keep the property across from Wrigley Field.

He is currently representing Repsol YPF, a Spanish and Argentine oil corporation, in litigation involving more than 300 parties in New Jersey.

Kassof and his wife have three children, who are 7, 5 and 1. He also serves on the board of the Constitutional Rights Foundation of Chicago.